

Clearwater, Florida, October 24, 2000

The Board of County Commissioners in and for the County of Pinellas met in regular session in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, at 9:44 A.M. on this date with the following members present: Calvin D. Harris, Vice-Chairman; Sallie Parks; and Karen Williams Seel.

Absent: Robert B. Stewart, Chairman and Barbara Sheen Todd.

Also present: Susan H. Churuti, County Attorney; D. Gay Lancaster, Interim County Administrator; C. R. Short, Chief Deputy Clerk; and Joan P. Buckley, Board Reporter.

Reverend Jerome Jackson, Largo Alliance Church, Largo, pronounced the Invocation which was followed by the Pledge of Allegiance to the Flag led by Commissioner Parks.

AGENDA

INVOCATION

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

PRESENTATIONS & AWARDS

A. CITIZENS TO BE HEARD

Any Person Wishing to Speak at this Time (Excluding Issues on the Agenda 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 Meeting Held September 26, 2000.
2. Reports:
 - a. Appraisal Report of 1.15 +/- Acres Located at 250 Gulf Way, Crystal Beach, Florida 34681, Prepared by Tod Marr and Associates.
3. Other Approvals:

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- a. General:
 - 1. Recommendation that the Board of County Commissioners Approve the Write-Off of \$3,400.00 in Uncollectible Guardianship Fees.
 - b. Satisfactions of Judgments and Liens.
4. Miscellaneous Items to be Received for Filing:
- a. Eastlake Oaks Community Development District Public Meeting Schedule for Fiscal Year 2001 Together with Copy of the District Map Per Chapter 189, Florida Statutes.
 - b. Florida Public Service Commission Notice of Staff Workshops Regarding Undocketed Pay Telephone Workshop, to be Held October 19, 2000 in Orlando, October 20, 2000 in Ft. Lauderdale and October 24, 2000 in Jacksonville.
 - c. City of Clearwater Notices of Public Hearings to be Held October 17, 2000 Regarding:
 - 1. Rezoning and Land Use Plan Amendments Regarding Ordinances Nos. 6612-00 through 6615-00.
 - 2. Annexation, Land Use Plan and Zoning Atlas Amendments Regarding Ordinances Nos. 6616-00 through 6633-00.
 - 3. Community Development Board.
 - d. City of Safety Harbor Ordinance No. 2000-19 Adopted October 2, 2000, Annexing Certain Property.
 - e. Correspondence from the City of Pinellas Park Regarding Ordinance No. 2774, Voluntarily Annexing Certain Property, Public Hearing Held October 12, 2000.

COUNTY ADMINISTRATOR

Budget and Finance

- 5. Budget Amendment: No. 53.

Public Works

- 6. Approval of Subdivision Plats and Related Items B None.

Utilities

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7. Approval of Change Order No. 1 (Final) B McKay Creek Wastewater Treatment Facility and South Cross Bayou Water Reclamation Facility.
8. Approval of Change Order No. 1 (Final) B Pinellas Park 42@Sanitary Interceptor Cleaning.

General

9. Approval of Award of Bids:
 - a. Truck Body Hardware, 2000/2001.
 - b. Transmission Parts and Repair, 2000/2001.
10. Approval of Recommendation to Declare Surplus and Authorize the Sale of County Owned Vehicles, Heavy Equipment and Related Parts.
11. Adoption of a Resolution for Assessment of Liens against Lands Cleared.
12. Approval of Satisfaction of Mortgages (Housing):
 - a. Michael E. Pinkston and Michelle R. Murphy.
 - b. Largo Area Housing Development Corporation.
 - c. Audrey E. Cano a/k/a Audrey Esther Cano n/k/a Audrey E. Tongel.
 - d. Lorra L. Robertson and Mary E. Mathis.
 - e. Paul A. Dyer and Tracy M. Dyer.
 - f. Susan L. Nolan.

C. REGULAR AGENDA

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

COUNTY ADMINISTRATOR

Public Works

14. Approval of Option of Renewal B Landscaping and Related Maintenance of Park Boulevard and 78th Avenue.
15. Approval of Installation of Speed Humps on C.R. 90 between Curlew Road and Talley Drive.

Airport

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16. Approval of Renewal Permit for Miami Aircraft Support, Inc. at the St. Petersburg-Clearwater International Airport.

Utilities

17. Approval of Temporary Construction Easement to Upgrade the Utility Pump Station Located on 85th Avenue North.
18. Approval of Partial Release of an Easement **B** Lot 79 of the Highlands of Innisbrook Subdivision.
19. Approval of Insurance Premium Payment for Property and Builders Risk Policy Covering South Cross Bayou Water Reclamation Facility Phase IIB Improvements.
20. Approval and Acceptance of Substantial Completion Certifications for Equipment and Associated Construction **B** South Cross Bayou Water Reclamation Facility Phase IIB Improvements.
21. Approval of Agreement for Professional Consulting Services with Menke and Associates, Inc.

General

22. Approval of Award of Bid **B** Mass Spectrometer and Air Analysis Preconcentrator System.
23. Approval of Authorization to Advertise for a Public Hearing on Revisions to the Purchasing Ordinance.
24. Approval of Contract Extension **B** Uniforms, Career/Industrial, 2000/2001 (COOP).
25. Approval of the Third Amendment to the License Agreement with the Pinellas County Employees Credit Union.
26. Approval of the Third Amendment to the Plaza 300 Lease Agreement.
27. Approval to Execute Contract to Purchase 64.95 Acres of Vacant Land Located in the Mariners Point Project Area.
28. Approval of Release of Mineral Rights Reservation for Parcel Number 25/31/16/87084/000/0170.
29. Approval of Final Completion and Release of Retainage **B** Social Services Building, 2nd Floor Remodeling and HVAC Improvements.
30. Approval of Design Professional Services Agreement **B** Criminal Justice Center Shell Courtroom Build-Outs, 14250 **B** 49th Street North.
31. Approval of Construction Management Agreement **B** Criminal Justice Center Shell Courtroom Build-Outs, 14250 **B** 49th Street North.

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32. Approval of Design Professional Services Agreement **B** Renovation of Jail Maximum Security Facility Booking and Administrative Areas, 14400 **B** 49th Street North.
33. Approval of Construction Manager Agreement **B** Renovation of Jail Maximum Security Facility Booking and Administrative Areas, 14400 **B** 49th Street North.
34. Approval of Amendment No. 001 to the Emergency Home Energy Assistance Standard Contract and Master Agreement between the Tampa Bay Regional Planning Council Area Agency on Aging and Pinellas County.
35. Approval of Housing Finance Authority Actions Regarding Multi-County Single Family Housing Bond Program Series 2001A and Approval of Specific Performance Agreements.
36. Approval of the Interlocal Agreement Services Request with the City of Dunedin.
37. Approval of the Statewide Mutual Aid Agreement between the State of Florida Division of Emergency Management and Pinellas County.
38. Adoption of a Resolution Reducing the FY2001 Lealman Fire District Fund Budget.
39. Adoption of a Resolution Reducing the FY2001 Seminole Fire District Fund Budget.
40. Other Administrative Matters.

CLERK OF CIRCUIT COURT

41. 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. Amendment Order No. C-01213 in the Amount of \$9,900.00 to Menke Associates, Inc.

COUNTY ATTORNEY

42. Authority for County Attorney to Defend:

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- a. The Provident Bank, Inc., etc. v. Robert Parks, et al **B** Circuit Civil Case No. 00-6980-CI-7 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs, a Judgment for Fine and Costs, and a Judgment for Restitution.
 - b. Stoneridge Development Corp., etc. v. John Henry, Jr., etc., et al **B** Circuit Civil Case No. 00-7047-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Judgments for Fine and Costs.
 - c. Bankers Trust Company, etc. v. John W. Harris, et al **B** Circuit Civil Case No. 00-7031-CI-13 - Mortgage Foreclosure Involving a Welfare Lien.
 - d. United Companies Lending Corp. v. Ruth Wilson, Deceased, et al **B** Circuit Civil Case No. 99-5896-CI-13 - Mortgage Foreclosure Involving a Judgment for Attorney Fees and Costs and a Judgment for Fine and Costs.
 - e. Diamondhead Partnership, etc. v. Wanda Burgess, et al **B** Circuit Civil Case No. 00-7050-CI-8 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs.
 - f. United Companies Lending Corp. v. Jewel Walker, et al **B** Circuit Civil Case No. 00-6833-CI-15 - Mortgage Foreclosure Involving Community Development Mortgages.
 - g. Manufacturers & Traders Trust Company, etc. v. Latoya T. Hodge, et al **B** Circuit Civil Case No. 00-7014-CI-11 - Mortgage Foreclosure Involving a Judgment for Fine and Costs.
 - h. Huey K. McAlpin v. Augusto D. Mazzone, et al **B** Circuit Civil Case No. 00-6442-CI-21 - Mortgage Foreclosure Involving Judgments for Fine and Costs.
 - i. Jennifer Sydlar, et al. v. Pinellas County, et al. **B** Circuit Civil Case No. 00-6714-CI-19 **B** Action Involving an Allegation of Negligence and Resulting Personal Injuries as a Result of an Automobile Accident.
 - j. Maureen M. Allen v. Pinellas County **B** Case No. 00-6969-CO-042 **B** Action Involving an Allegation of Negligence in Provision of Sewer Services.
43. Approval of Addendum No. 6 to the Contract for Law Enforcement Services for the City of Madeira Beach.
44. Authority to Advertise Ordinance Regulating the Operation of Vessels.
45. Miscellaneous.
- EMERGENCY MEDICAL SERVICES AUTHORITY
46. Approval of Emergency Expenditure **B** Lifts, Four-Post Truck.

SCHEDULED PUBLIC HEARINGS

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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

- 47. Petition to Vacate Submitted by Irene E. De Filipo for a Portion of a 7.5 Foot Platted Easement on Lot 58, SEMINOLE GROVE ESTATES, Located in the Southeast 3 of Section 21, Township 30 South, Range 15 East.
- 48. Preliminary (Second Assessment Roll) for Improvements to 44th Avenue North from 74th Street to the East Dead End, Approximately 325 Feet.

WATER AND NAVIGATION

Pursuant to the Provisions of Chapter 31182, Laws of Florida (1955), as Amended, it is the Policy of the Pinellas County Water & Navigation Control Authority that all Persons Giving Testimony on Matters Relating to Application for Dredge, Fill, or Dock Permits do so Under Oath. If You Wish to Make Statements or Give Testimony Concerning any of the Water & Navigation Items, Please be Prepared to Stand and Take the Oath When Requested to do so by the Clerk.

- 49. Commercial Dock Application CD28997-00, International Capitol Properties, Inc., a/k/a Hurricane Hole High and Dry Marina, 1 Collany Road, Tierra Verde, Gulf of Mexico.

D. COUNTY ADMINISTRATOR REPORTS

- 50. Mental Health and Substance Abuse Blue Ribbon Task Force and Services Funding Status Report.

E. COUNTY COMMISSION

- 51. Miscellaneous.

ADJOURNMENT

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PROCLAMATION RECOGNIZING NOVEMBER 2000 AS MANATEE AWARENESS MONTH

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Vice-Chairman Harris presented a Proclamation recognizing November 2000 as Manatee Awareness Month to Nanette Holland, Tampa Bay Estuary Program and Pam Leasure, Pinellas County Department of Environmental Management.

CITIZENS TO BE HEARD- NONE

No one appeared in response to Vice-Chairman Harris' call for persons wishing to speak under agenda item, "Citizens to be Heard."

CONSENT AGENDA ITEMS NOS. 1 THROUGH 12 - APPROVED

Upon presentation by Vice-Chairman Harris, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the Consent Agenda, consisting of items Nos. 1 through 12, be approved as follows:

1 APPROVAL OF MINUTES

Minutes of regular meeting of September 26, 2000.

2 REPORTS RECEIVED FOR FILING

- a. Complete Summary Appraisal Report of 1.15± Acres Waterfront View Residential Site With Interim Use Adult Living Facility located at 250 Gulf Way, Crystal Beach, as of October 5, 1999, prepared by Tod Marr & Associates.

3 OTHER APPROVALS

- a. General

October 24, 2000

(1) Authorization for write-off of \$3,400.00 in uncollectible guardianship fees.

b. Satisfactions of Judgements and Liens

(1) Satisfactions of various judgements for attorney fees and costs and releases of paving, sewer, drainage, and street lighting assessment liens which have been paid in full.

4 MISCELLANEOUS ITEMS RECEIVED

- a. Eastlake Oaks Community Development District public meeting schedule for fiscal year 2001, together with copy of District map per Chapter 189, Florida Statutes.
- b. Florida Public Service Commission Notice of Staff Workshops re undocketed pay telephone workshop, to be held October 19, 2000 in Orlando, October 20, 2000 in Ft. Lauderdale and October 24, 2000 in Jacksonville.
- c. City of Clearwater Notices of Public Hearings to be held October 17, 2000 re:
 - 1. Rezoning and Land Use Plan Amendments re Ordinances Nos. 6612-00 through 6615-00.
 - 2. Annexation, Land Use Plan and Zoning Atlas Amendments re Ordinances Nos. 6616-00 through 6633-00.
 - 3. Community Development Board.
- d. City of Safety Harbor Ordinance No. 2000-19, adopted October 2, 2000, annexing certain property.
- e. Correspondence dated September 29, 2000 from City of Pinellas Park re Ordinance No. 2774, voluntarily annexing certain property; public hearing held October 12, 2000.

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5 BUDGET AMENDMENT NO. 53, FY2000

A copy of Budget Amendment No. 53, FY2000, was filed and made a part of the minutes.

6 SUBDIVISION PLATS AND RELATED ITEMS - NONE

7 CHANGE ORDER NO. 1 (FINAL) WITH DIVERSIFIED DRILLING CORPORATION FOR McKAY CREEK WASTEWATER TREATMENT FACILITY AND SOUTH CROSS BAYOU WATER RECLAMATION FACILITY RE MONITORING WELL REWORK PROJECT (BID NO. 990-0320-C)

- a. Change Order No. 1 (Final) decreases the contract by \$2,577.50 (total contract price \$99,784.50).
- b. Retainage released in the amount of \$4,989.23.
- c. Authorization for the Chairman to sign and the Clerk to attest.

8 CHANGE ORDER NO. 2 (FINAL) WITH RIDIN PIPELINE SERVICES, INC. FOR PINELLAS PARK 42-INCH SANITARY INTERCEPTOR CLEANING (BID NO. 990-0389-C)

- a. Change Order No. 2 (Final) decreases the contract by \$193,470.59 (total contract price \$488,029.41).
- b. Contract extension of 60 consecutive calendar days.
- c. Authorization for the Chairman to sign and the Clerk to attest.

9 AWARD OF BIDS

- a. Bid of A Truck Body & Equipment Co., Inc. for an estimated annual expenditure not to exceed \$30,000.00 for truck body hardware 2000/2001 (Bid No. 990-0996-B).
- b. Bid of Hellers Transmission Service, Inc. for a total expenditure not to exceed \$30,000.00 for transmission parts and repair, Allison, 2000/2001 (Bid No. 990-1118-B).

#10 DECLARATION OF COUNTY-OWNED VEHICLES, HEAVY EQUIPMENT AND RELATED PARTS AS SURPLUS WITH AUTHORIZATION FOR LIQUIDATION OF SAME AT PUBLIC AUCTION CONDUCTED BY TAMPA MACHINERY AUCTION, INC. AND FOR DISTRIBUTION OF PROCEEDS FROM SALE OF SURPLUS VEHICLES TO FLEET INTERNAL SERVICE FUND (BID NO. 967-0578-P)

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County-owned vehicles, heavy equipment and related parts, as indicated in the attachment to the agenda memorandum dated October 24, 2000, are declared surplus, with authorization for liquidation of same through public auction conducted by Tampa Machinery Auction, Inc. under provisions of the existing contract approved by Board action with proceeds from sale of surplus vehicles going to the Fleet Internal Service Fund.

#11 LOT CLEARING RESOLUTION

Resolution No. 00-218 assessing liens against lands cleared in Pinellas County pursuant to Chapter 78-599, Laws of Florida, and Pinellas County Code Chapter 58, Article IX, Section 338, directing that this resolution be filed in the public records office of the Clerk of the Circuit Court of Pinellas County, Florida.

#12 SATISFACTIONS OF MORTGAGE (HOUSING)

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- a. Michael E. Pinkston and Michelle R. Murphy
- b. Largo Area Housing Development Corporation
- c. Audrey E. Cano a/k/a Audrey Esther Cano n/k/a Audrey E. Tongel
- d. Lorra L. Robertson and Mary E. Mathis
- e. Paul A. Dyer and Tracy M. Dyer
- f. Susan L. Nolan

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

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#14 OPTION OF RENEWAL WITH KTK INDUSTRIES, INC. D/B/A CURB APPEAL LANDSCAPING FOR LANDSCAPING AND RELATED MAINTENANCE OF PARK BOULEVARD AND 78TH AVENUE (BID NO. 989-0693-B) - APPROVED

Interim County Administrator D. Gay Lancaster recommended approval of an option of renewal with KTK Industries, Inc. d/b/a Curb Appeal Landscaping for landscaping and related maintenance of Park Boulevard and 78th Avenue for an additional 12 months at the same price, terms and conditions, for an annual estimated expenditure not to exceed \$166,277.50.

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

#15 INSTALLATION OF THREE SPEED HUMPS ON C.R. 90 BETWEEN CURLEW ROAD AND TALLEY DRIVE, RE RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM - APPROVED

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Interim County Administrator D. Gay Lancaster recommended approval of the installation of three speed humps on C.R. 90 between Curlew Road and Talley Drive, in

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accordance with the Residential Traffic Management Program adopted pursuant to Resolution No. 97-291, dated October 14, 1997.

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

#16 PERMIT FOR COMMERCIAL BUSINESS AT AIRPORT WITH MIAMI AIRCRAFT SUPPORT, INC. AT ST. PETERSBURG-CLEARWATER INTERNATIONAL AIRPORT - APPROVED FOR EXECUTION

Interim County Administrator D. Gay Lancaster recommended that the Board approve a Permit for Commercial Business At Airport with Miami Aircraft Support, Inc. at the St. Petersburg-Clearwater International Airport.

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

#17 TEMPORARY CONSTRUCTION EASEMENT AGREEMENT WITH ANNIE MORGAN SIMS - APPROVED FOR EXECUTION

Interim County Administrator D. Gay Lancaster recommended approval of a Temporary Construction Easement Agreement with Annie Morgan Sims to upgrade the current Utility Pump Station located on 85th Avenue North, Seminole.

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

#18 PARTIAL RELEASE OF SEWER EASEMENT TO ANDREW J. McADAMS AND AFRODITE B. McADAMS PREVIOUSLY GRANTED TO PINELLAS COUNTY - APPROVED

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Interim County Administrator D. Gay Lancaster recommended approval of a Partial Release of Sewer Easement previously granted to Pinellas County as recorded in Official Records Book 4040, Pages 1843 to 1846.

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

#19 AUTHORIZATION GRANTED FOR PAYMENT OF INSURANCE PREMIUM TO ACORDIA SOUTHEAST, INC. FOR RENEWAL OF PROPERTY AND BUILDERS RISK POLICY COVERING SOUTH CROSS BAYOU WATER RECLAMATION FACILITY PHASE IIB IMPROVEMENTS

Interim County Attorney D. Gay Lancaster recommended that authorization be granted for payment of an insurance premium to Acordia Southeast, Inc. in the amount of \$68,295.00 for renewal of the Property and Builders Risk Policy covering the South Cross Bayou Water Reclamation Facility Phase IIB improvements.

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

#20 CERTIFICATES OF SUBSTANTIAL COMPLETION RE AGREEMENTS WITH BEERS CONSTRUCTION COMPANY AND PARSONS ENGINEERING SCIENCE FOR EQUIPMENT AND ASSOCIATED CONSTRUCTION, SOUTH CROSS BAYOU WATER RECLAMATION FACILITY PHASE IIB IMPROVEMENTS (PROJECT NO. 734-617213-0711) - APPROVED FOR EXECUTION

Interim County Administrator D. Gay Lancaster recommended acceptance of Certificates of Substantial Completion re agreements with Beers Construction Company (Construction Manager) and Parsons Engineering Science (Engineer) for equipment and associated construction at the South Cross Bayou Water Reclamation Facility Phase IIB Improvements.

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

#21 AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES WITH MENKE & ASSOCIATES, INC. - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of an Agreement for Professional Consulting Services with Menke & Associates, Inc. to assist in the implementation of the Capital Replacement Project at the Pinellas County Resource Recovery Facility through April 30, 2004, in an amount not to exceed \$322,500.00.

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

#22 BID OF LINC QUANTUM ANALYTICS ACCEPTED FOR MASS SPECTROMETER AND AIR ANALYSIS PRECONCENTRATOR SYSTEM (BID NO. 990-1016-B); BIDS OF THERMOQUEST/FINNIGAN AND SHIMADZU SCIENTIFIC INSTRUMENTS, INC. - REJECTED

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Legal notice having been published and publisher's affidavit filed with the Clerk, Interim County Administrator D. Gay Lancaster recommended that the bid of Linc Quantum Analytics be accepted for a Mass Spectrometer and an Air Analysis Preconcentrator System for a total expenditure not to exceed \$94,185.00; and further recommended that the bids of Thermoquest/Finnigan and Shimadzu Scientific Instruments, Inc. be rejected on the basis of being non-responsive.

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

#23 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED AMENDMENT TO THE PINELLAS COUNTY PURCHASING ORDINANCE,

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CODIFIED AT PINELLAS COUNTY CODE, PART II, CHAPTER 2, ARTICLE V,
DIVISION 2

Interim County Administrator D. Gay Lancaster recommended that authorization be granted to advertise a public hearing to be held November 7, 2000, re a proposed amendment to the Pinellas County Purchasing Ordinance, codified at Pinellas County Code, Part II, Chapter 2, Article V, Division 2.

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

#24 CONTRACT EXTENSION WITH HARRISON UNIFORM CO. FOR UNIFORMS,
CAREER/INDUSTRIAL, FY00/01 (COOPERATIVE BID NO. 967-0197- B) -
APPROVED

Interim County Administrator D. Gay Lancaster recommended approval of a contract extension of up to 60 days with Harrison Uniform Co. for uniforms, career/industrial, FY00-01, per Cooperative Contract No. 4780 with City of St. Petersburg for an estimated extension expenditure not to exceed \$12,500.00.

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

#25 THIRD AMENDMENT TO LICENSE AGREEMENT WITH PINELLAS COUNTY
EMPLOYEES CREDIT UNION - APPROVED FOR EXECUTION

Interim County Administrator D. Gay Lancaster recommended approval of the Third Amendment to License Agreement with Pinellas County Employees Credit Union.

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

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- #26 THIRD AMENDMENT TO PLAZA 300 LEASE AGREEMENT WITH TRUST FOR REHABILITATION AND NURTURING YOUTH AND FAMILIES, INC. D/B/A PLAZA 300, F/K/A JAMES P. GILLS D/B/A/ PLAZA 300, AND GILLS CHARITABLE REMAINDER UNITRUST - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of a Third Amendment to Plaza 300 Lease Agreement with Trust for Rehabilitation and Nurturing Youth and Families, Inc. d/b/a Plaza 300, f/k/a James P. Gills d/b/a Plaza 300, and Gills Charitable Remainder Unitrust, to change the name of the landlord to Trust for Rehabilitation and Nurturing Youth and Families, Inc. d/b/a Plaza 300.

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

- #27 CONTRACT FOR SALE AND PURCHASE WITH MORTON L. OLSHAN FOR 64.95 ACRES OF VACANT LAND LOCATED IN THE MARINER-S POINT PROJECT AREA - APPROVED FOR EXECUTION

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Interim County Attorney D. Gay Lancaster recommended approval of a Contract for Sale and Purchase with Morton L. Olshan for acquisition of 64.95 acres of vacant land located in the Mariner-s Point Project Area.

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

- #28 RELEASE OF MINERAL RIGHTS RESERVATION ON PARCEL 25/31/16/87084/000/0170 - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of the release of mineral rights reserved on Parcel 25/31/16/87084/000/0170, a property located on the corner of 10th Street South and 18th Avenue South, St. Petersburg.

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

#29 CONSTRUCTION AGREEMENT WITH LINCOLN CONSTRUCTION, INC. FOR 2ND FLOOR REMODELING AND HVAC IMPROVEMENTS TO THE SOCIAL SERVICES BUILDING - ACCEPTED AS COMPLETE; AUTHORIZATION GRANTED FOR FINAL PAYMENT AND RELEASE OF RETAINAGE MONIES

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Interim County Administrator D. Gay Lancaster recommended that the Construction Agreement with Lincoln Construction, Inc. for the 2nd floor remodeling and HVAC improvements to the Social Services Building be accepted as complete; and that the Board authorize final payment and release retainage monies in the amount of \$50,930.90 to the aforesaid firm.

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

#30 AGREEMENT WITH KLAR AND KLAR ARCHITECTS, INC. FOR PROFESSIONAL DESIGN SERVICES FOR THE CRIMINAL JUSTICE CENTER SHELL COURTROOM BUILD-OUTS - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of an Agreement with Klar and Klar Architects, Inc. for Professional Design Services for the Criminal Justice Center Shell Courtroom Build-Outs, for a basic services fee in the amount of \$65,755.00, a reimbursable fee of \$3,000.00, and a contingency services amount of \$9,500.00 for unforeseen requirements, for a total contract amount not to exceed \$78,255.00.

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

#31 AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES OF CRIMINAL JUSTICE CENTER SHELL COURTROOM BUILDOUTS - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of an agreement with Creative Contractors, Inc. to provide construction management services for the Criminal Justice Center Shell Courtroom Buildouts.

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

#32 AGREEMENT WITH BARGER & DEAN ARCHITECTS, INC. FOR PROFESSIONAL DESIGN SERVICES FOR RENOVATION TO EXISTING MAXIMUM JAIL FACILITY BOOKING AND ADMINISTRATIVE AREAS - APPROVED FOR EXECUTION

Interim County Administrator D. Gay Lancaster recommended approval of an agreement with Barger & Dean Architects, Inc. to provide professional design services for the renovation of the Jail Maximum Security Facility Booking and Administrative areas.

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

#33 AGREEMENT WITH CREATIVE CONTRACTORS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR JAIL MAXIMUM SECURITY RENOVATIONS TO BOOKING AND ADMINISTRATIVE AREAS - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of an agreement with Creative Contractors, Inc. to provide construction management services for Jail Maximum Security Renovations to Booking and Administration areas.

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

#34 AMENDMENT NO. 001 TO AGREEMENT NO. EM-001-PINELLAS WITH TAMPA BAY REGIONAL PLANNING COUNCIL/AREA AGENCY ON AGING (TBRPC/AAA) RE EMERGENCY HOME ENERGY ASSISTANCE STANDARD CONTRACT AND MASTER AGREEMENT - APPROVED FOR EXECUTION

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Interim County Administrator D. Gay Lancaster recommended approval of Amendment No. 1 to Agreement No. EM-001-Pinellas with Tampa Bay Regional Planning Council/Area Agency on Aging (TBRPC/AAA) regarding the Emergency Home Energy Assistance Standard Contract and Master Agreement.

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

#35 RESOLUTION NO. 00-219 ADOPTED APPROVING THE SPECIFIC PERFORMANCE AGREEMENT (AGREEMENT NO. HFA-00-SHIP-AB) AND THE HOUSING FINANCE AUTHORITY'S ACTION REGARDING ISSUANCE OF MULTI- COUNTY, SINGLE FAMILY HOUSING BONDS- 2001A

—

Interim County Administrator D. Gay Lancaster recommended adoption of a resolution approving the Pinellas County Community Development Specific Performance Agreement with the Housing Finance Authority of Pinellas County (Agreement No. HFA-00-SHIP-AB) for the 2001 Series A & B Programs, and the Housing Finance Authority's action taken at its meeting on October 10, 2000 to implement the Multi-County Single Family Housing Bond Program, Series 2001A, in an amount not to exceed \$75,000,000.

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Commissioner Seel moved, seconded by Commissioner Parks, that Resolution No. 00-219 be adopted as recommended by the Interim County Administrator. Upon roll call, the vote was:

Ayes: Harris, Parks and Seel.

Nays: None.

Absent and not voting: Stewart and Todd.

#36 INTERLOCAL AGREEMENT WITH THE CITY OF DUNEDIN FOR INSPECTION SERVICES - APPROVED FOR EXECUTION

—

Interim County Administrator D. Gay Lancaster recommended approval of an Interlocal Agreement with the City of Dunedin to clarify the County's responsibility for liability purposes with regard to inspection services performed for the City.

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

#37 STATEWIDE MUTUAL AID AGREEMENT WITH STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT - APPROVED FOR EXECUTION

—

Interim County Administrator D. Gay Lancaster recommended approval of a Statewide Mutual Aid Agreement with the State of Florida Department of Community Affairs, Division of Emergency Management, for giving and receiving assistance following a major disaster.

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

#38 RESOLUTION NO. 00-220 ADOPTED AMENDING FY01 LEALMAN FIRE DISTRICT FUND BUDGET

Interim County Administrator D. Gay Lancaster recommended adoption of a resolution amending the FY01 budget of the Lealman Fire District Fund by reducing the anticipated ad valorem proceeds in the Lealman Fire Control District and reducing the payment to the provider.

Commissioner Parks moved, seconded by Commissioner Seel, that Resolution No. 00-220 be adopted as recommended by the Interim County Administrator. Upon roll call, the vote was:

Ayes: Harris, Parks and Seel.

Nays: None.

Absent and not voting: Stewart and Todd.

#39 RESOLUTION NO. 00-221 ADOPTED AMENDING FY01 SEMINOLE FIRE DISTRICT FUND BUDGET

Interim County Administrator D. Gay Lancaster recommended adoption of a resolution amending the FY01 budget of the Seminole Fire District Fund by reducing the anticipated ad valorem proceeds in the Seminole Fire District and reducing the payment to the provider.

Commissioner Parks moved, seconded by Commissioner Seel, that Resolution No. 00-221 be adopted as recommended by the Interim County Administrator. Upon roll call, the vote was:

Ayes: Harris, Parks and Seel.

Nays: None.

Absent and not voting: Stewart and Todd.

October 24, 2000

#40 OTHER ADMINISTRATIVE MATTERS - NONE

Interim County Administrator D. Gay Lancaster indicated that she has no items to be presented this date under "Other Administrative Matters."

#41a VOUCHERS APPROVED FOR PERIOD OCTOBER 16, 2000 THROUGH OCTOBER 20, 2000

Chief Deputy Clerk C. R. Short recommended approval of vouchers for the period October 16, 2000 through October 20, 2000 as follows:

Imprest Fund Expenditures
Manual checks numbered 539442 through 539454
System checks numbered 549367 through 550418

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

#41b REQUISITION OF PAYMENT AND CERTIFICATE APPROVED FOR FORWARDING TO TRUSTEE RE GOODS AND SERVICES FOR SOLID WASTE RESOURCE RECOVERY FACILITY

Chief Deputy Clerk C. R. Short recommended that Requisition of Payment and Certificate for Payment Order No. C-0213 in the amount of \$9,900.00 re goods and services for the Solid Waste Resource Recovery Facility be approved for forwarding to Trustee.

October 24, 2000

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

#42a COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE THE PROVIDENT BANK, INC., ETC. VERSUS ROBERT PARKS, ET AL, CIRCUIT CIVIL CASE NO. 00-6980-CI-7 - MORTGAGE FORECLOSURE INVOLVING JUDGEMENTS FOR ATTORNEY FEES AND COSTS, FINE AND COSTS, AND RESTITUTION _____

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re The Provident Bank, Inc., etc. versus Robert Parks, et al, Circuit Civil Case No. 00-6980-CI-7 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs, Fine and Costs, and Restitution.

#42b COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE STONERIDGE DEVELOPMENT CORP., ETC. VERSUS JOHN HENRY, JR., ETC., ET AL, CIRCUIT CIVIL CASE NO. 00-7047-CI-8 - QUIET TITLE ACTION INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND FINE AND COSTS _____

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Stoneridge Development Corp., etc. versus John Henry, Jr., etc., et al, Circuit Civil Case No. 00-7047-CI-8 - Quiet Title Action Involving Judgments for Attorney Fees and Costs and Fine and Costs.

#42c COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE BANKERS TRUST COMPANY, ETC. VERSUS JOHN W. HARRIS, ET AL, CIRCUIT CIVIL CASE NO. 00-7031-CI-13 - MORTGAGE FORECLOSURE INVOLVING A

October 24, 2000

WELFARE LIEN

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Bankers Trust Company, etc. versus John W. Harris, et al, Circuit Civil Case No. 00-7031-CI-13 - Mortgage Foreclosure Involving a Welfare Lien.

#42d COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE UNITED COMPANIES LENDING CORP. VERSUS RUTH WILSON, DECEASED, ET AL, CIRCUIT CIVIL CASE NO. 99-5896-CI-13 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS AND FINE AND COSTS

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re United Companies Lending Corp. versus Ruth Wilson, Deceased, et al, Circuit Civil Case No. 99-5896-CI-13 - Mortgage Foreclosure Involving Judgments for Attorney Fees and Costs and Fine and Costs.

#42e COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE DIAMONDHEAD PARTNERSHIP, ETC. VERSUS WANDA BURGESS, ET AL, CIRCUIT CIVIL CASE NO. 00-7050-CI-8 - QUIET TITLE ACTION INVOLVING JUDGMENTS FOR ATTORNEY FEES AND COSTS

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Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Diamondhead Partnership, etc. versus Wanda Burgess, et al, Circuit Civil Case No. 00-7050-CI-8 - Quiet Title Action Involving Judgments for Attorney Fees and Costs.

#42f COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE UNITED COMPANIES LENDING CORP. VERSUS JEWEL WALKER, ET AL, CIRCUIT CIVIL CASE NO. 00-6833-CI-15 - MORTGAGE FORECLOSURE INVOLVING COMMUNITY DEVELOPMENT MORTGAGES

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Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re United Companies Lending Corp. versus Jewel Walker, et al, Circuit Civil Case No. 00-6833-CI-15 - Mortgage Foreclosure Involving Community Development mortgages.

#42g COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY-S INTEREST RE MANUFACTURERS & TRADERS TRUST COMPANY, ETC. VERSUS LATOYA T. HODGE, ET AL, CIRCUIT CIVIL CASE NO. 00-7014-CI-11 - MORTGAGE FORECLOSURE INVOLVING JUDGMENT FOR FINE AND COSTS

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Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Manufacturers & Traders Trust Company, etc. versus Latoya T. Hodge, et al, Circuit Civil Case No. 00-7014-CI-11 - Mortgage Foreclosure Involving Judgment for Fine and Costs.

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#42h COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE HUEY K. McALPIN VERSUS AUGUSTO D. MAZZONE, ET AL, CIRCUIT CIVIL CASE NO. 00-6442-CI-21 - MORTGAGE FORECLOSURE INVOLVING JUDGMENTS FOR FINE AND COSTS

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Huey K. McAlpin versus Augusto D. Mazzone, et al, Circuit Civil Case No. 00-6442-CI-21 - Mortgage Foreclosure Involving Judgments for Fine and Costs.

#42i COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE JENNIFER SYDLAR, ET AL. VERSUS PINELLAS COUNTY, ET AL., CIRCUIT CIVIL CASE NO. 00-6714-CI-19 - ACTION INVOLVING ALLEGATION OF NEGLIGENCE AND RESULTING PERSONAL INJURIES RESULTING FROM AN AUTOMOBILE ACCIDENT

—

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Jennifer Sydlar, et al. versus Pinellas County, et al., Circuit Civil Case No. 00-6714-CI-19 - Action Involving Allegation of Negligence and Resulting Personal Injuries Resulting from an Automobile Accident.

#42j COUNTY ATTORNEY AUTHORIZED TO DEFEND COUNTY'S INTEREST RE ALLEN VERSUS PINELLAS COUNTY, COUNTY CIVIL CASE NO. 00-6969-CO-042 - ACTION INVOLVING ALLEGATION OF NEGLIGENCE IN PROVISION OF SEWER

October 24, 2000

SERVICES

Pursuant to the request of County Attorney Susan H. Churuti, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the County Attorney be authorized to defend the County's interest in the suit re Allen versus Pinellas County, County Civil Case No. 00-6969-CO-042 - Action Involving Allegation of Negligence in Provision of Sewer Services.

#43 ADDENDUM NO. 6 TO CONTRACT FOR LAW ENFORCEMENT SERVICES WITH CITY OF MADEIRA BEACH - APPROVED FOR EXECUTION

County Attorney Susan H. Churuti recommended approval of Addendum No. 6 to the Contract for Law Enforcement Services with the City of Madeira Beach for fiscal year 2000-2001.

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

#44 AUTHORIZATION GRANTED TO ADVERTISE PUBLIC HEARING RE PROPOSED ORDINANCE REGULATING THE OPERATION OF VESSELS

County Attorney Susan H. Churuti recommended that authorization be granted to advertise a public hearing to be held November 14, 2000 re a proposed ordinance regulating the operation of vessels.

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

#45 AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN PINELLAS REGIONAL WORKFORCE BOARD D/B/A WORKNET, INC. AND PINELLAS

October 24, 2000

COUNTY, FLORIDA - APPROVED FOR EXECUTION

-

County Attorney Susan H. Churuti recommended approval of an amendment to the Memorandum of Understanding between the Pinellas Regional Workforce Board d/b/a WorkNet Inc. and Pinellas County, Florida, inasmuch as the WorkNet Board, at its meeting on October 20, 2000, recommended that four words be added to the fourth line of paragraph 5 (D).

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

#46 EMERGENCY PURCHASE OF FOUR-POST TRUCK LIFTS FROM FLORIDA TIRE SUPPLY CO., INC. PER GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT GS-07F-8953D - APPROVED

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Noting for the record that the Board is now sitting as the Emergency Medical Services Authority, Interim County Administrator D. Gay Lancaster recommended approval of the emergency purchase of four-post truck lifts from Florida Tire Supply Co., Inc. at pricing, terms and conditions per General Services Administration (GSA) Contract GS-07F-8953D, for a total expenditure not to exceed \$56,841.75.

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

#47 PETITION OF IRENE E. De FILIPO TO VACATE A PORTION OF A 7.5-FOOT PLATTED EASEMENT ON LOT 58, SEMINOLE GROVE ESTATES, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 30 SOUTH, RANGE 15 EAST - GRANTED; RESOLUTION NO. 00-222 ADOPTED

-

October 24, 2000

Pursuant to legal notice published in the October 6, 2000 issue of the Tampa Bay Review as evidenced by publishers affidavit filed with the Clerk, public hearing was held on the petition of Irene E. De Filippo to vacate a portion of a 7.5-foot platted easement on Lot 58, Seminole Grove Estates, as recorded in Plat Book 69, Page 98, located in the southeast quarter of Section 21, Township 30 South, Range 15 East.

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

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

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

Interim County Administrator D. Gay Lancaster stated that staff recommends that the vacation be granted.

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

Commissioner Parks moved, seconded by Commissioner Seel, that the petition to vacate be granted; and that Resolution No. 00-222 be adopted. Upon roll call, the vote was:

Ayes: Harris, Parks and Seel.

Nays: None.

Absent and not voting: Stewart and Todd.

#48 PUBLIC HEARING HELD RE PRELIMINARY (SECOND) ASSESSMENT ROLL FOR PAVING IMPROVEMENTS TO 44TH AVENUE NORTH FROM 74TH STREET TO THE EAST DEAD END, APPROXIMATELY 325 FEET; RESOLUTION NO. 00-223

October 24, 2000

ADOPTED CONFIRMING ASSESSMENT ROLL, AND ORDERING ASSESSMENT OF
PROPERTIES BENEFITED THEREBY

—

Pursuant to legal notice published in the October 13 and 20, 2000 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held re the Preliminary (Second) Assessment Roll for paving improvements to 44th Avenue North from 74th Street to the east dead end, approximately 325 feet. Chief Deputy Clerk C. R. Short reported that Notice of Hearing had been sent to all property owners listed on the assessment roll; that no letters relative to the assessment have been received; and that the matter is properly before the Board to be heard.

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

Commissioner Seel moved, seconded by Commissioner Parks, that the assessment roll be approved, and that Resolution No. 00-223 be adopted. Upon roll call, the vote was:

Ayes: Harris, Parks and Seel.

Nays: None.

Absent and not voting: Stewart and Todd.

#49 COMMERCIAL DOCK APPLICATION CD28997-00, INTERNATIONAL CAPITAL PROPERTIES, INC. A/K/A HURRICANE HOLE HIGH AND DRY MARINA, 1 COLLANY ROAD, TIERRA VERDE, GULF OF MEXICO - BOARD ACTION TEMPORARILY DEFERRED TO MEETING OF OCTOBER 31, 2000

-

Vice-Chairman Harris noted for the record that the Board is now sitting as the Water and Navigation Control Authority.

Pursuant to legal notice published in the September 8 and 15, 2000 issues of the Tampa Bay Review as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on Commercial Dock Application CD28997-00, International Capital

October 24, 2000

Properties, Inc. a/k/a Hurricane Hole High and Dry Marina, 1 Collany Road, Tierra Verde, Gulf of Mexico. Chief Deputy Clerk C. R. Short reported that all interested parties have been notified by mail; that 215 letters in favor of and 874 letters, 338 cards and one telephone call in opposition to the application have been received; that in a previous hearing, (Medley Marina, Permit No. CD26511-98) 332 letters and a petition with 82 signatures in favor of and 501 letters in opposition had been received; and that the matter is properly before the Authority to be heard.

Vice-Chairman Harris related that due to the absence of Commissioners Stewart and Todd, the public hearing will be conducted in the usual manner; however, in order to provide the absent Commissioners the opportunity to review all testimony presented at the public hearing and to allow the full Authority to vote on the matter, Board action will be temporarily deferred to the meeting of October 31, 2000.

Interim County Administrator D. Gay Lancaster indicated that the applicant proposes to construct a new commercial dock in the waters of the Gulf of Mexico to support a 176-slip high and dry marina; and that staff recommends approval of the application based on negative **AFindings of Fact,**@Items 1 through 9, and affirmative **AFindings of Fact,**@Items 10 through 13, as indicated in the proposed order which has been filed and made a part of the record, subject to the following conditions:

1. The originally issued permit for this site (CD26511-98) is revoked.
2. The applicant will participate with Pinellas County in the implementation of the Shell Key Preserve Management Plan by providing \$10,000 toward the installation of poles and signage to mark channels and aquatic management areas within Shell Key Preserve.
3. The marina owners must maintain navigational access from the marina to the open Gulf of Mexico via the existing channel located immediately south and west of Collany Island, or at such alternate location as suggested and approved by state, local and federal authorities having jurisdiction over dredging, for as long as the marina is operated for the mooring and/or launching of vessels. Any dredging is subject to all applicable local, state and federal authorizations.

4. The marina will provide space at no charge for storing a boat belonging to a State or Pinellas County law enforcement agency.
5. The applicant will incorporate restrictions and advisories regarding the Shell Key Preserve Management Plan into marina signage and lease agreements with individuals storing boats at the marina.
6. The marina will maintain a manatee educational display and other manatee related signage as deemed appropriate by the Florida Department of Environmental Protection.
7. The marina will install and maintain a sewage pump-out system for boaters.
8. The fuel pump and fuel storage tank must be properly permitted through the Pinellas County Health Department's Pollutant Storage Tank Division. Appropriate spill containment plans to include on site training and equipment must be included.
9. The marina must obtain certification through the State of Florida Clean Marina program. Information on this program can be obtained from the Pinellas County Department of Environmental Management at (727) 464-4761.

10. No mangrove removal is authorized for this project. Mangrove trimming of those branches and trunks which directly overhang the deck surface and are within eight vertical feet of the deck surface (or which interfere with the operation of the loading platform) does not require additional permits from the County. Any other mangrove trimming must comply with the Pinellas County code and the Mangrove Trimming and Preservation Act.
11. Exotic Brazilian pepper trees (*Schinus terebinthifolius*) must be hand removed from the applicant's shoreline within 30 days of the start of dock construction.
12. Pilings are to be placed between the north end of the dock and the mangrove fringe to prevent boats from the landward side of the dock. The spacing between piling is not to exceed five feet.

Paul Cassel, Director, Development Review Services, displayed the proposed site plan and an aerial map of the property, described the surrounding area, and provided a zoning history of Tierra Verde. He related that the current commercial zoning is the result of a settlement agreement negotiated by Pinellas County and allows for a high and dry marina; that the site plan is pending approval based on the Authority's decision with regard to the proposed dock; and that the County's Comprehensive Plan encourages such development as a means of providing public access to the water.

County Attorney Susan H. Churuti interjected that procedurally, witnesses may be examined during or following each presentation and it is the Vice-Chairman's discretion as to when the cross-examination may take place; whereupon, E. D. Armstrong, III, Esquire, 911 Chestnut Street, Clearwater, appeared and being duly sworn, related that he represents the Tierra Verde Community Association which is in opposition to the application; and upon his cross-examination, Mr. Cassel stated that the aforesaid settlement agreement does not preclude the Authority's denial of the dock permit.

In response to query by Commissioner Seel, Mr. Cassel advised that should the Authority deny the permit, the site plan would not be approved as presented; but that the Interim County Administrator is authorized to approve the high and dry marina without the dock pursuant to the existing zoning code.

William M. Davis, Director, Environmental Management, appeared and being duly sworn, referred to aerial maps and presented an overview of the proposed project and the history of the development of the area; and upon queries by members, pointed out navigational criteria and stated that the Authority's regulations address both navigational and environmental impacts.

Jacob F. Stowers, Assistant County Administrator, appeared and being duly sworn, referred to an aerial map and pointed out the subject site and described the surrounding areas; whereupon, he reviewed the Shell Key Management Plan. Responding to cross-examination by Attorney Armstrong, he related that the Management Plan will be implemented regardless of the Authority's approval of the dock; and that a vested right to a dock on the subject site is not included in the Plan.

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Doug Speeler, Speeler Enterprises, appeared and being duly sworn, related that he represents the applicant; and responding to queries by Commissioner Parks, indicated that the applicant concurs with staff's conditions as well as further conditions imposed by the Department of Environmental Protection which include the prohibition of diesel fuel and heavy boat maintenance and a required storm water runoff capacity.

In response to the Vice-Chairman's call for proponents, the following individuals appeared and offered their comments:

Jim Price, 1390-C Pinellas Bayway, Tierra Verde
John Karceski, 522 Pinellas Bayway, Tierra Verde
Cindy McGinness, Marine Industries Association of Greater Tampa Bay
and resident of Tierra Verde
Bill Griffith, 370 8th Avenue, No. 8, Tierra Verde
Fitz Lee, 522 Pinellas Bayway, Tierra Verde
Chip Hanna, 114 12th Street East, St. Petersburg

* * * *

Upon direction of the Vice-Chairman, the meeting was recessed at 12:10 P.M. and reconvened at 12:27 P.M.

* * * *

Mr. Armstrong introduced Thomas R. Cuba, Ph.D., CLM, CEP, Post Office Box 3241, St. Petersburg, and indicated that Dr. Cuba disagrees with many of the conclusions and statements included in the staff report; whereupon, he read nine conditions from staff's Proposed Order into the record; and related that if any of the nine questions can be answered in the affirmative, the Authority is obligated to deny the application.

Dr. Cuba pointed to the site on an aerial map and expressed his concern with regard to the impact the proposed commercial dock may have on the Shell Key Preserve and the surrounding area; and upon cross-examination by applicant's counsel, Brian P. Deeb, Deeb and Brainard, P.A., 5999 Central Avenue, St. Petersburg, he indicated that the future status of the Shell Key Preserve and the proposed dredging of the channel may impact Findings of Fact Nos. 1 through 9 of the Proposed Order.

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In response to the Vice-Chairman's call for opponents, the following individuals appeared and stated their concerns:

Robert Paver, 1148 Third Avenue South, Tierra Verde
Kevin Cronin, Tierra Verde
Ann Schnapf, Audubon of Florida, 410 Ware Boulevard,
No. 702, Tampa
Bill Carter, 7115 Coquina Way, No. 10, St. Petersburg
Ned E. J. Webster, 6 Sea Lane South, St. Petersburg
Carolyn Berger, 104 Sand Point Drive, Tierra Verde
Rob Melby, 108 5th Street East, Tierra Verde
Barry A. Cohen, 2107 Oceanview Drive, Tierra Verde
Joyce King, 11645 69th Way North, Largo
Mike Kintsly, 1841 Oceanview Drive, Tierra Verde
Richard J. Portenga, 903 Pinellas Bayway, No. 203, Tierra
Verde
Gene McNichols, 964 Monte Cristo Boulevard, Tierra Verde
Richard D. Wilkes, 2108 Oceanview Drive, Tierra Verde
Helen K. Warren, 7227 4th Avenue North, St. Petersburg
Onda Black, 1117 Pinellas Bayway, No. 305, Tierra Verde
Bob Marcus, P.O. Box 26885, Tampa

In rebuttal, Attorney Deeb related that the Tierra Verde Community Association, Inc. had communicated to residents that approval of the application would result in ecological disaster; that the majority of correspondence received by the Authority in opposition to the application had been based on that communication; and that the only conclusions based on fact, which had been presented to the Authority this date, had been contained in staff's Proposed Order.

Vice-Chairman Harris closed the public hearing and noted that the item will be deferred to October 31, 2000 for action by the full Board; whereupon, Commissioner Parks moved, seconded by Commissioner Seel and carried, that the decision on the application be temporarily deferred to the meeting of October 31, 2000.

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#50 MENTAL HEALTH CARE, SUBSTANCE ABUSE SERVICES & FUNDING STATUS REPORT AND STATUS OF MENTAL HEALTH CARE AND FUNDING IN PINELLAS COUNTY

Martha Lenderman, Lenderman & Associates, provided an overview of the documents Mental Health Care Substance Abuse Services and Funding Status Report by Lenderman & Associates, dated October 2000, and Status of Mental Health Care and Funding in Pinellas County by Lenderman & Associates, dated June 1999, and related that the County has an interest in mental health care and substance abuse services due to the many impacts on entities such as the Criminal Justice System, the Department of Social Services, Emergency Medical Services (EMS), hospital emergency rooms and the homeless; whereupon, she commended Commissioner Parks for her commitment to the area of mental health and substance abuse.

In response to Commissioner Seel's query, Ms. Lenderman indicated that the information in the reports will soon be updated.

Commissioner Parks referred to the Florida Commission on Mental Health and Substance Abuse and urged the Board to take a proactive role in planning priorities for State mental health and substance abuse dollars; and related that at a later date, she will recommend that the Board continue the efforts of the Task Force.

#51a COMMISSIONER SEEL RE PINELLAS COUNTY SCHOOLS CORPORATE/COMMUNITY VOLUNTEER PROGRAM CELEBRATION EVENT

Commissioner Seel reported her attendance at the Pinellas County Schools Corporate/Community Volunteer Program Celebration Event that had taken place on this date; whereupon, she presented Commissioner Harris with a Plaque and a Star expressing appreciation re his effort and leadership in encouraging County employees to become involved in the school system.

October 24, 2000

#51b COMMISSIONER HARRIS OFFERS CONSUMER TIP

Commissioner Harris offered a consumer tip regarding employment agencies which require advance fees.

* * * *

Upon direction of the Vice-Chairman, there being no objection, the meeting was adjourned at 3:38 P.M.

Vice-Chairman

ATTEST: KARLEEN F. De BLAKER, CLERK

By: _____
Deputy Clerk