

Clearwater, Florida, March 21, 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 6:30 P.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 Carol J. Jones, Board Reporter.

Commissioner Todd pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Seel.

A G E N D A

INVOCATION

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

PRESENTATIONS AND AWARDS

A. CITIZENS TO BE HEARD

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

B. CONSENT AGENDA

CLERK OF CIRCUIT COURT

1. Approval of Minutes **B** Regular Meetings Held February 29 and March 7, 2000.

2. Reports:

- a. Dock Fee Report for Month of February 2000.

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- b. Pinellas County Clerk of the Circuit Court Financial Statements for Year Ended September 30, 1999, Together with Independent Auditors=Report, Prepared by KPMG LLP.
3. Other Approvals:
- a. General:
 - 1. Recommendation that the Board of County Commissioners Approve the Write-Off of Uncollectible Animal Control Returned Checks.
 - b. Satisfactions of Judgments and Liens.
4. Miscellaneous Items to be Received for Filing:
- a. Official Traffic Regulations Submitted by the County Traffic Engineer.
 - b. Copies of Correspondence Dated February 24, 2000 from Southwest Florida Water Management District to Florida Design Consultants, Inc. Regarding Walsingham Park Site Development, Phases 5, 6 and 7.
 - c. Notice of Changes in Traffic Regulations Submitted by the Florida Department of Transportation Regarding S.R. 699 (Gulf Boulevard) from South City Limits to North City Limits of North Redington Beach.
 - d. Correspondence from City of Pinellas Park Regarding Ordinances Nos. 2695 and 2696, Voluntarily Annexing Certain Property, Public Hearing to be Held March 9, 2000.
 - e. City of Largo Notice of Public Hearing to be Held March 21, 2000 Regarding Ordinances Nos. 2000-46 and 2000-47, Annexing Certain Property.
 - f. Correspondence from City of Largo Regarding Taylor Properties Land Use Amendment Case No. L5-01-00, Public Hearings to be Held March 21 and April 4, 2000.
 - g. Correspondence from City of Largo Regarding McKay Creek Land Use Amendment Case No. L5-02-00, Public Hearings to be Held March 21 and April 4, 2000.
 - h. City of Seminole Notice of Voluntary Annexation and Public Hearing to be Held March 14, 2000 Regarding Ordinance No. 11-2000, Annexing Certain Property.
 - I. Correspondence from City of Safety Harbor Regarding Ordinances Nos. 2000-05 and 2000-06, Annexing Certain Property.
 - j. City of Clearwater Notice of Public Hearing to be Held March 2, 2000 Regarding Requests for Annexation, Land Use Plan and Zoning Atlas Amendments.

COUNTY ADMINISTRATOR

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Budget and Finance

5. Budget Amendments: None.

Public Works

6. Approval of Change Order No. 1 (Final) **B** North County Road Resurfacing 1998/1999 Annual Contract.
7. Receipt and File Plans and Specifications for the Construction of 1999/2000 Annual Contract for Underdrains and Minor Drainage.
8. Approval of Subdivision Plats and Related Items.

General

- 9 Approval of Award of Bid **B** Ford OEM Parts for Cars, Light and Medium Duty Trucks.
10. Approval of Contract Amendment **B** Trane Commercial Equipment Maintenance Services.
11. Approval of Release of Lien (Housing) **B** James Boutzoukas and Ermioni Boutzoukas.
12. Approval of Partial Release of Lien (Housing) **B** William J. Mickle, Jr.
13. Approval of Second Amendment to the Lease with Crown Castle GT Company, LLC and GTE Mobilnet of Tampa, Inc.

C. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

15. Approval of Change Order No. 1 (Final) **B** Lake Seminole Pond Refurbishment Sub-Basin No. 6.
16. Approval of Change Order No. 1 **B** Installation and Maintenance of Landscape Materials along 49th Street North.
17. Approval of Award of Contract **B** Traffic Sign Blanks, Brackets and Posts (COOP), 2000/2001.

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18. Approval of Acquisition of Lot 14, Parcel Number 7, Hollingsworth Estates for the Keene Road **B** Phase IA Project (Gulf to Bay to Drew Street).
19. Approval of Acquisition of a Portion of Lot 36, Parcel Number 167 for the Bryan Dairy Road Project (72nd Street North to U.S. 19 North).
20. Approval to Execute Agreement **B** Palm Harbor Historic District, Streetscaping Project, Planning and Engineering Services.
21. Approval to Execute Interlocal Agreement **B** Park Boulevard Area Drainage Improvements.

Airport

22. Approval of Non-Competitive Purchase **B** Benoit Full-Scale Replica Aircraft.

Utilities

23. Approval of Change Order No. 1 **B** Hydromatic Submersible Pumps.
24. Approval of Change No. 3 to the Agreement with Biological Research Associates, Inc. in Connection with the Southwest Florida Water Management District Rulemaking Regarding Minimum Flows and Levels.
25. Approval of Reclassification of One Encumbered Utilities Program Policy Coordinator Position.
26. Approval of Release of Lien for Sewer Connection Fees.

General

27. Approval of Award of Bid **B** Veterinary Drugs and Supplies (COOP), 2000/2002.
28. Approval of Award of Bid **B** Heavy Equipment.
29. Approval of Change Order No. 2 **B** Increase to Guaranteed Maximum Price, Florida Botanical Gardens, Phase III, Construction Site Work for Gulf Coast Museum of Art.
30. Approval of Recommendation to Declare Miscellaneous Property as Surplus and Authority to Donate Property to Pinellas County School Board.
31. Approval of Non-Competitive Purchase **B** Specialized Plumbing Supplies.
32. Approval of Authorization to Purchase **B** Lift Systems, Automotive.
33. Approval of Thirty Day Extension for Revisions of Resolution No. 99-192.
34. Approval of Access License with Adam Smith Enterprises, Inc.

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35. Approval of Recommendation to Declare Escheat Properties Surplus, Waive Mineral Rights and Execute Deeds.
36. Approval of Partial Release of Retainage **B** Florida Botanical Gardens, Construction Management Agreement.
37. Approval of Interlocal Agreement **B** Sheriff's Boot Camp.
38. Approval of Appointment of Director of Emergency Communications/911 Department.
39. Approval of State and Local Assistance (SLA) Agreement between the State of Florida Department of Community Affairs and Pinellas County.
40. Approval of Authorization for W. R. Hough and Company, Inc. to Solicit Bids for a Municipal Investment Contract.
41. Other Administrative Matters:
 - a. Assessment of Cable Franchise - Formal Process.

CLERK OF CIRCUIT COURT

42. Approval of Vouchers and Bills:
 - a. Weekly Vouchers and Bills.
 - b. Requisition of Payment and Certificate to the Solid Waste Disposal and Resource Recovery System Construction Trust Account:
 1. Payment Order No. C-0193 in the Amount of \$758,870.00 to Wheelabrator Pinellas, Inc.
 2. Payment Order No. C-0194 in the Amount of \$18,648.18 to HDR Engineering, Inc.

COUNTY ATTORNEY

43. Authority for County Attorney to Defend:
 - a. Fleet Mortgage Corp. v. Tamra Murphy Lauderdale, et al. **B** Circuit Civil Case No. 00-1374-CI-7 **B** Mortgage Foreclosure Involving a Community Development Lien.
 - b. United Companies Lending Corporation v. Annie L. Brown, et al **B**Circuit Civil Case No. 00-1403-CI-13 **B** Mortgage Foreclosure Involving Judgments for Attorneys Fees and Costs.

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- c. Federal National Mortgage Association. v. Daniel M. O'Neil, et al **B** Circuit Civil Case No. 00-1284-CI-11 **B** Mortgage Foreclosure Involving Judgments for Attorneys Fees and Costs and Judgments for Fines and Costs.
 - d. Ocwen Federal Bank, FSB v. Brian A. Grob, et al. **B** Circuit Civil No. 00-1550-CI-13 **B** Mortgage Foreclosure Involving a Street Lighting Lien.
 - e. United States of America, etc. v. Dorothy E. Odom, etc., et al **B** Circuit Civil Case No. 00-1651-CI-15 **B** Mortgage Foreclosure Involving a Community Development Lien.
 - f. Bank of America, N.A., etc. v. Steven E. Lamberson, II, et al **B** Circuit Civil Case No. 00-1619-CI-20 **B** Mortgage Foreclosure Involving a Community Development Lien.
 - g. Harry Dunleavy v. Pinellas County **B** Case No. 00-1300-SC-NPC **B** Action Alleging Tortuous Destruction of Property Via Illegal Pumping.
- 44. Authority to File a Complaint for Injunctive Relief against Richard Lee Hain, Sr.
 - 45. Approval of Special Counsel Contract with Miller & Van Eaton, P.L.L.C. for Representation of Pinellas County in Renewal of Cable System Franchise with Time Warner-Advance Newhouse Limited Partnership.
 - 46. Approval of Addendum No. 1 to Contract for Law Enforcement Services for the City of Oldsmar.
 - 47. Miscellaneous.

ECONOMIC DEVELOPMENT AUTHORITY

- 48. Approval of Lease with National Forensic Science Technology Center at the STAR Center.
- 49. Approval of Lease with Mactec Environmental Restoration Services, LLC at the STAR Center.
- 50. Approval of Lease with Eckerd Corporation at the STAR Center.
- 51. Approval of Lease with New Directions in Learning at the STAR Center.
- 52. Approval of Property Transfer Agreement and Bill of Sale with Nova Precision Components, Inc. at the STAR Center.

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EMERGENCY MEDICAL SERVICES AUTHORITY

53. Approval of Grant Application for State EMS Matching Funds for a Community Automatic External Defibrillator (AED) Project.
54. Approval of Grant Application for State EMS Matching Funds for an Emergency Vehicle Operations Course Driver Training Facility.

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

55. Petition to Vacate Submitted by David W. Johnson and Susan Glatthorn Johnson, Represented by Richard C. Langford for a Portion of a Platted Easement on Lot 4, FEATHER COVE UNIT THREE, Located in the Northeast **3** of Section 2, Township 30 South, Range 16 East.
56. Petition to Vacate Submitted by Commercial Graphics, Inc., and Wills Starter and Alternator Services, Inc., Represented by Will Davis of C. Fred Deuel and Associates for a 10.0 Foot Right of Way/Alley Adjacent to Lots 1 through 11 and Lot 32, Less the South 10.0 Feet and a Portion of a 16.0 Foot Right of Way/Alley Adjacent to Lots 11 and 32, All Being in Block A, FULTON HEIGHTS, Reserving a Drainage and Utility Easement over the Vacated Area, Located in the Northeast **3** of Section 4, Township 31 South, Range 16 East.
57. Proposed Ordinance Creating an Idle Speed No Wake Zone within the Waters of Sutherland Bayou.
58. Shell Key Preserve Management Plan.
59. Planning and Zoning Applications Heard by the Examiner:
 - a. CU-4-2-00
Application of Excel Landscape & Maintenance, Inc. through Housh Ghovae, Northside Engineering for a Conditional Use to Allow the Expansion of a Plant Nursery in an A-E Zone on Approximately 3.19 Acres on the South Side of 150th Avenue North (A.K.A.: Automobile Road), 133.4 Feet West of Sunset Street (Street Address: 6000 150th Avenue North).
 - b. Z-1-2-00
Application of James D. Barnes for a Change of Zoning from R-4, One, Two or Three Family

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Residential to M-1, Light Manufacturing and Industry on Approximately .427 acre on the West Side of South Wind Lane, 391 Feet North of Ulmerton Road (Street Address: 885 South Wind Lane).

- c. Z-2-2-00
Application of Polytrends, Inc. For a Change of Zoning from C-2, General Retail Commercial and Limited Services to M-1, Light Manufacturing and Industry on Approximately 1.13 Acres at the Northeast Corner of 49th Street North and 113th Avenue North (Street Address: 11351 49th Street North).
- d. Z/LU-3-2-00
Application of Joseph A. Pennino & Paul A. Nucci through Leslie Curran, C. Fred Deuel & Assoc. for a Change of Zoning from R-4, One, Two or Three Family Residential to C-2, General Retail Commercial and Limited Services and a Change of Land Use from Residential Urban to Commercial General on Approximately .32 Acre 110 Feet East of 49th Street North between 47th Avenue North and 46th Avenue North (Street Address: 4823 46th Avenue North).
- e. CU-5-2-00
Application of Frederick J. Van Zyl through Mr. Herbert Elliott & Robert Wehr for a Conditional Use for an Animal Hospital with a Lighted Sign in an A-E Zone on Approximately 4.08 Acres on the West Side of East Lake Road, 1,550 Feet North of Bryan Lane (Street Address: 754 East Lake Road South).
- f. LU-3-8-99 (Continued from 1/18/00 and 2/15/00 BCC Meetings)
Application of Pasadena Yacht & Country Club, Inc. through Roger A. Larson, Esquire for a Change of Land Use from Recreation/Open Space to Residential Low on Approximately 3.1 Acres at the Northwest Corner of Gulfport Boulevard South and Pasadena Point Boulevard.
- g. Z-5-4-99 (Continued from 11/16/99 and 1/18/00 BCC Meetings)
Application of Phil Lacey & Tarpon Ridge, Inc. through Grady C. Pridgen, III for a Change of Zoning from A-E, Agricultural Estate Residential District, R-6, Mobile Home Parks and Subdivisions District & R-1, Single Family Residential District to RPD-7.5, Residential Planned Development District & AL, Aquatic Lands District on Approximately 37.8 Acres at the Southwest Corner of Snug Harbor Road and Mentmore Drive.

D. COUNTY ADMINISTRATOR REPORTS

60. None.

E. COUNTY COMMISSION

61. Approval of Re-Appointment to the Tampa Bay Community Reinvestment Corporation.

62. Miscellaneous.

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ADJOURNMENT

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PROCLAMATION RECOGNIZING WEEK OF MARCH 26, 2000 AS CENSUS 2000 WEEK

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Commissioner Harris presented a Proclamation recognizing the week of March 26, 2000 as Census 2000 week to Elba Velazquez, Census Partnership Specialist; Patrick Whelan, Office Manager, South County Local Census Office; and Michael Vallez, Assistant Manager for Field Operations, North County Local Census Office.

PROCLAMATION HONORING ANETE VASQUEZ AS PINELLAS COUNTY TEACHER OF THE YEAR

—

Following a brief video highlighting the teacher of the year finalists and their students, Chairman Stewart presented a Proclamation to Anete Vasquez, Palm Harbor University High School English teacher, honoring her as Pinellas County teacher of the year.

PROCLAMATION DECLARING MARCH 19 THROUGH MARCH 25, 2000 AS JUVENILE JUSTICE WEEK 2000

—

Chairman Parks presented a Proclamation declaring March 19 through March 25, 2000 as Juvenile Justice Week to Nancy Zambito, Juvenile Justice Councilmember and Assistant County Administrator for the Pinellas County School Board; April Putzulu, Board and Council Coordinator for the Florida Department of Juvenile Justice; and Tim Nierman, Juvenile Justice Manager for District V.

PIN PRESENTED TO COUNTY ADMINISTRATOR FRED E. MARQUIS IN RECOGNITION OF 30 YEARS OF SERVICE TO PINELLAS COUNTY

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Chairman Stewart presented a pin to County Administrator Fred E. Marquis in recognition and appreciation of his 30 years of service to Pinellas County.

MILLENNIUM MINUTE

Bob Lockhart, Aviation Festival Chairman, presented an overview of the events scheduled to take place during the Aviation Festival, March 25, 2000 through June 3, 2000; a copy of which has been filed and made a part of the record.

RESOLUTION NO. 00-44 ADOPTED PROVIDING FOR WATER SHORTAGE, LIMITING HOURS OF LAWN AND LANDSCAPING IRRIGATION, PROVIDING AN EFFECTIVE DATE

—

At the request of Chairman Stewart, Director of Utilities Pick Talley presented an overview of the proposed water restrictions resolution, a copy of which has been filed and made a part of the record; and related that the new restrictions provide for one-day a week lawn and landscape irrigation; that irrigation is prohibited between the hours of 8:00 a.m. to 6:00 p.m. seven days a week; that new sod may be watered daily for a period of 30 days; that an automatic shutoff valve must be utilized for car washing; that no restrictions have been placed on reclaimed water; and that variances may be applied for through the Utilities Department and the Office of the County Administrator for any of the imposed restrictions.

Following discussion, Commissioner Parks moved, seconded by Commissioner Todd and carried, that Resolution No. 00-44 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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CITIZENS TO BE HEARD

Emily Rogers Coeyman, 6936 40th Avenue North, St. Petersburg, related her thoughts regarding the census, reclaimed water, and the Tyrone Bridge.

Bobbie Painter, 139 Harbor Drive, Ozona, representing the Ozona Village Improvement Society, related her concerns relative to the 180-foot cell tower approved by the Board of Adjustment for construction in Ozona; and suggested that the Board of Adjustment may need to consider additional criteria when its decision results in such an impact to the community.

Charles H. Fleer, 4855 110th Street North, St. Petersburg, expressed his concerns regarding County governance relative to annexation issues.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 13 - 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 13, be approved as follows:

1 APPROVAL OF MINUTES

Minutes of regular meetings of February 29 and March 7, 2000.

2 REPORTS RECEIVED FOR FILING

- a. Dock fee report for month of February 2000.
- b. Clerk of the Circuit Court Financial Statements for year ended September 30, 1999, together with Independent Auditors= Report Thereon, prepared by KPMG LLP.

3 OTHER APPROVALS

March 21, 2000

a. General

(1) Authorization to write-off \$193.50 in uncollectible Animal Control returned checks.

b. Satisfactions of Judgments 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.

(2) Releases of Public Defender Liens as listed on BCC Financial Receivable System Report(s), pursuant to Florida Statute 27.56, Statute of Limitation.

4 MISCELLANEOUS ITEMS RECEIVED

a. Official Traffic Regulations submitted by the County Traffic Engineer.

b. Copies of correspondence dated February 24, 2000 from Southwest Florida Water Management District to Florida Design Consultants, Inc. regarding Walsingham Park Site Development, Phases 5, 6 and 7.

c. Notice of Changes in Traffic Regulations submitted by the Florida Department of Transportation regarding S.R. 699 (Gulf Boulevard) from south city limits to north city limits of North Redington Beach.

d. Correspondence from City of Pinellas Park regarding Ordinances Nos. 2695 and 2696, voluntarily annexing certain property, public hearing to be held March 9, 2000.

e. City of Largo Notice of Public Hearing to be held on March 21, 2000 re Ordinances Nos. 2000-46 and 2000-47, annexing

certain property.

- f. Correspondence from City of Largo re Taylor Properties Land Use Amendment Case No. L5-01-00, public hearings to be held on March 21 and April 4, 2000.
- g. Correspondence from City of Largo re McKay Creek Land Use Amendment Case No. L5-02-00, public hearings to be held on March 21 and April 4, 2000.
- h. City of Seminole Notice of Voluntary Annexation and Public Hearing to be held on March 14, 2000 re Ordinance No. 11-2000, annexing certain property.
- I. Correspondence from City of Safety Harbor re Ordinances Nos. 2000-05 and 2000-06, annexing certain property.
- j. City of Clearwater Notice of Public Hearing to be held on March 2, 2000 re requests for annexation, land use plan and zoning atlas amendments.

5 BUDGET AMENDMENTS - NONE

6 CHANGE ORDER NO. 1 (FINAL) TO CONTRACT NO. 922349 WITH APAC-FLORIDA, INC. (F/K/A COUCH CONSTRUCTION, L.P.) FOR NORTH COUNTY ROAD RESURFACING, 1998/1999 ANNUAL CONTRACT (BID NO. 989-0600-C)

- a. Change Order No. 1 (Final) decreases the contract by \$42,229.39 (final total contract, \$496,672.71).
- b. Contract accepted as complete as of October 22, 1999.
- c. Authorization for the Chairman to sign and the Clerk to attest.

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7 RECEIPT AND FILE OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF 95 ANNUAL CONTRACT FOR UNDERDRAINS AND MINOR DRAINAGE - PID NO. 921320

Plans and specifications for the subject project were received for filing.

8 SUBDIVISION PLATS AND RELATED ITEMS

a. Scherer Office Building

1. Completion Bond No. R-24072073 accepted in the amount of \$8,798.00.

b. Bic Corporation

1. Plat approved.

9 BID OF WALKER FORD COMPANY, INC. FOR FORD OEM PARTS FOR CARS, LIGHT AND MEDIUM DUTY TRUCKS (BID NO. 990-0435-B)

Bid is for an annual estimated expenditure not to exceed \$30,000.00.

#10 AMENDMENT TO CONTRACT WITH TAMPA BAY TRANE FOR TRANE COMMERCIAL EQUIPMENT MAINTENANCE SERVICES (BID NO. 990-0209-N)

Contract amendment is for a previously approved total annual expenditure not to exceed \$50,000.00.

#11 RELEASE OF LIEN (HOUSING)

James Boutzoukas and Ermioni Boutzoukas

#12 PARTIAL RELEASE OF LIEN (HOUSING)

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William J. Mickle, Jr.

#13 SECOND AMENDMENT TO LEASE AGREEMENT WITH CROWN CASTLE GT COMPANY LLC AND GTE MOBILNET OF TAMPA INCORPORATED

The subject amendment changes the name of the tenant.

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

#15 CONTRACT NO. 921820 WITH STEVE'S EXCAVATING & PAVING, INC. FOR LAKE SEMINOLE POND REFURBISHMENT, SUBBASIN NO. 6 - ACCEPTED AS COMPLETE; CHANGE ORDER NO. 1 (FINAL) - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended that Contract No. 921820 with Steve's Excavating & Paving, Inc. for Lake Seminole pond refurbishment, subbasin No. 6 be accepted as complete as of November 30, 1999; and further recommended that Change Order No. 1 (Final), increasing the contract by \$39,569.74 (new total contract, \$234,068.74) be approved.

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

#16 AGENDA ITEM A APPROVAL OF CHANGE ORDER NO. 1, INSTALLATION AND MAINTENANCE OF LANDSCAPE MATERIALS ALONG 49TH STREET NORTH@ - TEMPORARILY DEFERRED TO MEETING OF MARCH 28, 2000

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County Administrator Fred E. Marquis referred to agenda item No. 16, A Approval of Change Order No. 1, Installation and Maintenance of Landscape Materials along 49th Street North,@ and recommended that the item be deferred to the meeting of March 28, 2000, and no objections were noted.

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#17 AWARD OF CONTRACT TO UNIVERSAL SIGNS & ACCESSORIES AND VULCAN SIGNS FOR ANNUAL REQUIREMENTS OF TRAFFIC SIGN BLANKS, BRACKETS, AND POSTS, 2000/2001 (COOPERATIVE BID NO. 990-0616-B) - APPROVED

County Administrator Fred E. Marquis recommended that the contract for annual requirements of traffic sign blanks, brackets, and posts, 2000/2001, (cooperative contract) be awarded to Universal Signs & Accessories and Vulcan Signs for an estimated annual expenditure not to exceed \$100,000.00.

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

#18 AGREEMENT WITH SHIRLEY I. LONG, TRUSTEE FOR ACQUISITION OF PARCEL NO. 007, LOT 14, HOLLINGSWORTH ESTATES (PROPERTY ADDRESS: 601 FLORIDA AVENUE, CLEARWATER) FOR THE KEENE ROAD-PHASE 1-A PROJECT FROM GULF TO BAY BOULEVARD TO DREW STREET (PID NO. 920491) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR DISPOSITION OF STRUCTURE AND PERSONAL PROPERTY THEREON AND FOR ISSUANCE OF NECESSARY CHECKS

County Administrator Fred E. Marquis recommended approval of an agreement with Shirley I. Long, Trustee for Parcel No. 007, Lot 14, Hollingsworth Estates (property address: 601 Florida Avenue, Clearwater) for the Keene Road-Phase 1-A Project from Gulf to Bay Boulevard to Drew Street (Pid No. 920491); with authorization for the Real Estate Management Division to donate, sell, or demolish the structure thereon and dispose of any personal property, or temporarily lease; and for the issuance of a check in the amount of \$150,350.00 in payment thereof, together with a check payable to Stewart Title of Clearwater in the amount of \$1,077.00.

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

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- #19 AGREEMENT WITH BRYAN DAIRY PROPERTIES, INC. FOR ACQUISITION OF A PORTION OF LOT 36, PARCEL NO. 167, PINELLAS FARMS SUBDIVISION, FOR THE BRYAN DAIRY ROAD PROJECT, 72ND STREET NORTH TO U.S. 19 NORTH, (PROPERTY ADDRESS: 7000 BRYAN DAIRY ROAD, LARGO) PID NO. 920500 - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECKS

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County Administrator Fred E. Marquis recommended approval of an agreement with Bryan Dairy Properties, Inc. for acquisition of a portion of Lot 36, Parcel No. 167, Pinellas Farms Subdivision, (property address: 7000 Bryan Dairy Road, Largo) for the Bryan Dairy Road Project, 72nd Street North to U.S. 19 North, with authorization for issuance of a check in the amount of \$75,000.00 in payment thereof, together with a check payable to Stewart Title of Clearwater in the amount of \$681.25.

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

- #20 AGREEMENT WITH HDR ENGINEERING, INC. TO PROVIDE CONSULTANT SERVICES FOR THE DOWNTOWN PALM HARBOR HISTORIC DISTRICT STREETScape/URBAN DESIGN CONCEPT PLANS, PROJECT NO. 922176 - APPROVED FOR EXECUTION

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County Administrator Fred E. Marquis recommended approval of an agreement with HDR Engineering, Inc. to provide consultant services for the downtown Palm Harbor Historic District Streetscape/Urban Design Concept Plans, Project No. 922176.

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

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#21 INTERLOCAL AGREEMENT WITH THE CITY OF PINELLAS PARK FOR PARK BOULEVARD DRAINAGE IMPROVEMENTS, PHASE I, BASIN B DESIGN - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of an Interlocal Agreement with the City of Pinellas Park for Park Boulevard drainage improvements, Phase I, Basin B design.

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

#22 NONCOMPETITIVE PURCHASE OF BENOIT FULL-SCALE REPLICA AIRCRAFT FROM DELTA AIRCRAFT CORPORATION - APPROVED

County Administrator Fred E. Marquis recommended approval of the noncompetitive purchase of a Benoit full scale replica aircraft from Delta Aircraft Corporation for a total expenditure in an amount not to exceed \$38,000.00.

In response to query by Commissioner Todd, Mr. Marquis related that the replica will be displayed at the St. Petersburg-Clearwater International Airport terminal.

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

#23 CHANGE ORDER NO. 1 TO CONTRACT WITH BARNEY-S PUMPS, INC. FOR HYDROMATIC SUBMERSIBLE PUMPS (BID NO. 990-0385-N) - APPROVED

County Administrator Fred E. Marquis recommended approval of Change Order No. 1 to the contract with Barney-s Pumps, Inc. for the purchase of hydromatic submersible pumps, increasing the contract by \$456.00 (new total contract, \$27,636.00).

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

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#24 CHANGE ORDER NO. 3 TO THE AGREEMENT WITH BIOLOGICAL RESEARCH ASSOCIATES, INC. FOR PROFESSIONAL CONSULTING SERVICES IN CONNECTION WITH SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) RULEMAKING RE MINIMUM FLOWS AND LEVELS - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of Change Order No. 3 to the agreement with Biological Research Associates, Inc. for professional consulting services in connection with Southwest Florida Water Management District (SWFWMD) rulemaking re minimum flows and levels, in the amount of \$63,030.00.

Upon query by Commissioner Parks, Mr. Marquis indicated that the agreement provides direct support for SWFWMD.

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

#25 RECLASSIFICATION OF ONE ENCUMBERED EXEMPT POSITION OF UTILITIES PROGRAM POLICY COORDINATOR TO DIRECTOR, COMMUNICATION SOLUTIONS, SALARY LEVEL E-14, UTILITIES DEPARTMENT- APPROVED

County Administrator Fred E. Marquis recommended approval of the reclassification of one encumbered exempt position of Utilities Program Policy Coordinator to Director, Communication Solutions, salary level E-14, in the Utilities Department.

Upon query by Commissioner Todd, Mr. Marquis related that the Department of Communication Solutions coordinates its work with the Department of Public Affairs.

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

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#26 RELEASE OF LIEN FOR SEWER CONNECTION FEES FOR PROPERTY LOCATED AT 6902 66TH STREET NORTH, PINELLAS PARK - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of a Release of Lien for sewer connection fees for property located at 6902 66th Street North, Pinellas Park.

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

#27 BIDS OF VARIOUS COMPANIES ACCEPTED FOR VETERINARY DRUGS AND SUPPLIES, 2000-2002 (COOPERATIVE BID NO. 990-0388-B); GROUP 1, ITEM 20; GROUP 2, ITEM 3; GROUP 4 ITEM 16; GROUP 5, ITEMS 5, 54, 101; GROUP 6, ENTIRE GROUP; AND GROUP 8, ITEM 10 TO BE REBID

—

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Fred E. Marquis recommended that the bids of various companies be accepted for items as indicated in the attachment to his agenda memorandum dated March 21, 2000, for veterinary drugs and supplies for an annual cooperative estimated expenditure in the amount of \$302,297.44 (Pinellas County estimated annual expenditure not to exceed \$90,000.00); and further recommended that Group 1, item 20 (non responsive); Group 2, item 3 (no bid received); Group 4, item 16 (no bid received); Group 5, items 5, 54, 101 (no bids received); Group 6 (entire group/lack of competition); and Group 8, item 10 (no bid received) be rebid.

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

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- #28 BIDS OF ACME DYNAMICS, LANDIG TRACTOR, NORTRAX EQUIPMENT, RINGHAVER EQUIPMENT, ASAP RENTAL EQUIPMENT AND SALES, VERMEER SOUTHEAST SALES AND SERVICE, AND PG GREINER ACCEPTED FOR HEAVY EQUIPMENT, 2000 (BID NO. 990-0332-B); BID OF NEFF RENTAL - REJECTED

Legal notice having been published and publisher's affidavit filed with the Clerk, County Administrator Fred E. Marquis recommended that the bids of Acme Dynamics for items 1 and 2, Landig Tractor for item 3, Nortrax Equipment for items 4 and 7, Ringhaver Equipment for item 5, ASAP Rental Equipment and Sales for item 6, Vermeer Southeast Sales and Service for item 8, and PG Greiner for item 9, be accepted for heavy equipment, 2000, for a total expenditure in the amount of \$547,729.58; and further recommended that the bid of Neff Rental for item 2, be rejected on the basis of not meeting required replacement seal specification.

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

- #29 CHANGE ORDER NO. 2 TO CONSTRUCTION MANAGEMENT AGREEMENT WITH BEERS CONSTRUCTION COMPANY FOR FLORIDA BOTANICAL GARDENS, PHASE III, CONSTRUCTION SITE WORK FOR GULF COAST MUSEUM OF ART (BID NO. 978-0406-A) - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of Change Order No. 2 to the agreement with Beers Construction Company for Florida Botanical Gardens, Phase III, construction site work for Gulf Coast Museum of Art, providing for a partial transfer of funds from the guaranteed maximum price (GMP) to the construction management fee (CM Fee) for a maximum amount of \$200,000.00.

In response to queries by the members, Director of General Services Carl Barron related that the change order will not affect the time frame of the project and authorizes the transfer of dollars from the guaranteed maximum price (GMP) to the construction management aspect of the project.

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

#30 DECLARATION OF 13 PERSONAL COMPUTERS AS SURPLUS WITH AUTHORIZATION FOR DONATION TO COUNTRYSIDE HIGH SCHOOL; AUTHORIZATION GRANTED FOR DIRECTOR OF PURCHASING TO DONATE SURPLUS MISCELLANEOUS PROPERTY TO PINELLAS COUNTY SCHOOL BOARD

County Administrator Fred E. Marquis recommended that 13 personal computers be declared surplus with authorization for donation to Countryside High School; and further recommended that authorization be granted for the Director of Purchasing to donate surplus miscellaneous property to the Pinellas County School Board as a recipient of the donation policy per Section 13.11 of the purchasing manual.

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

#31 NONCOMPETITIVE PURCHASE OF SPECIALIZED PLUMBING SUPPLIES FROM J. A. SEXAUER, INC. (BID NO. 990-0577-N) - APPROVED

County Administrator Fred E. Marquis recommended approval of the noncompetitive purchase of specialized plumbing supplies from J. A. Sexauer, Inc. for an annual estimated expenditure not to exceed \$75,000.00.

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

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#32 AUTHORIZATION GRANTED TO PURCHASE LIFT SYSTEMS, AUTOMOTIVE,
FROM AUTOMOTIVE RESOURCES, INC. (BID NO. 990-0592-G)

County Administrator Fred E. Marquis recommended approval of the purchase of lift systems, automotive, from Automotive Resources, Inc. for an estimated expenditure not to exceed \$77,132.44.

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

#33 30-DAY EXTENSION TO RESOLUTION NO. 99-192 GRANTED

County Administrator Fred E. Marquis recommended approval of a 30-day extension to Resolution No. 99-192 to enable Sembler Retail, Inc. to meet the conditions of the resolution vacating certain properties in order to facilitate the construction of an Eckerd Drug Store on the southeast corner of Missouri Avenue and Belleair Road.

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

#34 ACCESS LICENSE WITH ADAM SMITH ENTERPRISES, INC. - APPROVED FOR
EXECUTION

County Administrator Fred E. Marquis recommended approval of an Access License with Adam Smith Enterprises, Inc. for property located on the west side of East Lake Road, south of the Pasco/Pinellas County line and adjacent to 158.2 acres owned by the County.

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

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#35 DECLARATION OF FOUR ESCHEAT PROPERTIES AS SURPLUS; AUTHORIZATION GRANTED FOR CHAIRMAN TO EXECUTE COUNTY DEEDS CONVEYING SAID PROPERTIES TO CITY OF ST. PETERSBURG WITH WAIVER OF MINERAL RIGHTS

County Administrator Fred E. Marquis recommended that four escheat properties be declared surplus with authorization for the Chairman to execute County Deeds conveying said properties to the City of St. Petersburg with waiver of mineral rights.

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

#36 AUTHORIZATION GRANTED FOR PARTIAL RELEASE OF RETAINAGE MONIES TO BEERS CONSTRUCTION COMPANY RE CONSTRUCTION MANAGEMENT AGREEMENT FOR PHASES II AND III, FLORIDA BOTANICAL GARDENS PROJECT

County Administrator Fred E. Marquis recommended that authorization be granted for a partial release of retainage monies to Beers Construction Company re Construction Management Agreement for Phases II and III, Florida Botanical Gardens project.

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

#37 INTERLOCAL AGREEMENT WITH THE SHERIFF-S DEPARTMENT FOR COMMUNITY SERVICE BY BOOT CAMP JUVENILES - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of an Interlocal Agreement with the Sheriff-s Department for the performance of community service by boot camp juveniles.

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

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#38 APPOINTMENT OF RICHARD C. WILLIAMS TO EXEMPT POSITION OF DIRECTOR OF DEPARTMENT OF EMERGENCY COMMUNICATIONS/911, SALARY LEVEL E-15 - APPROVED WITH AUTHORIZATION FOR POSITION TO BE DOUBLE ENCUMBERED

—

County Administrator Fred E. Marquis recommended approval of the appointment of Richard C. Williams to the exempt position of Director of the Department of Emergency Communications/911 at Pay Grade E-15 effective May 26, 2000; and further recommended that the position be double encumbered effective March 27, 2000.

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

#39 STATE AND LOCAL ASSISTANCE (SLA) AGREEMENT WITH STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of a State and Local Assistance (SLA) Agreement with the State of Florida Department of Community Affairs to receive federal contributions for Emergency Management personnel.

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

#40 BID DOCUMENTS RE MUNICIPAL INVESTMENT CONTRACT, SEWER REVENUE BONDS, SERIES 1994 - APPROVED WITH AUTHORIZATION FOR FINANCIAL ADVISOR W. R. HOUGH & COMPANY TO CONDUCT BIDDING PROCESS ON BEHALF OF THE COUNTY

—

County Administrator Fred E. Marquis recommended that the Board approve the bid documents relating to the Municipal Investment Contract and investment of proceeds from Sewer Revenue Bonds, Series 1994, with authorization for financial advisor W. R. Hough & Company to conduct the bidding process on behalf of the County.

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

#41a ASSESSMENT OF CABLE FRANCHISE - FORMAL PROCESS

Nicholas P. Miller, Miller & Van Eaton, P.L.L.C., reviewed the steps involved in the formal process and advised that the County will need to prepare an analysis of its requirements with a request for proposal which would be forwarded to Time Warner; that Time Warner will be given a period of time in which to respond to the demand; that upon receipt of the company's proposal, the County will either accept or reject the offer; that a rejection of the proposal would enable Time Warner to appeal the decision through a formal administrative process; and that if after the process the outcome remains a ~~no~~, the company then has the right to appeal to the federal court.

Upon queries by the members, Mr. Miller stated that the worst case scenario would involve six to twelve months in Federal District Court with costs to the County estimated in the amount of \$100,000; and that the County Attorney's Office will be presenting the Board with a timetable for finalization of the process.

#42a VOUCHERS APPROVED FOR PERIOD OF MARCH 13, 2000 THROUGH MARCH 17, 2000

Chief Deputy Clerk C. R. Short recommended approval of vouchers for the period of March 13, 2000 through March 17, 2000 as follows:

Payroll Journal Expenditures
Payroll Journal pages numbered 1 through 2480
Payroll checks numbered 447869 through 448662

Imprest Fund Expenditures
Manual checks numbered 523554 through 523576
System checks numbered 515313 through 516366

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

#42b 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 the following Requisitions of Payment and Certificate re goods and services for the Solid Waste Resource Recovery Facility be approved for forwarding to Trustee:

<u>Payment Order</u>	<u>Amount</u>
No. C-0193	\$758,870.00
No. C-0194	18,648.18

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

#43a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE FLEET MORTGAGE CORP. VERSUS TAMRA MURPHY LAUDERDALE, ET AL., CIRCUIT CIVIL CASE NO. 00-1374-CI-7 - MORTGAGE FORECLOSURE INVOLVING A COMMUNITY DEVELOPMENT LIEN

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Parks and carried, that the County Attorney be authorized to defend the County's interest in the suit re Fleet Mortgage Corp. versus Tamra Murphy Lauderdale, et al., Circuit Civil Case No. 00-1374-CI-7 - Mortgage Foreclosure Involving a Community Development Lien.

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#43b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE UNITED COMPANIES LENDING CORPORATION VERSUS ANNIE L. BROWN, ET AL., CIRCUIT CIVIL CASE NO. 00-1403-CI-13 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS

-

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Parks and carried, that the County Attorney be authorized to defend the County-s interest in the suit re United Companies versus Annie L. Brown, et al., Circuit Civil Case No. 00-1403-CI-13 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.

#43c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE FEDERAL NATIONAL MORTGAGE ASSOCIATION VERSUS DANIEL M. O=NEIL, ET AL., CIRCUIT CIVIL CASE NO. 00-1284-CI-11 - 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 Parks and carried, that the County Attorney be authorized to defend the County-s interest in the suit re Federal National Mortgage Association versus Daniel M. O=Neil, et al., Circuit Civil Case No. 00-1284-CI-11 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fines and Costs.

#43d COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE OCWEN FEDERAL BANK, FSB VERSUS BRIAN A. GROB, ET AL., CIRCUIT CIVIL CASE NO. 00-1550-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 Parks and carried, that the County Attorney be

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authorized to defend the County's interest in the suit re Ocwen Federal Bank, FSB versus Brian A. Grob, et al., Circuit Civil Case No. 00-1550-CI-13 - Mortgage Foreclosure Involving a Street Lighting Lien.

#43e COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE UNITED STATES OF AMERICA, ETC. VERSUS DOROTHY E. ODOM, ETC., ET AL., CIRCUIT CIVIL CASE NO. 00-1651-CI-15 - MORTGAGE FORECLOSURE INVOLVING A COMMUNITY DEVELOPMENT LIEN

-

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Parks and carried, that the County Attorney be authorized to defend the County's interest in the suit re United States of America versus Dorothy E. Odom, etc., et al., Circuit Civil Case No. 00-1651-CI-15 - Mortgage Foreclosure Involving a Community Development Lien.

#43f COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE BANK OF AMERICA, N.A., ETC. VERSUS STEVEN E. LAMBERSON, II, ET AL., CIRCUIT CIVIL CASE NO. 00-1619-CI-20 - MORTGAGE FORECLOSURE INVOLVING A COMMUNITY DEVELOPMENT LIEN

-

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Parks and carried, that the County Attorney be authorized to defend the County's interest in the suit re Bank of America, N.A., etc. versus Steven E. Lamberson, II, et al., Circuit Civil Case No. 00-1619-CI-20 - Mortgage Foreclosure Involving a Community Development Lien.

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- #43g COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE HARRY DUNLEAVY VERSUS PINELLAS COUNTY, SMALL CLAIMS CASE NO. 00-1300-SC-NPC, CLAIM NO. 99-56816 - ACTION ALLEGING TORTUOUS DESTRUCTION OF PROPERTY VIA ILLEGAL PUMPING

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Parks and carried, that the County Attorney be authorized to defend the County's interest in the case re Harry Dunleavy versus Pinellas County, Small Claims Case No. 00-1300-SC-NPC, Claim No. 99-56816 - Action Alleging Tortuous Destruction of Property Via Illegal Pumping.

- #44 COUNTY ATTORNEY AUTHORIZED TO FILE A COMPLAINT FOR INJUNCTIVE RELIEF RE PINELLAS COUNTY VERSUS RICHARD LEE HAIN, SR.

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Todd moved, seconded by Commissioner Parks and carried, that the County Attorney be authorized to file a complaint for injunctive relief re Pinellas County versus Richard Lee Hain, Sr.

- #45 CONTRACT FOR LEGAL SERVICES WITH MILLER & VAN EATON, P.L.L.C. - APPROVED

—
County Attorney Susan H. Churuti recommended approval of a Contract for Legal Services with the firm of Miller & Van Eaton, P.L.L.C. to provide special counsel services for representation of Pinellas County relating to the renewal of the Cable System Franchise with Time Warner/Advance Newhouse Limited Partnership.

Responding to query by Commissioner Seel, Chief Assistant County Attorney James L. Bennett confirmed that a letter dated March 17, 2000 had been received from Attorney E. D. Armstrong, III, which suggested the possibility of some compromise regarding

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the 15-year term provision of the renewal together with a request for further meetings; and that a response has not yet been sent.

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

#46 ADDENDUM NO. 1 TO CONTRACT FOR LAW ENFORCEMENT SERVICES WITH THE CITY OF OLDSMAR - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of Addendum No. 1 to the Contract for Law Enforcement Services with the City of Oldsmar for fiscal year 2000-2001.

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

#47 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#48 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND NATIONAL FORENSIC SCIENCE TECHNOLOGY CENTER (NFSTC) 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 Lease Agreement with National Forensic Science Technology Center (NFSTC) at the STAR Center.

Commissioner Todd moved, seconded by Commissioner Harris and carried,

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that the recommendation of the County Administrator be approved.

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#49 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND MACTEC ENVIRONMENTAL RESTORATION SERVICES, LLC (MACTEC-ERS) AT THE STAR CENTER - APPROVED FOR EXECUTION

—

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority, County Administrator Fred E. Marquis recommended approval of a Lease Agreement with Mactec Environmental Restoration Services, LLC (Mactec-ERS) at the STAR Center.

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

#50 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND ECKERD CORPORATION AT THE STAR CENTER - APPROVED FOR EXECUTION

—

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority, County Administrator Fred E. Marquis recommended approval of a Lease Agreement with Eckerd Corporation at the STAR Center.

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

#51 LEASE AGREEMENT BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND NEW DIRECTIONS IN LEARNING AT THE STAR CENTER - APPROVED FOR EXECUTION

—

Noting for the record that the Board is now sitting as the Pinellas County Industrial Development Authority, County Administrator Fred E. Marquis recommended approval of a Lease Agreement with New Directions in Learning at the STAR Center.

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Commissioner Seel noted that first page of the lease agreement states that rental payment rates are outlined in Exhibit AA@, and that these rates are actually listed in Exhibit AD.@

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

#52 PROPERTY TRANSFER AGREEMENT AND BILL OF SALE BETWEEN PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND NOVA PRECISION COMPONENTS, INC. AT THE STAR CENTER - APPROVED FOR EXECUTION

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

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

#53 GRANT APPLICATION FOR STATE EMERGENCY MEDICAL SERVICES (EMS) MATCHING FUNDS - APPROVED

—

Noting for the record that the Board is now sitting as the Pinellas County Emergency Medical Services (EMS) Authority, County Administrator Fred E. Marquis recommended approval of the Grant Application for State Emergency Medical Services (EMS) Matching Funds pursuant to Chapter 401, Florida Statutes, to be utilized for a Community Automatic External Defibrillator (AED) Project.

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

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#54 GRANT APPLICATION FOR STATE EMERGENCY MEDICAL SERVICES (EMS) MATCHING FUNDS - APPROVED

Noting for the record that the Board is now sitting as the Pinellas County Emergency Medical Services (EMS) Authority, County Administrator Fred E. Marquis recommended approval of the Grant Application for State Emergency Medical Services (EMS) Matching Funds pursuant to Chapter 401, Florida Statutes, to be utilized for an Emergency Vehicle Operations Course Driver Training Facility.

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

#55 PETITION OF DAVID W. JOHNSON AND SUSAN GLATTHORN JOHNSON REPRESENTED BY RICHARD C. LANGFORD TO VACATE A PORTION OF A PLATTED EASEMENT ON LOT 4, FEATHER COVE UNIT THREE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 02, TOWNSHIP 30 SOUTH, RANGE 16 EAST - GRANTED; RESOLUTION NO. 00-45 ADOPTED

Pursuant to legal notice published in the March 3, 2000 issue of Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of David W. Johnson and Susan Glatthorn Johnson, represented by Richard C. Langford, to vacate a portion of a platted easement on Lot 4, Feather Cove Unit Three, as recorded in Plat Book 99, pages 16 and 17, located in the northeast quarter of Section 02, Township 30 South, Range 16 East. Chief Deputy Clerk C. R. Short reported 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 Fred E. Marquis 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 Parks moved, seconded by Commissioner Harris, that the petition to vacate be granted; and that Resolution No. 00-45 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

- #56 PETITION OF COMMERCIAL GRAPHICS, INC. AND WILL'S STARTER AND ALTERNATOR SERVICES, INC. REPRESENTED BY WILL DAVIS OF C. FRED DEUEL AND ASSOCIATES TO VACATE A 10.0-FOOT RIGHT-OF-WAY/ALLEY ADJACENT TO LOTS 1 THROUGH 11 AND LOT 32, LESS THE SOUTH 10.0 FEET, AND A PORTION OF A 16.0-FOOT RIGHT-OF-WAY/ALLEY ADJACENT TO LOTS 11 AND 32, ALL BEING IN BLOCK A, FULTON HEIGHTS, RESERVING A DRAINAGE AND UTILITY EASEMENT OVER THE VACATED AREA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 04, TOWNSHIP 31 SOUTH, RANGE 16 EAST - GRANTED; QUITCLAIM DEEDS ACCEPTED FOR RECORDING; RESOLUTION NO. 00-46 ADOPTED
-

Pursuant to legal notice published in the March 3, 2000 issue of Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Commercial Graphics, Inc. and Will's Starter and Alternator Services, Inc. represented by Will Davis of C. Fred Deuel and Associates, to vacate a 10.0-foot right-of-way/alley adjacent to lots 1 through 11 and lot 32, less the south 10.0 feet, and a portion of a 16.0-foot right-of-way/alley adjacent to lots 11 and 32, all being in Block A, Fulton Heights, as recorded in Plat Book 11, Page 113, reserving a drainage and utility easement over the vacated area, located in the northeast quarter of Section 04, Township 31 South, Range 16 East.

Chief Deputy Clerk C. R. Short reported that letters of no objection have been received from the following:

City of St. Petersburg
Florida Power Corporation

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GTE of Florida, Inc.
Peoples Gas System, Inc.
GTE Media Ventures, Inc.
Time Warner Communications

He indicated that all interested property owners have been notified as to the date of 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 Fred E. Marquis stated that staff recommends the vacation be granted; and that quitclaim deeds for a turnaround for public use be accepted for recording.

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

Commissioner Todd moved, seconded by Commissioner Seel, that the petition to vacate be granted; that the quitclaim deeds be accepted for recording; and that Resolution No. 00-46 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#57 ORDINANCE NO. 00-24 ADOPTED PROVIDING THAT SECTION 130-103(26) BE ADDED IN ORDER TO ESTABLISH AN IDLE SPEED ZONE WITHIN THE WATERS OF SUTHERLAND BAYOU; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE PINELLAS COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE

—

Pursuant to legal notice published in the March 3, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re consideration of the adoption of a proposed ordinance providing that Section 130-103(26) be added in order to establish an idle speed zone within the waters of Sutherland Bayou; providing for severability; providing for inclusion in the Pinellas County Code; and

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providing for an effective date. Chief Deputy Clerk C. R. Short reported that no correspondence has been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis stated that staff recommends approval of the proposed ordinance; and advised that the Florida Fish and Wildlife Conservation Commission will approve the ordinance pursuant to Board action.

Public Works Director J. Keith Wicks displayed an aerial photograph of the site and pointed out the area which will be included in the idle speed no wake zone; and responding to queries by the members, confirmed that the proposed ordinance was the result of a petition.

Responding to query by Commissioner Parks, County Administrator Marquis indicated that jet skis leaving the boat launch area at high speeds had prompted the need for the proposed ordinance.

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

Julia Parker, 701 Delaware Avenue, Palm Harbor
Dan Matt (father lives at 724 Prior Drive, Palm Harbor)
Waldy Malouf, 700 Delaware Avenue, Palm Harbor

Commissioner Todd moved, seconded by Commissioner Seel, that Ordinance 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.

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#58 SHELL KEY PRESERVE MANAGEMENT PLAN - APPROVED AS AMENDED, WITH AUTHORIZATION FOR TRANSMITTAL TO STATE OF FLORIDA FOR APPROVAL

Pursuant to legal notice published in the February 18, 2000 issue of Tampa Bay Review and the March 12 and March 19, 2000 issues of the St. Petersburg Times as evidenced by publisher's affidavits filed with the Clerk, public hearing was held on the Shell Key Preserve Management Plan. Chief Deputy Clerk C. R. Short reported that 57 letters and 264 petitions with 717 signatures in favor of and 46 letters in opposition to the Management Plan have been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis recommended approval of the Shell Key Preserve Management Plan and authorization for transmittal of the Plan to the State of Florida for further approval.

Assistant County Administrator Jacob F. Stowers, III, referred to an aerial map and pointed out the subject area and presented an overview of the proposed Management Plan, a copy of which has been filed and made a part of the minutes.

In response to the Chairman's call for proponents of the Plan wishing to be heard, the following individuals commented:

Ken Harley, Pinellas Park (representing live bait shrimp fishermen)
Dr. Tom Cuba (representing Tierra Verde Community Association)
Greg Holder, Regional Director, Fish and Wildlife Conservation Commission
William Harmer (representing some commercial fishermen)
Gary Bergersher
Elizabeth Burke
Joyce King, Conservation Chairman, St. Petersburg Audubon Society
Randy Reynolds, Manager of Aquatic Preserves for Tampa Bay, Department of Environmental Protection
Dr. Harold Albers, 5099 26th Avenue North, St. Petersburg
Christina Lear, student, Palm Harbor University High School
Al Schulte, 1960K Lakewood Club Drive South, St. Petersburg
Timyn Rice, 3497 Coquina Key Drive Southeast, St. Petersburg
Rich Paul, 1020 South 82nd Street, Tampa
Harry Michaels, Environmental Specialist, Department of Environmental Protection
Deborah Archer, 11401 101st Street North, Seminole (presenting letter from Seaplane Pilots Association)
Jack Coletti, 4258 Cardinal Way South (representing 133 signers of petition)
Toby Brown (representing 200 members of Tampa Bay Sea Kayakers)

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Dave Bernard, 504 Johns Pass Avenue, Madeira Beach

In response to the Chairman's call for opponents of the Plan wishing to be heard, the following individuals expressed their concerns:

John Guth, 700 37th Avenue North, St. Petersburg
Lou Longa, 200 81st Avenue North, St. Petersburg
Wayne Stewart, 5055 21st Avenue North, St. Petersburg
Scott Schoyder, 9301 3rd Street Northeast, St. Petersburg
Ed Marsh, 11930 Colena Drive, Seminole
Walter Hirsches, 111 12th Avenue, St. Pete Beach
Tony Baker, 805 Rural Drive, Largo

Alluding to the concerns of the speakers, Mr. Stowers indicated that barrier islands by their nature are susceptible to movement; that the proposed Plan will address any necessary dredging; that removal of Australian pines and exotic species is part of an overall management perspective; that the issue of seaplanes can be best addressed by designating areas which are not appropriate for landings; that it is anticipated that commercial fishing areas will increase; that education will be a component of the Plan; that the purpose of fencing is to delineate recreation and preserve areas; and that part of the beach will be closed off for protection of chicks in bird nesting areas.

Following discussion, Commissioner Todd moved, seconded by Commissioner Parks, that the Management Plan be approved.

Responding to queries by Commissioner Parks, Mr. Stowers indicated that the issue of addressing the seaplanes can be eliminated from the Plan; whereupon, Commissioner Todd amended her motion to adopt the Management Plan with the exception of the section relating to seaplanes; and the seconder concurred. Upon call for the vote, the motion carried unanimously.

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#59a APPLICATION OF EXCEL LANDSCAPE & MAINTENANCE, INC. THROUGH HOUSH GHOVAEE, NORTHSIDE ENGINEERING, FOR A CONDITIONAL USE TO ALLOW EXPANSION OF A PLANT NURSERY IN AN A-E ZONE (CU-4-2-00) - APPROVED WITH CONDITIONS

Pursuant to legal notice published in the March 10, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Excel Landscape & Maintenance, Inc. for a conditional use to allow expansion of a plant nursery in an A-E zone, re approximately 3.19 acres on the south side of 150th Avenue North (a/k/a Automobile Road), 133.4 feet west of Sunset Street (street address: 6000 150th Avenue North) (CU-4-2-00). Chief Deputy Clerk C. R. Short 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 Fred E. Marquis stated that staff recommends conditional approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for conditional approval of the requested conditional use to allow expansion of an existing plant nursery subject to certain conditions were filed and made a part of the Board minutes, said conditions being as follows:

1. Full site plan review.
2. Number of employees shall not exceed 20.
3. Wholesale only.
4. Hours of operation shall be 7:00 A.M. to 5:00 P.M. Monday through Saturday.
5. Maximum height of proposed building shall not exceed 20 feet.
6. Existing greenhouse structures may remain at current locations; however, if the greenhouses are ever removed, they shall be reconstructed to meet required 25-foot setbacks and other code requirements.
7. Irrigation shall be via well located on site.

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8. Existing prefabricated structures shall be removed within 30 days after issuance of certificate of occupancy for proposed 3,000 square-foot building.
9. One 24 square-foot sign shall be permitted.
10. Low level security lighting shall be allowed on proposed building.
11. Access to be via 150th Avenue only.
12. In the event the above conditions are not met, the Board of County Commissioners shall reserve the right to rescind the conditional use permit.

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

Commissioner Seel moved, seconded by Commissioner Harris and carried, that conditional use application CU-4-2-00 be approved.

#59b APPLICATION OF JAMES D. BARNES FOR CHANGE OF ZONING FROM R-4 TO M-1 (Z-1-2-00) - APPROVED; RESOLUTION NO. 00-47 ADOPTED

Pursuant to legal notice published in the March 10, 2000 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 D. Barnes for a change of zoning from R-4 to M-1, re approximately .427 acre on the west side of South Wind Lane, 391 feet north of Ulmerton Road (street address: 885 South Wind Lane) (Z-1-2-00). Chief Deputy Clerk C. R. Short reported that no correspondence has been received relative to the application; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis stated that staff recommends approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested change of zoning from R-4 to M-1 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 Parks moved, seconded by Commissioner Seel, that Resolution No. 00-47 be adopted approving zoning application Z-1-2-00. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#59c APPLICATION OF POLYTRENDS, INC. FOR CHANGE OF ZONING FROM C-2 TO M-1 (Z-2-2-00) - APPROVED; RESOLUTION NO. 00-48 ADOPTED

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Pursuant to legal notice published in the March 10, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Polyrends, Inc. for a change of zoning from C-1 to M-1, re approximately 1.13 acres at the northeast corner of 49th Street North and 113th Avenue North (street address: 11351 49th Street North) (Z-2-2-00). Chief Deputy Clerk C. R. Short reported that no correspondence has been received relative to the application; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis stated that staff recommends approval of the application.

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

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

Commissioner Parks moved, seconded by Commissioner Todd, that Resolution No. 00-48 be adopted approving zoning application Z-2-2-00. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#59d APPLICATION OF JOSEPH A. PENNINO AND PAUL A. NUCCI THROUGH LESLIE CURRAN, C. FRED DEUEL & ASSOCIATES, INC. FOR CHANGE OF ZONING FROM R-4 TO C-2 AND CHANGE IN LAND USE DESIGNATION FROM RESIDENTIAL URBAN TO COMMERCIAL GENERAL (Z/LU-3-2-00) - APPROVED; RESOLUTION NO. 00-49 ADOPTED APPROVING ZONING APPLICATION; ORDINANCE NO. 00-25 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 March 10, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Joseph A. Pennino and Paul A. Nucci through Leslie Curran, C. Fred Deuel & Associates, Inc. for a change of zoning from R-4 to C-2 and for a change in land use designation from residential urban to commercial general, re approximately .32 acre 110 feet east of 49th Street North between 47th Avenue North and 46th Avenue North (street address: 4823 46th Avenue North) (Z/LU-3-2-00). Chief Deputy Clerk C. R. Short 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 Fred E. Marquis stated that staff recommends approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested change of zoning from R-4 to C-2 and companion land use plan amendment from residential urban to commercial general 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 Harris, that Resolution No. 00-49 be adopted approving the zoning application, and that Ordinance No.

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00-25 be adopted approving the land use application, subject to review and approval by the Countrywide Planning Authority (Z/LU-3-2-00). Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#59e APPLICATION OF FREDERICK J. VAN ZYL THROUGH HERBERT ELLIOTT AND ROBERT WEHR FOR A CONDITIONAL USE TO ALLOW AN ANIMAL HOSPITAL WITH A LIGHTED SIGN IN AN A-E ZONE (CU-5-2-00) - DENIED

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Pursuant to legal notice published in the March 10, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Frederick J. Van Zyl through Herbert Elliott and Robert Wehr for a conditional use to allow an animal hospital with a lighted sign in an A-E zone, re approximately 4.08 acres on the west side of East Lake Road, 1,550 feet north of Bryan Lane (street address: 754 East Lake Road South) (CU-5-2-00). Chief Deputy Clerk C. R. Short reported that two letters in favor of and 26 letters in opposition to the application have been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis stated that staff recommends conditional approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for conditional approval of the requested conditional use to allow an animal hospital with a lighted sign subject to certain conditions were filed and made a part of the Board minutes, said conditions being as follows:

1. Hours of operation shall be 7:00 A.M. to 6:00 P.M., Monday through Friday and Saturday 7:00 A.M. to 12:00 P.M.
2. Number of employees shall not exceed ten.
3. There shall be no boarding of animals, other than overnight stays for sick or recovering animals.

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4. No outdoor runs.
5. Ingress and egress shall be right in, right out only onto East Lake Road.
6. Size of sign shall not exceed 24 square feet and since the facility will not be open at night, the sign shall be unlit.
7. Full site plan review.
8. Landscaping along the East Lake Woodlands corridor shall be placed in accordance with the McMullen Booth Road scenic corridor Master Plan.
9. 15 parking spaces shall be provided and landscaped in accordance with Condition No. 8.
10. In the event the above conditions are not met, the Board of County Commissioners shall reserve the right to rescind the Conditional Use permit.

Director of Development Review Services Paul Cassel displayed an aerial photograph and described the subject property and the surrounding areas; and indicated that Condition No. 8 should read East Lake Road Corridor. Responding to query by Commissioner Harris, he stated that the requested conditional use will not set a precedent for commercial zoning in the area.

Herbert Elliott, Tarpon Springs, stated that the applicant has no objection to any of the conditions imposed; that there will be adequate buffering at the site; that the applicant intends to remodel an existing structure; and that there will be no boarding kennels at the facility.

Dr. Robert Wehr stated that he has submitted a study by a sound consultant which indicates that on a worst case basis, resulting noise levels generated by the animals would not exceed the standards of the Pinellas County noise ordinance; and that the animal hospital would be an asset to the community.

In response to the Chairman's call for persons wishing to be heard, the following individuals appeared and cited their concerns:

Cheryl Blakeslee, 2985 Post Rock Court, Tarpon Springs

Dr. Heather McCauley, 725 East Lake Road North, Tarpon Springs

In rebuttal, Dr. Wehr stated that traffic flow generated by the proposed facility

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would be similar to that of Dr. McCauley's animal hospital; and that the existing building would be remodeled with no square footage added. Mr. Elliott added that parking would be at the front of the building where it would not be visible to nearby residents; and that there would be no neon signage on the property.

Following discussion, Commissioner Todd moved, seconded by Commissioner Parks and carried, that conditional use application CU-5-2-00 be denied.

#59f APPLICATION OF PASADENA YACHT & COUNTRY CLUB, INC. THROUGH ROGER A. LARSON, ESQUIRE, FOR CHANGE IN LAND USE DESIGNATION FROM RECREATION/OPEN SPACE TO RESIDENTIAL LOW AND CONSIDERATION OF A DEVELOPMENT AGREEMENT (LU-3-8-99) (CONTINUED FROM MEETINGS OF JANUARY 18 AND FEBRUARY 15, 2000) - TEMPORARILY DEFERRED TO MEETING OF APRIL 4, 2000

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Pursuant to legal notice published in the January 7, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Pasadena Yacht & Country Club, Inc. through Roger A. Larson, Esquire, for a change in land use designation from recreation/open space to residential low, re approximately 3.1 acres at the northwest corner of Gulfport Boulevard South and Pasadena Point Boulevard (LU-3-8-99). Chief Deputy Clerk C. R. Short reported that six letters in favor of and two petitions with 90 signatures in opposition to the application have been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis stated that the applicant has requested a two-week continuance in order to finalize development agreement issues; that the City of Gulfport has approved the application; that the Homeowners Association has now approved the plan; and that staff has no objection to the request for continuance.

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

Phylis Emanuele, 1900 60th Street South, Gulfport
Louis F. Fierro, 6023 Gulfport Boulevard South, Gulfport

Commissioner Parks moved, seconded by Commissioner Todd and carried,

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that land use application LU-3-8-99 be temporarily deferred to the meeting of April 4, 2000.

#59g APPLICATION OF PHIL LACEY AND TARPON RIDGE, INC. THROUGH GRADY C. PRIDGEN, III, FOR CHANGE OF ZONING FROM A-E, R-6 AND R-1 TO RPD-7.5 AND AL (Z-5-4-99) (CONTINUED FROM MEETINGS OF NOVEMBER 16, 1999 AND JANUARY 18, 2000) - APPROVED; RESOLUTION NO. 00-50 ADOPTED

Pursuant to legal notice published in the January 7, 2000 issue of the St. Petersburg Times as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application of Phil Lacey and Tarpon Ridge, Inc. through Grady C. Pridgen, III, for a change of zoning from A-E, R-6 and R-1 to RPD-7.5 and AL, re approximately 37.8 acres at the southwest corner of Snug Harbor Road and Mentmore Drive (street address: 10200 Snug Harbor Road) (Z-5-4-99). Chief Deputy Clerk C. R. Short reported that one letter in favor of the application has been received; and that the matter is properly before the Board to be heard.

County Administrator Fred E. Marquis stated that staff recommends approval of the application, subject to the Board's determination that adequate mobile home parks or other suitable facilities exist for the relocation of mobile home owners residing on the property; and advised that all the mobile home tenants have been relocated.

The Local Planning Agency/Examiner Finding of Fact and Recommendation for approval of the requested change of zoning from A-E, R-6 and R-1 to RPD-7.5 and AL subject to the above condition 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 Todd, that Resolution No. 00-50 be adopted approving zoning application Z-5-4-99. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

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#60 COUNTY ADMINISTRATOR REPORTS - NONE

County Administrator Fred E. Marquis indicated that there are no County Administrator Reports to be presented this date.

#61 REAPPOINTMENT OF COMMISSIONER SEEL TO TAMPA BAY COMMUNITY REINVESTMENT CORPORATION - APPROVED

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Upon motion by Commissioner Harris, seconded by Commissioner Seel and carried, the reappointment of Commissioner Seel to the Tampa Bay Community Reinvestment Corporation was approved.

#62a COMMISSIONER HARRIS APPOINTED AS CANVASSING BOARD ALTERNATE

Upon motion by Commissioner Parks, seconded by Commissioner Todd and carried, the appointment of Commissioner Harris as an alternate to the Canvassing Board was approved.

62b COMMISSIONER TODD RE VARIOUS ISSUES

Commissioner Todd reported that the National Association of Regional Councils Convention will be held at the Vinoy, St. Petersburg, in June 2000; and that the Rails to Trails National Conference will be held May 18 to May 20 at the Belleview Biltmore.

Responding to query by Commissioner Todd, Brian Smith presented a brief update regarding a Countywide canoe trail.

#62c COMMISSIONER HARRIS OFFERS CONSUMER TIP RE CREDIT REPORTS

Commissioner Harris offered a consumer tip regarding credit reports.

* * * *

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 12:30 A.M.

Chairman

ATTEST: KARLEEN F. DeBLAKER, CLERK

By _____
Deputy Clerk