

Clearwater, Florida, May 16, 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 6:35 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; Claretha N. Harris, Deputy Clerk; and Helen Groves, Board Reporter.

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

A G E N D A

INVOCATION

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

PRESENTATIONS & AWARDS

A. CITIZENS TO BE HEARD

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

B. CONSENT AGENDA

CLERK OF CIRCUIT COURT

1. Approval of Minutes **B** Regular Session of May 2, 2000.
2. Reports:
 - a. Dock Fee Report for Month of April 2000.
 - b. Quarterly Report of Routine Dock Permits Issued from January 1, 2000 through March 31, 2000.

- c. Independent Auditors- Report on Schedule of Revenues and Expenditures for the City of St. Petersburg Emergency Medical Service Fund.
 - d. Report of Independent Auditors and Statement of Gross Receipts from within Pinellas County Surrounding Largo and St. Petersburg of Time Warner Communications, a Cable System Included in the Time Warner Entertainment B Advance/Newhouse Partnership, for the Year Ended December 31, 1999.
 - e. Report of Independent Auditors and Statement of Gross Receipts from within Pinellas County of Time Warner Communications, a Cable System Included in the Time Warner Entertainment B Advance/Newhouse Partnership, for the Year Ended December 31, 1999.
3. Other Approvals:
- a. General - None.
 - b. Satisfactions of Judgments and Liens.
4. Miscellaneous Items to be Received for Filing:
- a. Town of Belleair Shore Resolution No. 2000-03 Stating Opposition to the Proposed Re-establishment of the Pinellas County Coastal Construction Control Line.
 - b. City of Clearwater Notice of Public Hearings to be Held May 16, 2000 Regarding:
 - 1. Community Development Board.
 - 2. Rezoning and Land Use Plan Amendment Regarding Ordinances Nos. 6554-00 and 6555-00.
 - 3. Annexation, Land Use Plan and Zoning Atlas Amendments Regarding Ordinances Nos. 6549-99 through 6551-00.

COUNTY ADMINISTRATOR

Budget and Finance

- 5. Budget Amendments: None.

Public Works

- 6. Approval of Change Order No. 1 B Landscaping and Related Maintenance of East Lake Road.
- 7. Approval of Option of Renewal B Traffic Signals Equipment and Accessories.
- 8. Approval of Subdivision Plats and Related Items.

Utilities

- 9. Approval of Award of Bid B Ground Maintenance Services, Utilities Field Stations.

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10. Approval of Name Change for Biosolids Removal Services.
11. Approval of Release of Sewer, Water and Reclaimed Water Liens.

General

12. Approval of Award of Bid **B** Roof Repair and Replacement, Various County Parks.
13. Approval of Change Order No. 1 **B** Tree Spade Planting Services.

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 **B** Landscaping and Related Maintenance of Drew Street.
16. Approval of Change Order No. 1 **B** Landscaping and Maintenance of a Segment of 49th Street North.
17. Approval to Execute Amendment No. 3 to the Agreement with the University of Florida.
18. Approval of Installation of a Traffic Diverter **B** Anchorage Lane between Sandy Point Road and Tarpon Lake Boulevard.
19. Approval of Installation of Speed Humps **B** Passage Way between Hamlin Boulevard and Commodore Drive.
20. Approval of Installation of Speed Humps **B** 83rd Street North between Flamevine Avenue and Jacaranda Avenue.
21. Approval of Acquisition of Parcel Number 10/27/16/00000/320/0300 for the Keystone Road Project from U.S. 19 to East Lake Road.
22. Approval of Acquisition of Parcel Number 039, Being a Portion of Lot 8 for the Keene Road, Phase IB Project (Drew Street to Sunset Point Road).

Airport

23. Adoption of Resolutions Amending Rules and Regulations at the St. Petersburg/Clearwater International Airport.

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Utilities

24. Approval of Change Order No. 2 to Thompson Pipe and Steel Company **B** Reduction of Retainage to \$10.00 and Execution of Supplemental Indemnification Agreement.
25. Approval of Agreement for Professional Consulting and Engineering Services for the Design of the Water Distribution System Rehabilitation at St. Pete Beach, Phase I.

General

26. Approval of Non-Competitive Purchase **B** Imaging System for Emergency Medical Services.
27. Approval of Contract Extension for Banking Services.
28. Adoption of a Resolution for the Annual Purchase of Miscellaneous Food Items for the Prequalification Committee Members.
29. Approval of Contract Amendment **B** Janitorial Services at Various County Buildings.
30. Approval of Amendment No. 2 to the Agreement for Programming, Master Planning and Design Services at the New Medical Examiner and Forensic Center.
31. Approval of Amendment No. 2 to the Agreement for Architectural Consulting Services at the Social Services Building.
32. Approval of Construction Management Agreement for the Omni (YMCA) Center Renovations.
33. Approval for Authority to Advertise for a TEFRA Hearing **B** Not to Exceed \$2,500,000 Pinellas County Educational Facilities Authority Revenue Bonds, Series 2000 (Admiral Farragut Academy Project).
34. Approval for Authority to Advertise for a TEFRA Hearing **B** Not to Exceed \$4,500,000 Pinellas County Education Facilities Authority Revenue Bonds, Series 2000 (Canterbury School of Florida Project).
35. Adoption of a Resolution Approving Project A0041256103 as a Qualified Applicant for the Qualified Target Industries Tax Refund Program for Fiscal Year(s) 2001-2004.
36. Adoption of a Resolution Reallocating Reserves for Future Years **B** Seminole Fire District.
37. Other Administrative Matters.

CLERK OF CIRCUIT COURT

38. 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-0198 in the Amount of \$785,423.00 to Wheelabrator Pinellas, Inc.

COUNTY ATTORNEY

- 39. Authority for County Attorney to Defend:
 - a. Associates Financial Services of America v. Linda Marie Richardson, et al B Circuit Civil Case No. 00-3159-CI-21 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
 - b. Jodee Lynn Brimmer v. Michael Madden, et al B Case No. 00-2994-CI-11 B Automobile Negligence Action.
 - c. The Clark Construction Group, Inc. v. The Board of County Commissioners of Pinellas County, Florida, in the Name of Pinellas County, Case No. 8:00CV804-T-23B, United States District Court, Middle District of Florida, Tampa Division.
- 40. Authority to Advertise and Set Public Hearing for Pinellas County Open Container Ordinance.
- 41. Approval of Resolution for Clerk to Execute Affidavit and Release of Lien for Judgment for Costs as to David Michael Adams - Contimortgage Corporation v. David M. Adams, et al B Circuit Civil Case No. 98-4621-CI-21.
- 42. Miscellaneous.

ECONOMIC DEVELOPMENT AUTHORITY

- 43. Approval of Amendment No. 9 to the Agreement with Long and Associates for Architectural/Engineering Services.
- 44. Approval of Amendment No. 3 to the Supplemental Agreement with Long and Associates for Construction Management Services.

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

45. Planning and Zoning Applications Heard by the Examiner:
- a. Z/CU-2-3-00 (Continued from April 18, 2000 BCC Meeting)
Application of Ronald E. and Patricia L. Schwarzkopf for a Change of Zoning from R-2, Single Family Residential to A-E, Agricultural Estate Residential and a Conditional Use/Variance to Permit an Agricultural Use (Citrus Grove) as a Conditional Use and Variance to Allow a Support Structure with a 10-Foot Side Setback where a 25-Foot Setback is Required in an A-E Zone on Approximately 4.19 Acres on the East Side of Garrison Road, 87 Feet North of Michigan Boulevard (Street Address: 3197 Garrison Road).
 - b. Z-3-4-00
Application of Harvey T. and Betty R. Self for a Change of Zoning from A-E, Agricultural Estate Residential to R-R, Rural Residential on Approximately 0.9 Acre Located on the West Side of Fisher Road, 491 Feet North of Cathedral Drive (Street Address: 3646 Fisher Road).
 - c. Z-1-4-00
Application of Catherine C. Mills for a Change of Zoning from R-2, Single Family Residential to R-R, Rural Residential on Approximately 1.7 Acres Located on the West Side of 134th Street, 443 Feet North of Park Boulevard (Street Address: 8050 134th Street North).
 - d. Z-2-4-00
Application of Joseph Stanganelli and Dominick Stanganelli through Barbara Welch for a Change of Zoning from C-3, Commercial, Wholesale, Warehousing and Industrial Support to C-2, General Retail Commercial and Limited Services on Approximately 0.56 Acre Located on the North Side of Ulmerton Road, 332 Feet West of U.S. 19 (Street Address: 6363 Ulmerton Road).
 - e. Z/LU-1-3-00
Application of Charles Rogalo and Rick Russillo through Housh Ghovae, Northside Engineering for a Change of Zoning from R-4, One, Two or Three Family Residential to C-1, Neighborhood Commercial and P-1, General Professional Office (East 75 Feet) and a Change of Land Use from Residential/Office/Retail to Commercial Neighborhood (West 249 Feet) on Approximately 1.86 Acres at the Northeast Corner of U.S. Alt. 19 and Pennsylvania Avenue.
46. Petition to Vacate Submitted by Andrew C. McFeron and Kathryn T. McFeron, Represented by Sheila Dugan of Fidelity National Title Insurance Company of New York for a Portion of a 10.0-Foot Platted Easement on Lot 15, Block 6, ORANGEWOOD HIGHLANDS, Located in the Southwest Quarter of Section 16, Township 30 South, Range 15 East.
47. Petition to Vacate Submitted by Richard J. Regal and VFW Post 6827 for a Portion of a 30.0-Foot Right of Way Known as 33rd Street North Adjacent to Lots 14 through 24, Block 1, MARINI AND SALVATORE SUBDIVISION, Reserving a Drainage and Utility Easement over the Vacated Area, Located in the Southwest Quarter of Section 2, Township 31 South, Range 16 East.
48. An Ordinance of the County of Pinellas, Amending Table 4 of the Future Land Use Element of the

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Pinellas County Comprehensive Plan.

49. An Ordinance of the County of Pinellas, Amending the Capital Improvements Element of the Pinellas County Comprehensive Plan.
50. An Ordinance of the County of Pinellas, Amending the Transportation Element of the Pinellas County Comprehensive Plan.

D. COUNTY ADMINISTRATOR REPORTS

51. None.

E. COUNTY COMMISSION

52. Appointment to the Pinellas Suncoast Transit Authority.
53. Miscellaneous.

ADJOURNMENT

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BOB DILLINGER, PUBLIC DEFENDER, PRESENTS CHECK TO BOARD OF COUNTY COMMISSIONERS

Bob Dillinger, Public Defender, presented a check in the amount of \$176,458.11 to the Board of County Commissioners representing a reimbursement from the State of Florida; whereupon, County Attorney Susan Churuti pointed out that many public defenders cite an ethical conflict based on overload in order to withdraw from cases, but that Mr. Dillinger works within his budget and takes full responsibility for his heavy caseload.

NATIONAL DRINKING WATER WEEK AWARDS PRESENTED TO ADROP SAVERS@ WATER CONSERVATION T-SHIRT POSTER CONTEST WINNERS

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Chairman Stewart and Carrie Mann, Utilities Public Relations Specialist, presented awards to the winners of the ADrop Savers@Water Conservation Poster Contest.

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CITIZENS TO BE HEARD

Don Cocker, 9170 Robin Road, Seminole, related his concerns regarding annexation, and presented the Board with a video tape of the April 19, 2000 Pinellas Planning Council Meeting, a copy of which has been filed and made a part of the record.

John Whitmer, 14881 Sugar Cane Way, Clearwater, presented a petition in opposition to annexation on behalf of the Rainforest Homeowners Association, a copy of which has been filed and made a part of the record, and offered his comments regarding the proposed interlocal agreement between the City of Largo, Pinellas Park and Pinellas County; whereupon, County Attorney Susan H. Churuti advised that the Board is prohibited by the Florida Constitution from retroactively rescinding an existing contract.

Harrison H. Noble, 10424 Longwood Drive, Largo, offered his concerns regarding enclaves created by annexation. Ms. Churuti advised that while Florida statute provides that the procedure is illegal, it does not give Pinellas County the ability to enforce the statute; whereupon, Commissioner Todd recommended that the County's Legislative Delegation be requested to pursue the issue.

Charles H. Fler, 4855 110th Street North, related questions he had pertaining to annexation. Following discussion, Chief Assistant County Attorney James L. Bennett advised that the Citizens Bill of Rights had been reviewed by staff and a condensed and more useful document is being prepared; that the decision to appoint a senior County attorney to handle annexation issues for citizens would be made by the Board, but that individuals are empowered by Florida statute to secure legal counsel and if they prevail, the attorney fees are paid by the city; and that the Seminole Estates Report had been reviewed and is ready for distribution.

William C. Jonson, 2694 Redford Court West, Clearwater, expressed his appreciation to the Board for its support in defeating the recent billboard legislation.

Don Andrews, 10865 114th Place North, Largo, related his concerns regarding code enforcement; whereupon, Chairman Stewart indicated that more code

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enforcement officers will be added in October.

Reverend Floyd Irwin, 6477 Preston Drive, New Port Richey, read a letter from Brother Andrew, Open Doors with Brother Andrew, a copy of which has been filed and made a part of the record.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 13 - APPROVED

Upon presentation by Chairman Stewart, Commissioner Harris moved, seconded by Commissioner Seel and carried, that the Consent Agenda, consisting of Items 1 through 13, be approved as follows:

#1 APPROVAL OF MINUTES

Minutes of regular meeting of May 2, 2000.

#2 REPORTS RECEIVED FOR FILING

- a. Dock Fee Report for month of April 2000.
- b. Quarterly Report of Routine Dock Permits issued from January 1, 2000 through March 31, 2000.
- c. Independent Auditors= Report on Schedule of Revenues and Expenditures for the City of St. Petersburg Emergency Medical Service Fund for the year ended September 30, 1999.
- d. Report of Independent Auditors and Statement of Gross Receipts from within Pinellas County surrounding Largo and St. Petersburg of Time Warner Communications, a cable system included in the Time Warner Entertainment - Advance/Newhouse Partnership, for the year ended December

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31, 1999.

- e. Report of Independent Auditors and Statement of Gross Receipts from within Pinellas County of Time Warner Communications, a cable system included in the Time Warner Entertainment - Advance/Newhouse Partnership, for the year ended December 31, 1999.

#3 OTHER APPROVALS:

- a. General - None
- b. Satisfactions of Judgments and Liens
 - (1) Satisfactions of various judgments for attorney fees and costs and releases of various paving, sewer and street lighting assessment liens which have been paid in full.

#4 MISCELLANEOUS ITEMS TO BE RECEIVED FOR FILING

- a. Town of Belleair Shore Resolution No. 2000-03, stating opposition to the proposed reestablishment of the Pinellas County Coastal Construction Control Line.
- b. City of Clearwater Notice of Public Hearings to be held May 16, 2000 re
 - 1. Community Development Board.
 - 2. Rezoning and Land Use Plan Amendment re Ordinances Nos. 6554-00 and 6555-00.
 - 3. Annexation, Land Use Plan and Zoning Atlas Amendments re Ordinances Nos. 6549-00 through

6551-00.

#5 BUDGET AMENDMENTS - NONE

#6 CHANGE ORDER NO. 1 TO CONTRACT NO. 989-0114-B WITH LUKE BROTHERS, INC. FOR LANDSCAPING AND RELATED MAINTENANCE OF EAST LAKE ROAD (C.R. 611)

- a. Change Order No. 1 decreases the contract by \$2,288.00 (new total contract, \$250,640.50).
- b. Chairman authorized to sign and Clerk to attest.

#7 OPTIONS OF RENEWAL WITH TRANSPORTATION CONTROL SYSTEMS, PEEK TRAFFIC SYSTEMS, INC. AND ENGINEERED CASTINGS, INC. FOR ANNUAL REQUIREMENTS OF TRAFFIC SIGNAL EQUIPMENT AND ACCESSORIES (BID NO. 989-0234-B)

Options of renewal are exercised for an additional 12 months at the same prices, terms and conditions for an annual estimated expenditure not to exceed \$85,000.00.

#8 SUBDIVISION PLATS AND RELATED ITEMS

- a. Lanco Construction
 - 1. Release of funds in the amount of \$1,000.00 to Lanco Construction, 7840 126th Avenue, Largo, FL 33773.
- b. KMC Telecom III (00-0404)
 - 1. Completion Bond No. 45009520 accepted in the amount of \$94,238.00.

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- c. KMC Telecom III (00-0405)
 - 1. Completion Bond No. 45009521 accepted in the amount of \$68,560.00.
- d. KMC Telecom III (00-0399)
 - 1. Completion Bond No. 45009519 accepted in the amount of \$28,646.00.
- e. Breaktime Plaza
 - 1. Completion Bond No. CANF000204PP accepted in the amount of \$11,000.00.
- f. Premier Community Bank
 - 1. Letter of Credit No. 00-103 accepted in the amount of \$5,000.00.
- g. Suncoast Bay Properties, Inc.
 - 1. Sidewalk Easement accepted for recording.
- h. Tampa Bay Downs
 - 1. Permanent Non-Exclusive Drainage Easement accepted for execution only; easement to be returned to Pinellas County Right-of-Way, Attention: Mary Jo Hughes for recording.
- i. Southern Ridge Subdivision
 - 1. Completion Bond No. 11127442280 accepted in the amount of \$52,800.00.
- j. Flowline Constructors, Inc.

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1. Completion Bond No. B2886872 accepted in the amount of \$5,000.00.

k. Misty Woods

1. Release of Maintenance Bond No. 499657 in the amount of \$30,000.00 to Wal Den Greene Developers, Inc., 6244 Springer Drive, Port Richey, FL 34668.

l. Indian Bluff Estates

1. Release of Letter of Credit No. 98-003 in the amount of \$22,243.32 to Indian Bluff Realty, Inc., 3217 West 48th Place, Chicago, IL 60632.

m. Fleet Products

1. Release of Letter of Credit No. 01-001-053 in the amount of \$7,216.00 to James E. and Diane Dickerson, 6510 Golden Groves Lane, Tampa, FL 33610.

n. Derby's Landing

1. Release of Letter of Credit No. 941147 in the amount of \$7,733.00 to Gemini Development, 5610 Roosevelt Boulevard, Clearwater, FL 33760.

#9 BID OF CURB APPEAL LANDSCAPING FOR GROUND MAINTENANCE SERVICES, UTILITIES FIELD STATIONS, 2000-2001 (BID NO. 990-0697-B)

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Bid is for an annual estimated expenditure not to exceed \$191,940.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

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- #10 ACKNOWLEDGMENT OF NAME CHANGE FROM J & J BAKER ENTERPRISES, INC. TO AZURIX NORTH AMERICA RESIDUALS MANAGEMENT, INC. (BID NO. 989-0173-P)

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Azurix North America Residuals Management, Inc. has agreed to honor all terms, conditions, responsibility and liability of the existing contract.

- #11 RELEASES OF SEWER, WATER AND/OR RECLAIMED WATER LIENS

Releases of liens for delinquent sewer, water and/or reclaimed water charges which have been paid in full re properties identified on documents attached to the agenda memorandum dated May 5, 2000, copies of which have been filed and made a part of the record.

- #12 BID OF THL ENTERPRISES, INC. FOR ROOF REPAIR AND REPLACEMENT, VARIOUS COUNTY PARKS (BID NO. 990-0538-C)

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Bid is for an estimated total expenditure not to exceed \$57,010.00; Chairman authorized to sign agreement after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

- #13 CHANGE ORDER NO. 1 TO CONTRACT WITH TREE SPADE SERVICES, INC. FOR TREE SPADE PLANTING SERVICES (BID NO. 989-0192-B)

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- a. Change Order No. 1 decreases the contract by \$100,000.00 (revised total contract, \$72,000.00).

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

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#15 CHANGE ORDER NO. 1 TO CONTRACT WITH MORELLI LANDSCAPING, INC. FOR LANDSCAPING AND RELATED MAINTENANCE OF DREW STREET (BID NO. 989-0676-B) - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of Change Order No. 1 to the contract with Morelli Landscaping, Inc. for landscaping and related maintenance of Drew Street, increasing the contract by \$2,500.00 (revised total contract amount, \$50,587.40).

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

#16 CHANGE ORDER NO. 1 TO CONTRACT WITH KTK INDUSTRIES, INC. D/B/A CURB APPEAL LANDSCAPING FOR LANDSCAPING AND RELATED MAINTENANCE OF A SEGMENT OF 49TH STREET NORTH (BID NO. 989-0809-B) - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of Change Order No. 1 to the contract with KTK Industries, Inc. d/b/a Curb Appeal Landscaping for landscaping and related maintenance of a segment of 49th Street North, increasing the contract by \$18,660.00 (revised total contract amount, \$68,342.00).

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

- #17 AMENDMENT NO. 3 TO AGREEMENT WITH UNIVERSITY OF FLORIDA, DEPARTMENT OF CIVIL ENGINEERING, GEOMATICS PROGRAM, FOR RESEARCH INITIATIVE WITH AIRBORNE LASER SWATH MAPPING OF PINELLAS COUNTY - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of Amendment No. 3 to the Agreement with the University of Florida, Department of Civil Engineering, Geomatics Program, for Research Initiative with Airborne Laser Swath Mapping of Pinellas County, increasing the contract by \$80,458.00 (revised total contract amount, \$1,043,344.00).

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

- #18 INSTALLATION OF TRAFFIC DIVERTER ON ANCHORAGE LANE BETWEEN SANDY POINT ROAD AND TARPON LAKE BOULEVARD RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

County Administrator Fred E. Marquis recommended approval of the installation of a traffic diverter on Anchorage Lane between Sandy Point Road and Tarpon Lake Boulevard in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291 dated October 14, 1997.

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

- #19 INSTALLATION OF FOUR SPEED HUMPS ON PASSAGE WAY BETWEEN HAMLIN

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BOULEVARD AND COMMODORE DRIVE RE RESIDENTIAL TRAFFIC
MANAGEMENT PROGRAM - APPROVED

—

County Administrator Fred E. Marquis recommended approval of the installation of four speed humps on Passage Way between Hamlin Boulevard and Commodore Drive in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291 dated October 14, 1997.

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

#20 INSTALLATION OF FOUR SPEED HUMPS ON 83RD STREET NORTH BETWEEN
FLAMEVINE AVENUE AND JACARANDA AVENUE RE RESIDENTIAL TRAFFIC
MANAGEMENT PROGRAM - APPROVED

—

County Administrator Fred E. Marquis recommended approval of the installation of four speed humps on 83rd Street North between Flamevine Avenue and Jacaranda Avenue in accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291 dated October 14, 1997.

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

#21 OFFER TO SELL FROM TAOS, INC. BY LAWRENCE LEAHON, PRESIDENT, FOR
PARCEL NO. 10/27/16/00000/320/0300 FOR KEYSTONE ROAD PROJECT FROM
U.S. 19 TO EAST LAKE ROAD (PROPERTY ADDRESS: VACANT PROPERTY) (PID
NO. 920522) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR
ISSUANCE OF NECESSARY CHECKS

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County Administrator Fred E. Marquis recommended approval of an Offer to Sell from Taos, Inc. by Lawrence Leahon, President, for Parcel No. 10/27/16/00000/320/0300 for the Keystone Road project from U.S. 19 to East Lake Road (property address: vacant property) (Pid No. 920522) with authorization for the issuance of a check in the amount of \$230,000.00 in payment thereof, together with a check payable to Stewart Title of Clearwater in the amount of \$1,500.00.

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

#22 AGREEMENT WITH AMPLE LANE, INC. FOR ACQUISITION OF PARCEL NO. 039, BEING A PORTION OF LOT 8 (PROPERTY ADDRESS: 1791 KEENE ROAD, CLEARWATER) FOR THE KEENE ROAD-PHASE 1B PROJECT FROM DREW STREET TO SUNSET POINT ROAD (PID NO. 920491) - APPROVED FOR EXECUTION WITH AUTHORIZATION FOR ISSUANCE OF NECESSARY CHECK

County Administrator Fred E. Marquis recommended approval of an agreement with Ample Lane, Inc. for acquisition of Parcel No. 039, being a portion of Lot 8 (property address: 1791 Keene Road, Clearwater) for the Keene Road-Phase 1B Project from Drew Street to Sunset Point Road (PID No. 920491); with authorization for the issuance of a check in the amount of \$500.00 in payment thereof.

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

#23 RESOLUTIONS NOS. 00-73, 00-74 AND 00-75 ADOPTED AMENDING CERTAIN PROVISIONS OF THE ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT RULES AND REGULATIONS

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County Administrator Fred E. Marquis recommended the adoption of three resolutions amending certain provisions of the St. Petersburg-Clearwater International Airport Rules and Regulations.

Commissioner Parks moved, seconded by Commissioner Todd, that Resolutions No. 00-73, 00-74 and 00-75 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 CHANGE ORDER NO. 2 TO AGREEMENT WITH THOMPSON PIPE AND STEEL COMPANY FOR REPLACEMENT OF 54-INCH AND 60-INCH WATER TRANSMISSION MAINS, REDUCING RETAINAGE TO \$10.00, TOGETHER WITH INDEMNIFICATION AGREEMENT WITH SAID FIRM - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of Change Order No. 2 to the agreement with Thompson Pipe and Steel Company for replacement of 54-inch and 60-inch water transmission mains, reducing the retainage to \$10.00, together with an Indemnification Agreement with said firm to ensure product liability protection to the County for issues related to impending litigation with the installation contractor for this project.

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

#25 AGREEMENT WITH CUMBEY & FAIR, INC. FOR PROFESSIONAL CONSULTING AND ENGINEERING SERVICES FOR THE DESIGN OF THE WATER DISTRIBUTION SYSTEM REHABILITATION AT ST. PETE BEACH, PHASE 1, PROJECT NO. 653-901814-1130 - APPROVED FOR EXECUTION

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County Administrator Fred E. Marquis recommended approval of an agreement with Cumbey & Fair, Inc. for professional consulting and engineering services for the design of the water distribution system rehabilitation at St. Pete Beach, Phase 1, in the amount of \$37,800.00.

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

#26 NONCOMPETITIVE PURCHASE OF IMAGING SYSTEM FOR EMERGENCY MEDICAL SERVICES FROM IMAGE ONE, INC. (BID NO. 990-0766-N) - APPROVED

County Administrator Fred E. Marquis recommended approval of the noncompetitive purchase of an imaging system for Emergency Medical Services from Image One, Inc. based on Florida State Negotiated Agreement Price Schedule (SNAPS) 201564 for a total expenditure in the amount of \$47,401.00.

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

#27 EXTENSION OF CONTRACT WITH FIRST UNION NATIONAL BANK OF FLORIDA FOR BANKING SERVICES (BID NO. 978-0032-P) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN CONTRACT EXTENSION AFTER PROPER EXECUTION BY CONTRACTOR AND APPROVAL AS TO FORM BY OFFICE OF COUNTY ATTORNEY

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County Administrator Fred E. Marquis recommended approval of an extension of a contract with First Union National Bank of Florida for banking services for a period of up to 30 days for an estimated expenditure not to exceed \$15,500.00; and further recommended that the Chairman be authorized to sign the contract extension after proper execution by the contractor and written approval as to form by the Office of the County

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Attorney.

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

#28 RESOLUTION NO. 00-76 ADOPTED PROVIDING FOR EXPENDITURES FOR THE ANNUAL PURCHASE OF MISCELLANEOUS FOOD ITEMS FOR PREQUALIFICATION COMMITTEE MEMBERS

—

County Administrator Fred E. Marquis recommended the adoption of a resolution providing for expenditures for the annual purchase of miscellaneous food items for the Prequalification Committee members.

Commissioner Parks moved, seconded by Commissioner Seel, that Resolution No. 00-76 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.

#29 AMENDMENT TO CONTRACT WITH JANI-KING OF TAMPA BAY FOR JANITORIAL SERVICES, VARIOUS COUNTY BUILDINGS (BID NO. 978-0417-B) - APPROVED; CHAIRMAN AUTHORIZED TO SIGN AMENDMENT AFTER PROPER EXECUTION BY CONTRACTOR AND APPROVAL AS TO FORM BY OFFICE OF COUNTY ATTORNEY

—

County Administrator Fred E. Marquis recommended approval of an amendment to the contract with Jani-King of Tampa Bay for janitorial services, various County buildings, to allow for additional requirements under the ~~A~~Additional Services clause of the contract, increasing the contract by \$3,985.00 per month for an estimated annual expenditure not to exceed \$835,798.24; and further recommended that the Chairman be

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authorized to sign the amendment after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Chairman Stewart pointed out that the amendment adds almost \$4,000.00 per month to the contract, primarily for the maintenance of the 45,000 square feet of floor space at the Criminal Courts Complex, and that while the Complex was built with funds from the Penny for Pinellas Program, the maintenance costs are paid with general funds.

Commissioners Harris and Seel suggested that the Board consider long-term maintenance and staffing figures when approving projects; whereupon, Mr. Marquis noted that staff had prepared a ten-year staffing requirement when the Penny for Pinellas Program was initially adopted.

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

#30 AMENDMENT NO. 2 TO AGREEMENT DATED JUNE 14, 1999 WITH HKS ARCHITECTS, INC. FOR PROGRAMMING, MASTER PLANNING AND DESIGN SERVICES FOR NEW MEDICAL EXAMINER AND FORENSIC CENTER - APPROVED FOR EXECUTION

County Administrator Fred E. Marquis recommended approval of Amendment No. 2 to the Agreement with HKS Architects, Inc. for programming, master planning and design services for the new Medical Examiner and Forensic Center for a maximum fee in the amount of \$413,620.00 (revised total contract, \$1,424,120.00).

In response to queries by the members, Director of General Services Carl M. Barron stated that the design services have been revised to include a stand-alone central energy plant that will serve the Medical Examiner and Central Communication buildings; and that the project will be funded by Penny for Pinellas revenues and will result in substantial cost efficiencies.

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

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- #31 AMENDMENT NO. 2 TO AGREEMENT DATED SEPTEMBER 28, 1998 WITH CRISWELL BLIZZARD BLOUIN, ARCHITECTS, INCORPORATED FOR ARCHITECTURAL CONSULTING SERVICES FOR SOCIAL SERVICES BUILDING ASSESSMENT AND SECOND FLOOR REMODELING - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of Amendment No. 2 to the agreement with Criswell Blizzard Blouin, Architects, Incorporated for Social Services building assessment and second floor remodeling for a maximum fee of \$8,189.00 (revised total agreement, \$57,277.00).

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

- #32 AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR OMNI (YMCA) CENTER RENOVATIONS (CM-9812) - APPROVED FOR EXECUTION

—

County Administrator Fred E. Marquis recommended approval of an Agreement with Creative Contractors, Inc. for Construction Management Services for the Omni (YMCA) Center Renovations (CM-9812) in the amount of \$83,000.

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

- #33 AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING (TEFRA) RE PROPOSED ISSUANCE BY PINELLAS COUNTY EDUCATIONAL FACILITIES AUTHORITY OF REVENUE BONDS, SERIES 2000, IN AN AMOUNT NOT-TO-EXCEED \$3,000,000.00 (ADMIRAL FARRAGUT ACADEMY PROJECT)

-

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County Administrator Fred E. Marquis recommended that authorization be granted to advertise a public hearing (TEFRA) to be held June 6, 2000, re the proposed issuance by Pinellas County Educational Facilities Authority of revenue bonds, Series 2000, in an amount not-to-exceed \$2,500,000.00 (Admiral Farragut Academy Project).

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

Senior Assistant County Attorney Julia Scales appeared and advised that Admiral Farragut Academy had requested that the bonds be issued in an amount not-to-exceed \$3,000,000.00; whereupon, Commissioner Todd amended her motion to reflect the not-to-exceed amount of \$3,000,000.00; and the seconder concurred.

Upon call for the vote, the motion carried unanimously.

#34 AUTHORIZATION GRANTED TO ADVERTISE A PUBLIC HEARING (TEFRA) RE PROPOSED ISSUANCE BY PINELLAS COUNTY EDUCATIONAL FACILITIES AUTHORITY OF REVENUE BONDS, SERIES 2000, IN AN AMOUNT NOT-TO-EXCEED \$4,500,000.00 (CANTERBURY SCHOOL OF FLORIDA PROJECT)

-

County Administrator Fred E. Marquis recommended that authorization be granted to advertise a public hearing (TEFRA) to be held June 6, 2000, re the proposed issuance by the Pinellas County Educational Facilities Authority of revenue bonds, Series 2000, in an amount not-to-exceed \$4,500,000.00 (Canterbury School of Florida Project).

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

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- #35 RESOLUTION NO. 00-77 ADOPTED FINDING THAT PROJECT A0041256103 BE APPROVED AS A QUALIFIED APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES; AND IDENTIFYING SOURCES OF LOCAL COUNTY FINANCIAL SUPPORT OF PROJECT A0041256103 AND EQUAL CITY OF CLEARWATER SUPPORT AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEAR(S) 2001-2004

County Administrator Fred E. Marquis recommended adoption of a resolution finding that Project A0041256103 be approved as a qualified applicant pursuant to Section 288.106, Florida Statutes; and identifying sources of local County financial support of Project A0041256103 and equal City of Clearwater support as local participation in the Qualified Target Industry Tax Refund Program for fiscal year(s) 2001-2004.

Commissioner Parks moved, seconded by Commissioner Todd, that Resolution No. 00-77 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.

- #36 RESOLUTION NO. 00-78 ADOPTED REALLOCATING FUNDS FROM RESERVE FOR FUTURE YEARS IN THE FY00 SEMINOLE FIRE DISTRICT FUND

County Administrator Fred E. Marquis recommended adoption of a resolution to appropriate earmarked receipts for a particular purpose in the FY00 Seminole Fire District Fund.

Commissioner Parks moved, seconded by Commissioner Todd, that Resolution No. 00-78 be adopted as recommended by the County Administrator. Upon roll

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call, the vote was:

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

Nays: None.

Absent and not voting: None.

#37 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. @

#38a VOUCHERS APPROVED FOR PERIOD MAY 8, 2000 THROUGH MAY 12, 2000

Deputy Clerk Clareth N. Harris recommended approval of vouchers for the period of May 8, 2000 through May 12, 2000 as follows:

Payroll Journal Expenditures

Payroll Journal pages numbered 1 through 2505

Payroll checks numbered 451014 through 451807

Imprest Fund Expenditures

Manual checks numbered 519568 through 519589

System checks numbered 524713 through 525745

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

#38b REQUISITION OF PAYMENT AND CERTIFICATE APPROVED FOR FORWARDING TO TRUSTEE RE GOODS AND SERVICES FOR SOLID WASTE RESOURCE RECOVERY FACILITY

—

Deputy Clerk Clareth N. Harris recommended that Requisition of Payment and Certificate for Payment Order No. C-0198 in the amount of \$785,423.00 re goods and

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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 Deputy Clerk be approved.

#39a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE ASSOCIATES FINANCIAL SERVICES OF AMERICA VERSUS LINDA MARIE RICHARDSON, ET AL, CIRCUIT CIVIL CASE NO. 00-3159-CI-21 - 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 Todd and carried, that the County Attorney be authorized to defend the County's interest in the suit re Associates Financial Services of America versus Linda Marie Richardson, et al, Circuit Civil Case No. 00-3159-CI-21 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.

#39b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE JODEE LYNN BRIMMER VERSUS MICHAEL MADDEN, ET AL, CIRCUIT CIVIL CASE NO. 00-2994-CI-11 - AUTOMOBILE NEGLIGENCE ACTION

—
Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Todd and carried, that the County Attorney be authorized to defend the County's interest in the suit re Jodee Lynn Brimmer versus Michael Madden, et al, Circuit Civil Case No. 00-2994-CI-11 - Automobile Negligence Action.

#39c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE THE CLARK CONSTRUCTION GROUP, INC. VERSUS THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, IN THE NAME OF PINELLAS COUNTY, CASE NO. 8:00CV804-T-23B, UNITED STATES DISTRICT COURT, MIDDLE DISTRICT OF FLORIDA, TAMPA DIVISION

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—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Harris moved, seconded by Commissioner Todd and carried, that the County Attorney be authorized to defend the County's interest in the suit re The Clark Construction Group, Inc. versus The Board of County Commissioners of Pinellas County, Florida, in the Name of Pinellas County, Case No. 8:00CV804-T-23B, United States District Court, Middle District of Florida, Tampa Division.

#40 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED OPEN CONTAINER ORDINANCE

—

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing to be held June 6, 2000 regarding a proposed open container ordinance.

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

#41 RESOLUTION NO. 00-79 ADOPTED AUTHORIZING CLERK OF COURT TO EXECUTE AN AFFIDAVIT AND RELEASE OF LIEN FOR JUDGMENT FOR COSTS AS TO DAVID MICHAEL ADAMS, CONTIMORTAGE CORPORATION VERSUS DAVID M. ADAMS, ET AL., CIRCUIT CIVIL CASE NO. 98-4621-CI-21

-

County Attorney Susan H. Churuti recommended adoption of a resolution authorizing the Clerk of the Circuit Court to execute an affidavit and release of lien for judgment for costs as to David Michael Adams, Contimortage Corporation versus David M. Adams, et al., Circuit Civil Case No. 98-4621-CI-21.

Commissioner Todd moved, seconded by Commissioner Parks and carried, that the recommendation of the County Attorney be approved. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#42 COUNTY ATTORNEY MISCELLANEOUS - NONE

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

#43 NINTH AMENDMENT TO AGREEMENT FOR ARCHITECTURAL/ENGINEERING SERVICES BETWEEN INDUSTRIAL DEVELOPMENT AUTHORITY AND LONG & ASSOCIATES AT 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 the Ninth Amendment to the Agreement for Architectural/Engineering Services with Long & Associates at the STAR Center.

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

#44 AMENDMENT NO. 3 TO SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES NUMBER 2 BETWEEN INDUSTRIAL DEVELOPMENT AUTHORITY AND LONG & ASSOCIATES 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

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Amendment No. 3 to the Supplemental Agreement for Construction Management Services Number 2 with Long & Associates at the STAR Center.

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

#45a APPLICATION OF RONALD E. AND PATRICIA L. SCHWARZKOPF FOR CHANGE OF ZONING FROM R-2 TO A-E, A CONDITIONAL USE TO PERMIT AN AGRICULTURAL USE (CITRUS GROVE) AND A VARIANCE (Z/CU-2-3-00) (CONTINUED FROM THE MEETING OF APRIL 18, 2000) - CONDITIONAL USE APPROVED; RESOLUTION NO. 00-80 ADOPTED APPROVING ZONING APPLICATION

—

Pursuant to legal notice published in the May 5, 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 Ronald E. and Patricia L. Schwarzkopf for a change of zoning from R-2 to A-E, a conditional use to permit an agricultural use (citrus grove) and variance to allow a support structure with a ten-foot side setback where a 25-foot setback is required, re approximately 4.19 acres on the east side of Garrison Road, 87 feet north of Michigan Boulevard (street address: 3197 Garrison Road) (Z/CU-2-3-00). Deputy Clerk Claretha N. Harris 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 with the conditions as outlined in the agenda memorandum.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested change of zoning from R-2 to A-E, a conditional use to permit an agricultural use and a variance to allow a support structure were filed and made a part of the record.

Paul Cassel, Director of Development Review Services, displayed an aerial

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map and described the subject property and the surrounding areas; and indicated that approval of the request will result in a downzoning; and that decreasing the setback requirement would ensure minimal loss of trees for the construction of a storage building.

Ronald E. Schwarzkopf related that the new storage building would replace an older structure which has become infested with citrus rats.

In response to the Chairman's call for opponents, Kenneth Komm, 1907 La Grande Drive, Dunedin, appeared and expressed his concerns.

Responding to Mr. Komm's comments, Mr. Marquis related that the subject property does not border Mr. Komm's subdivision.

Following discussion, Commissioner Todd moved, seconded by Commissioner Parks, that the conditional use and variance be approved; and that Resolution No. 00-80 be adopted approving zoning application Z/CU-2-3-00. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#45b APPLICATION OF HARVEY T. AND BETTY R. SELF FOR A CHANGE OF ZONING FROM A-E TO R-R (Z-3-4-00) - APPROVED; RESOLUTION NO. 00-81 ADOPTED

Pursuant to legal notice published in the May 5, 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 Harvey T. and Betty R. Self for a change of zoning from A-E to R-R, re approximately 0.9 acre located on the west side of Fisher Road, 491 feet north of Cathedral Drive (street address: 3646 Fisher Road) (Z-3-4-00). Deputy Clerk Claretha N. Harris 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.

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The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested change of zoning from A-E to R-R 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. 00-81 be adopted approving zoning application Z-3-4-00. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#45c APPLICATION OF CATHERINE C. MILLS FOR A CHANGE OF ZONING FROM R-2 TO R-R (Z-1-4-00) - APPROVED; RESOLUTION NO. 00-82 ADOPTED

-

Pursuant to legal notice published in the May 5, 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 Catherine C. Mills for a change of zoning from R-2 to R-R, re approximately 1.7 acres located on the west side of 134th Street, 443 feet north of Park Boulevard (street address: 8050 134th Street North) (Z-1-4-00). Deputy Clerk Clareth N. Harris reported that one letter and one petition with nine signatures in favor of 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 approval of the application.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested change of zoning from R-2 to R-R 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 Todd, that Resolution No. 00-82 be adopted approving zoning application Z-1-4-00. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#45d APPLICATION OF JOSEPH STANGANELLI AND DOMINICK STANGANELLI FOR A CHANGE OF ZONING FROM C-3 TO C-2 (Z-2-4-00) - APPROVED; RESOLUTION NO. 00-83 ADOPTED

—

Pursuant to legal notice published in the May 5, 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 Stanganelli and Dominick Stanganelli for a change of zoning from C-3 to C-2, re approximately 0.56 acre located on the north side of Ulmerton Road, 332 feet west of U.S. 19 (street address: 6363 Ulmerton Road) (Z-2-4-00). Deputy Clerk Claretha N. Harris 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 Recommendations for approval of the requested change of zoning from C-3 to C-2 were filed and made a part

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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 Harris, that Resolution No. 00-83 be adopted approving zoning application Z-2-4-00. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#45e APPLICATION OF CHARLES ROGALO AND RICK RUSSILLO THROUGH HOUSH GHOVAEE, NORTHSIDE ENGINEERING FOR A CHANGE OF ZONING FROM R-4 TO C-1 AND P-1 AND A CHANGE OF LAND USE DESIGNATION FROM RESIDENTIAL/OFFICE/RETAIL TO COMMERCIAL NEIGHBORHOOD (WEST 249 FEET) (Z/LU-1-3-00) - RESOLUTION NO. 00-84 ADOPTED APPROVING ZONING APPLICATION; RESOLUTION NO. 00-85 ADOPTED DENYING LAND USE APPLICATION

—

Pursuant to legal notice published in the May 5, 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 Charles Rogalo and Rick Russillo through Housh Ghovae, Northside Engineering for a change of zoning from R-4 to C-1 and P-1 and for a change in land use designation from residential/office/retail to commercial neighborhood (west 249 feet), re approximately 1.86 acres at the northeast corner of U.S. Alternate 19 and Pennsylvania Avenue (Z/LU-1-3-00). Deputy Clerk Clareth N. Harris reported that one letter in opposition to the application has been received; and that the matter is properly before

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the Board to be heard.

County Administrator Fred E. Marquis stated that staff recommends approval of the zoning change and denial of the land use change.

The Local Planning Agency/Examiner Findings of Fact and Recommendation for approval of the requested change of zoning from R-4 to C-1 and P-1 and denial of the companion land use plan amendment from residential/office/retail to commercial neighborhood (west 249 feet) were filed and made a part of the record.

Director of Development Review Services Paul Cassel displayed an aerial map and described the subject property and the surrounding areas; and indicated that staff is not supporting the land use change based on level of service issues with Alternate 19; and that the commercial neighborhood designation would permit an increase in floor area ratio, thereby increasing the traffic.

Mr. Ghovae related that the applicant desires to design a project which would be compatible with the County Main Street Program; and that the financial success of the project is based on approval of the change in land use designation.

During discussion and upon queries by Commissioner Seel, Richard Russillo, Village Property Group Development Company, 2582 Florida Avenue, Crystal Beach, related that a denial of the land use change would result in a loss of 33 percent of rentable space; that four buildings are proposed to be constructed; and that buffering will include trees and landscaping, as well as walkways and benches.

In response to the Chairman's call for persons wishing to be heard, Leonard Brudno, 908 Woodland Drive, Palm Harbor appeared and expressed his concerns.

Responding to Commissioner Parks's query, Mr. Cassel related that pursuant to Board policy, review of property for use as professional office has been relegated to south of Nebraska Avenue.

Following discussion, Commissioner Harris moved, seconded by Commissioner Parks, that Resolution No. 00-84 be adopted approving the zoning application; and that Resolution No. 00-85 be adopted denying the land use application (Z/LU-1-3-00).

Upon roll call, the vote was:

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

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Nays: None.

Absent and not voting: None.

#46 PETITION OF ANDREW C. McFERON AND KATHRYN T. McFERON, REPRESENTED BY SHEILA DUGAN OF FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK TO VACATE A PORTION OF A 10.0-FOOT PLATTED EASEMENT ON LOT 15, BLOCK 6, ORANGEWOOD HIGHLANDS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 30 SOUTH, RANGE 15 EAST - GRANTED; RESOLUTION NO. 00-86 ADOPTED

—

Pursuant to legal notice published in the April 28, 2000 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Andrew C. McFeron and Kathryn T. McFeron, represented by Sheila Dugan of Fidelity National Title Insurance Company of New York to vacate a portion of a 10.0-foot platted easement on Lot 15, Block 6, Orangewood Highlands, as recorded in Plat Book 67, Page 98, located in the southwest quarter of Section 16, Township 30 South, Range 15 East.

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

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

She indicated that all interested property owners have been notified as to the date of the public hearing; that no correspondence in objection to the petition has been received; and that

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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.

Commissioner Todd moved, seconded by Commissioner Parks, that the petition to vacate be granted and that Resolution No. 00-86 be adopted. Upon roll call, the vote was :

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

Nays: None.

Absent and not voting: None.

#47 PETITION OF RICHARD J. REGEL AND VFW POST 6827 TO VACATE A PORTION OF A 30.0-FOOT RIGHT-OF-WAY KNOWN AS 33RD STREET NORTH, ADJACENT TO LOTS 14 THROUGH 24, BLOCK 1, MARINI & SALVATORE SUBDIVISION, RESERVING A DRAINAGE AND UTILITY EASEMENT OVER THE VACATED AREA, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 02, TOWNSHIP 31 SOUTH, RANGE 16 EAST - GRANTED; RESOLUTION NO. 00-87 ADOPTED

-

Pursuant to legal notice published in the April 28, 2000 issue of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the petition of Richard J. Regel and VFW Post 6827 to vacate a portion of a 30.0-foot right-of-way known as 33rd Street North, adjacent to Lots 14 through 24, Block 1, Marini & Salvatore Subdivision, as recorded in Plat Book 26, Page 114, reserving a drainage and utility easement over the vacated area, located in the southwest quarter of Section 02, Township 31 South, Range 16 East.

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

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Pinellas County Utilities
City of St. Petersburg
Florida Power Corporation
GTE of Florida, Inc.
GTE Media Ventures, Inc.
Time Warner Communications

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

County Administrator Fred E. Marquis stated that staff recommends the vacation be granted.

Director of Public Works J. Keith Wicks presented aerial photographs of the subject property and related that the proposed vacation will allow additional parking and driveway.

In response to the Chairman's call for opponents, Dave Coley, 4110 Farley Street, St. Petersburg, appeared and related his concerns.

Responding to Mr. Coley's concerns, Mr. Marquis advised that the alley behind Mr. Coley's home would remain accessible; and that staff would investigate the fence which has been erected across 40th Avenue.

Following discussion, Commissioner Seel moved, seconded by Commissioner Parks and carried, that the petition to vacate be granted; and that Resolution No. 00-87 be adopted. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#48 ORDINANCE NO. 00-38 ADOPTED AMENDING TABLE 4 OF THE FUTURE LAND USE ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

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Pursuant to legal notice published in the May 5, 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 amending Table 4 of the Future Land Use Element of the Pinellas County Comprehensive Plan. Deputy Clerk Clarethia N. Harris 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 stated that staff recommends approval of the proposed ordinance.

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. 00-38 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#49 ORDINANCE NO. 00-39 ADOPTED AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

-

Pursuant to legal notice published in the May 5, 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 amending the Capital Improvements Element of the Pinellas County Comprehensive Plan. Deputy Clerk Clarethia N. Harris 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 stated that staff recommends approval of the proposed ordinance.

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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 Todd, that Ordinance No. 00-39 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#50 ORDINANCE NO. 00-40 ADOPTED AMENDING THE TRANSPORTATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN

—

Pursuant to legal notice published in the May 5, 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 amending the Transportation Element of the Pinellas County Comprehensive Plan. Deputy Clerk Clareth N. Harris 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 stated that staff recommends approval 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. 00-40 be adopted as recommended. Upon roll call, the vote was:

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

Nays: None.

Absent and not voting: None.

#51 COUNTY ADMINISTRATOR REPORTS - NONE

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

#52 AGENDA ITEM APPOINTMENT TO PINELLAS SUNCOAST TRANSIT AUTHORITY@ - DEFERRED TO MEETING OF MAY 23, 2000

-

Chairman Stewart referred to agenda item No. 52 Appointment to Pinellas Suncoast Transit Authority,@ and requested that the item be deferred to the meeting of May 23, 2000; and no objections were noted.

#53a COMMISSIONER HARRIS RE VARIOUS ISSUES

Commissioner Harris warned against giving out account numbers over the Internet, and presented the members with copies of a letter from the City of Tarpon Springs concerning various issues that he would like addressed at a future work session.

#53b COMMISSIONER TODD RE FIRES IN OTHER AREAS

Commissioner Todd commented on providing assistance to other areas where fires have raged out of control.

#53c CHAIRMAN AUTHORIZED TO AMEND REQUEST TO FOREIGN TRADE ZONE BOARD AND PRESENTS WATER RESTRICTION UPDATE

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Chairman Stewart related that R. P. Scherer Corporation has requested that the Board amend its original request to the Foreign Trade Zone Board to (1) clarify that Lopinavir is a pharmaceutical product that will be encapsulated at its subzone in Pinellas, thus becoming duty free; and (2) propose a shortened notice and comment procedure under the foreign trade rules relating to pharmaceuticals to allow cost-efficient medicines to get on the

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market as quickly as possible; whereupon, Commissioner Todd moved, seconded by Commissioner Parks and carried, that the Chairman be authorized to amend the request.

Thereupon, the Chairman advised that a decision is pending on whether or not water conservation restrictions will be changed throughout the district.

#53d COMMISSIONER SEEL RE WATER CONSERVATION

Commissioner Seel urged everyone to adhere to water restrictions.

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Upon direction of the Chairman, there being no objection, the meeting was adjourned at 9:30 P.M.

Chairman

ATTEST: KARLEEN F. DeBLAKER, CLERK

By _____
Deputy Clerk