

AGENDA ITEM NO. 1
November 20, 2012

1. APPROVAL OF MINUTES

Regular Meeting of October 16, 2012.

4

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, OCTOBER 16, 2012 – 2:02 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: John Morroni, Chairman; Kenneth T. Welch, Vice-Chairman; Nancy Bostock; Neil Brickfield; Norm Roche; Karen Williams Seel; and Susan Latvala.

Others Present: James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Arlene L. Smitke and Tammy L. Burgess, Board Reporters, Deputy Clerks.

INVOCATION: Pastor Jerry Busby, Starkey Road Baptist Church, Seminole.

PLEDGE OF ALLEGIANCE: Commissioner Roche.

PRESENTATIONS AND AWARDS:

Pro Bono Week Proclamation.

CITIZENS TO BE HEARD

Lenore Faulkner, Madeira Beach, re Pinellas County schools education excellence.

Greg Pound, Largo, re families.

Scott H. Barber, Largo, re VSO – Veterans.

Alene Tarter, Seminole, re VSO Veteran's Affairs.

Mark Klutho, Largo, re stupidity, waste.

Don Polmann, Dunedin, re service to the community.

JoAn Totty, Palm Harbor, re Palm Harbor.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 15 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 2b, 8, 10a, AND 11, WHICH WERE DISCUSSED AND APPROVED UNDER ITEM NO 16.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

1 Minutes of regular meeting of September 18, 2012 approved.

2 Reports received for filing:

- a. Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2012-20 dated September 27, 2012 – Audit of Pinellas County Economic Development Authority Industrial Revenue Bonds.
- b. Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2012-21 dated September 27, 2012 – Audit of Fleet Allocations. *See discussion and vote under Agenda Item No. 16.*

3 Vouchers and Bills Paid

Period September 9 through September 15, 2012

Payroll

ACH – \$3,022,069.23 (2,990 documents)

Checks – \$69,055.55 (48 documents)

Third Party ACH – \$17,360.79 (74 documents)

Third Party Checks – \$2,290.07 (13 documents)

Accounts Payable

Checks – \$4,379,733.55 (534 documents)

ACH Transfers – \$1,715,419.28 (38 documents)

Wire Transfers – \$2,846,240.87 (7 documents)

4 Miscellaneous items received for filing:

- a. East Lake Tarpon Special Fire Control District Resolution No. 2012-06 adopted August 28, 2012, opposing implementation of Priority Dispatch as proposed by Pinellas County Emergency Medical Services Authority.
- b. Correspondence supporting Priority Dispatch as proposed by Pinellas County Emergency Medical Services Authority:
 - › Michael P. Bonfield, City Manager, St. Pete Beach
 - › Jimmy Johnson, Mayor, City of Seminole

5 Grant Agreement with Florida Department of Environmental Protection for the Honeymoon Island Beach Restoration Project (FDEP Agreement No. 13PII, PID No. 922279/000150A) approved, providing \$6,314,162.00 in state funding to continue the project through Phase II construction and post construction monitoring (County funding,

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\$118,282.00; total project costs for Agreement 13P11, \$6,432,444.00); Chairman authorized to sign the agreement and the Clerk to attest.

- # 6 Local Agency Program Agreement with the Florida Department of Transportation (FDOT) for Design Activities for the County Road 1 (Keene Road) Sidewalk Improvement Project, from State Road 580 (Main Street) to State Road 586 (Curlew Road) (FDOT Financial Project No. 424564 3 38 01, County PID No. 001028A) in the amount of \$484,000.00, approved; Chairman authorized to sign and the Clerk to attest.
- # 7 Ranking of firms and authorization for staff to negotiate with each of the top ten firms for design and construction administration services as needed on a continuing basis for airport improvement projects at the St. Petersburg-Clearwater International Airport (Contract No. 112-0413-CN) approved as follows (Airport/Purchasing):
 - 1. Jacobs Engineering, Inc.
 - 2. AECOM Technical Services, Inc.
 - 3. American Infrastructure Development, Inc.
 - 4. Michael Baker Jr., Inc.
 - 5. Hanson Professional Services, Inc.
 - 6. URS Corporation Southern
 - 7. AVCON, Inc.
 - 8. Kimley Horn & Associates, Inc.
 - 9. TBE Group, Inc. dba Cardno TBE
 - 10. Atkins North America, Inc.
 - 11. Walbridge Aldinger Company
- # 8 Ranking of firms and authorization for staff to negotiate an agreement with the number one ranked firm, Miles Media Group, LLLP, for a technology marketing program for the Convention and Visitors Bureau (Contract No. 112-0250-P) approved. Final negotiated contract to be presented to the Board for consideration at a future date (Convention and Visitors Bureau/Purchasing). *See discussion and vote under Agenda Item No. 16.*
- # 9 Acceptance of grant award related to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Joint Adult Drug Court Discretionary Grant Program for the You Can! Program for Fiscal Year 2012-2013 (grant amount, \$300,000.00; required match, \$100,369.11) ratified and confirmed (Justice and Consumer Services).

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#10 Receipt and file of quarterly reports:

- a. Quarterly Report on Administrative Budget Amendments for the period July 1, 2012 through September 30, 2012 was filed and made a part of the record. *See discussion and vote under Agenda Item No. 16.*
- b. Quarterly Report on the Law Enforcement Trust Fund – Payments to the Sheriff for the period July 1, 2012 through September 30, 2012 was filed and made a part of the record.

#11 PROCUREMENT ITEMS APPROVED BY COUNTY ADMINISTRATOR (CA) FOR THE QUARTER ENDING JUNE 30, 2012 – RECEIVED FOR FILING (CA/PURCHASING) SEE DISCUSSION AND VOTE UNDER ITEM NO. 16

| No. | Contract No. | Action | Commodity | Department | Vendor | CA Approval Dollar Value County Code | Award Date | Contract Annual/Total Value |
|-----|------------------|---|---|--|---|--------------------------------------|------------|-----------------------------|
| 1. | 123-0011-S (NP) | Purchase Authorization | Staffing Resources for Business Technology Services | Various | Image Technology Resources Corp. Software Resources, Inc. Veredus Corporation | 240,000.00 | 9/20/12 | 240,000.00 |
| 2. | 090-0108-A (RM) | Time Extension – Third Amendment to the Agreement | Consultant Services for St. Petersburg-Clearwater International Airport Rehabilitation of Runway 4-22 | Airport | Kimley-Horn and Associates, Inc. | 1,236,380.00 2-62(a)(2) | 9/20/12 | 1,236,380.00 Total |
| 3. | 112-0547-B (LN) | Rejection of Bids | Security Card Access Services – Installation, Upgrade & Repairs | Department of Environment and Infrastructure (DEI) | N/A | N/A | 9/18/12 | N/A |
| 4. | 112-0572-SS (PF) | Sole Source Purchase | RescueNet Software | Public Safety Services Department EMS Division | Zoll Data Systems, Inc. | 244,032.00 | 9/13/12 | 244,032.00 Total |
| 5. | 101-0274-B (KF) | Change Order No. 1 – Decrease | Chiller Plant Preventative Maintenance, Repair & Overhaul | Department of Real Estate Management | Air Mechanical & Service Corp | (170.42) | 9/7/12 | 353,693.58 Annual |
| 6. | 112-0204-G (PF) | Purchase Authorization – Increase | Training & Materials: Management, Organizational & Business Improvement Services | Office of Management & Budget | Achieveglobal Inc. | 117,228.58 | 9/7/12 | 204,892.58 Total |

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|------------|---------------------|--|---|---|--|---|-------------------|------------------------------------|
| 7. | 078-0530-P (SS) | Second Amendment as Time Extension and Increase to Contract Purchase Agreement | Technology Marketing Program | Convention & Visitors Bureau | Miles Media Group, LLLP | 225,000.00 | 9/7/12 | 775,000.00 Total |
| 8. | 078-0122-M (NP) | Time Extension | Maintenance of Intergovernmental 800 MHz Radio Communications Systems | Public Safety Services Department – 9-1-1 Radio and Data Systems Div. | Motorola Solutions, Inc. | N/A | 9/7/12 | 14,542,283.20 Total |
| 9. | 101-0163-S (RG) | Continued Purchase Authorization | Traffic Equipment, Approved Products List | DEI | Blackhawk Enterprises, Inc. Control Technologies of Florida, Inc. Cost Cast, Inc. Daktronics, Inc. Econolite Control Products, Inc. Information Display Company Signal Safe, Inc. Temple, Inc. Wavetronix, LLC | 1,150,000.00 Annual 2-185 | 9/6/12 | 3,450,000.00 36 Months |
| 10. | 112-0489-B (NP) | Award of Bid | Storage Devices, Compellent Storage | Business Technology Services (BTS) | Extensys, Inc. | 106,267.35 | 9/4/12 | 106,267.35 Total |
| 11. | 112-0355-B (LN) | Award of Bid | Pipe, Reinforced Concrete, Precast Slabs & Related Materials | DEI | County Materials Corporation Southern Precast Concrete Corporation | 141,032.39 12 Months 2-176 | 8/29/12 | 282,064.78 24 Months |

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|------------|---------------------|---|--|--|--|---|-------------------|------------------------------------|
| 12. | 112-0456-B (SS) | Award of Bid | Veterinary Drugs & Supplies | Animal Services | Butler Animal Health Supply, LLC, d/b/a Butler Schein Animal Health Supply Intervet, Inc., d/b/a Intervet Schering-Plough Animal Health | 103,975.81 Annual | 8/29/12 | 207,951.62 24 Month |
| 13. | 078-0533-B (KF) | Fourth and Final Term Extension | Fuel, Gasoline and Diesel (COOP) | Department of Real Estate Management - Fleet Management Division | B.V. Oil Company, Inc. J.H. Williams Oil Company, Inc. Port Consolidated, Inc. | 7,450,000.00 County 10,562,300.00 Co-op 18,012,300.00 Annual 2-176 | 8/23/12 | 18,012,300.00 Annual |
| 14. | 112-0545-S (PF) | Purchase Authorization | Tape Backup Management System | BTS | Midrange Support & Service, Inc. | 114,235.44 | 8/23/12 | 114,235.44 Total |
| 15. | 056-0439-P (AM) | Time Extension/Contract Purchase Agreement Increase | Services, Indigent Burial/Cremation | Health & Human Services | Anderson McQueen Co., d/b/a Alife Tribute Funeral Care | 110,000.00 | 8/23/12 | 1,544,210.17 Total |
| 16. | 112-0057-S (CM) | Increase in Funds for Blanket Purchase Agreement | MRO: Facilities Maintenance Supplies | Various | W.W. Grainger, Inc. | 140,000.00 | 8/22/12 | 500,000.00 Annual |
| 17. | 112-0200-B (KF) | Corrective Contract | Landscape Maintenance – Medians, Separators & Right of Way (Countywide) | Various | NDL, LLC, D/B/A Natural Landscaping | 25,000.00 | 8/16/12 | 281,769.92 24 Months |
| 18. | 090-0314-P (KR) | First Amendment to the Agreement, Time Extension | Adult Drug Court Treatment Services | Justice & Consumer Services | Westcare Gulfcoast-Florida | N/A | 8/16/12 | 149,000.00 Annual |
| 19. | 101-0395-CP (DF) | Change Order No. 1 (Final) | South County Reclaimed Water Aquifer Storage Recovery ASR Test Program – Well IWE Pumping/Piping & Electrical System (Rebid) | DEI | RTD Construction, Inc. | (15,144.05) | 8/13/12 | 226,713.95 Total |

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|------------|---------------------|---|---|---|--|---|-------------------|------------------------------------|
| 20. | 112-0421-N (CM) | Non-Competitive Purchase | Emergency Fire Dispatch Software & Training | Public Safety Services Department – Fire Division | Medical Priority Consultants, Inc. D/B/A Priority Dispatch Corporation | 176,787.75 | 8/13/12 | 176,787.75 Annual |
| 21. | 112-0323-P (SS) | Rejection of Request for Proposals (RFP) | Comprehensive Information Technology Vulnerability Assessment | BTS | N/A | N/A | 8/13/12 | N/A |
| 22. | 078-0357-B (LN) | Time Extension and Increase in Funds for Blanket Purchase Agreement | HVAC/AC Systems Preventative Maintenance and Repairs | DEI | Engineered Air Systems, Inc. | 25,000.00 | 8/13/12 | 136,500.00 Total |
| 23. | 090-0359-B (LN) | First and Final Term Extension | Centrifuge Repair, Parts & Preventative Maintenance | DEI | Synagro-Hypex, LLC | 200,000.00 12 Months 2-176 | 8/7/12 | 400,000.00 24 months |
| 24. | 089-0339-P (NP) | Fourth Amendment | Metro Ethernet/Wide Area Network (WAN) Services | BTS | Bright House Networks, D/B/A Bright House Networks, LLC | N/A | 8/7/12 | 1,431,000.00 60 Months |
| 25. | 101-0118-PB (CM) | Increase in Funds for Blanket Purchase Agreement | Electrical Products | Various | Graybar Electric Company, Inc. | 100,000.00 | 8/7/12 | 400,000.00 24 month |
| 26. | 112-0078-CP (DF) | Name Change | Sanitary Sewer Rehabilitation with Cured-In-Place Pipelining (CIPP) (PID #2073) | DEI | From: Reynolds Inliner, LLC To: Layne Inliner, LLC | N/A | 8/7/12 | N/A |
| 27. | 101-0183-P (SS) | Increase in Funds for Contract Purchase Agreement | Answering/Mail Fulfillment Services – Convention and Visitors Bureau | Convention & Visitors Bureau | Phase V of Southwest Florida, Inc. | 20,000.00 | 8/1/12 | 250,000.00 Total |

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|------------|------------------------------------|---|---|--|--|---|-------------------|------------------------------------|
| 28. | 090-0303-S (NP) | Modification of Purchase Authorization to Contract Purchase Agreement (CPA) | Staffing Resources for Business Technology Services | BTS | Comsys Information Technology Services, Inc. D/B/A Comsys Services, LLC Five Points Technology Group, Inc. Image Technology Resources Corp., D/B/A IT Resources Corp. Omni-Source, Inc. Pomeroy IT Solutions, Inc. Software Resources, Inc. | N/A | 8/1/12 | 4,425,000.00 Total |
| 29. | N/A | Approval | Pre-Qualification Committee Recommendations | Purchasing | N/A | N/A | 8/1/12 | N/A |
| 30. | 112-0267-B (NP) | Rejection of Bids | Propane, Liquid | DEI | N/A | N/A | 8/1/12 | N/A |
| 31. | 112-0440-M (SS) | Rejection of Bid | Software Maintenance/Support – IBM Maximo Licenses | BTS | N/A | N/A | 8/1/12 | N/A |
| 32. | 090-0037-C (DF) | Change Order No. 3 (Final) | 49 th Street Sidewalks (PID No. 941) | DEI | Design Build Engineers & Contractors, Corp. | (182,253.14) | 7/26/12 | 429,755.86 Total |
| 33. | 112-0450-E; 112-0476-E; 112-0499-E | Emergency Purchase | Water Damage Restoration Services | DEI | Servpro of Clearwater | 154,050.00 | 7/26/12 | 154,050.00 Total |
| 34. | 089-0422-B (NP) | Second and Final Term Extension | Road Service – Tire Repair (Co-op) | Department of Real Estate Management - Fleet Management Division | McGee Tire Stores, Inc. | 1,984.40 | 7/26/12 | 122,984.40 Annual |
| 35. | 089-0537-C (RM) | Change Order No. 1 (Final) | Pump Station 054 | DEI | QRC, Inc. | (28,202.13) | 7/19/12 | 1,569,797.87 Total |

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|------------|---------------------|--|--|----------------------------------|---|---|-------------------|------------------------------------|
| 36. | 101-0012-PB (CM) | Continued Purchase Authorization | Service: Aerial Mosquito Spraying | DEI | Clarke Environmental Mosquito Management, Inc. | 250,000.00 | 7/17/12 | 250,000.00 Annual |
| 37. | 089-0419-P (LN) | Increase in Funds for Contract Purchase Agreement | Consultant Services – Energy Efficiency and Conservation | Parks and Conservation Resources | Ecoasset Solutions LLC | 16,360.00 | 7/17/12 | 158,257.60 Total |
| 38. | 090-0160-CP (DF) | Change Order No. 1 (Final) | Alligator Lake Habitat Restoration (PID No. 845) | DEI | Keystone Excavators, Inc. | (118,475.52) | 7/12/12 | 1,019,874.48 Total |
| 39. | 112-0031-PB (RM) | Extension/ Continued Purchase Authorization | Water Treatment Chemicals – Polymers | DEI | BASF Corporation | 600,000.00 2-164 | 7/12/12 | 600,000.00 Annual |
| 40. | 090-0292-P (AM) | Approval of First Amendment | Benefits Consulting Services | Human Resources Department | Buck Consultants, LLC, D/B/A Buck Consultants | 120,000.00 | 7/11/12 | 1,161,980.00 Total |
| 41. | 101-0089-CP (RM) | Change Order No. 1 (Final) | North Booster Pump Station HVAC Replacement Services (Rebid) | DEI | Kenyon & Partners, Inc. | (2,054.00) | 7/11/12 | 382,946.00 Total |
| 42. | 090-0198-CP (RM) | Change Order No. 2 (Final) | Sanitary Sewer Rehabilitation With Cured-In-Place Pipelining (CIPP) (PID #2040) | DEI | Insituform Technologies, Inc. | (682.31) | 7/11/12 | 1,984,817.69 Total |
| 43. | 101-0064-B (NP) | First Amendment | Herbicides, Insecticides, Mosquito Abatement Pesticides & Other Products (Co-op) | Various | Adapco, Inc. Clarke Mosquito Control Products Inc. | N/A | 7/11/12 | 464,182.30 Annual |
| 44. | 090-0360-B (RM) | First Term Extension | Painting Services – Exterior and Infrastructure, Countywide | Various | L&T Brothers, Inc., D/B/A Lowes Painting | 190,000.00 | 7/11/12 | 190,000.00 Annual |
| 45. | 112-0369-N (DF) | Non-Competitive Purchase Award and Consent to Assignment | Job Order Contracting (JOC) System – Consultant Services | Various | Gordian Group, Inc. | 200,000.00 | 7/6/12 | 200,000.00 Total |
| 46. | 112-0462-I (PF) | Award of Quote | Refrigerator | County Administrator | APSCO Appliance & TV Centers, Inc. | 499.00 | 7/5/12 | 499.00 Total |
| 47. | 101-0348-B (SS) | First Term Extension | Software License and Support – CA Products | BTS | C/A, Inc. | 3,153.50 | 7/5/12 | 188,653.50 Annual |

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|------------|---------------------|--------------------------------|---|----------------------------------|--|---|-------------------|------------------------------------|
| 48. | 112-0061-B (NP) | First Amendment | Aircraft – Helicopter Maintenance Service – BELL Manufacturer | DEI | Lance Aviation, Inc. | (210,000.00) | 7/3/12 | 132,500.00 Annual |
| 49. | 089-0152-C (DF) | Third and Final Term Extension | Job Order Contracting (JOC) 2009-2010 | DEI | G.E.C. Associates, Inc. J.O. Delotto & Sons, Inc. New Vista Builders Group LLC | 9,000,000.00 2-176 | 7/3/12 | 9,000,000.00 Annual |
| 50. | 112-0200-B (DF) | Award of Bid | Landscape Maintenance – Medians, Separators & Right of Way | Parks and Conservation Resources | NDL LLC, D/B/A Natural Designs Landscaping | 256,769.92 24 Month 2-176 | 7/2/12 | 256,769.92 24 Month |
| 51. | 112-0366-M (SS) | Award of Bid | Software Maintenance/Support: IBM | BTS | Midrange Support & Service, Inc. | 110,795.25 | 7/2/12 | 110,795.25 Annual |
| 52. | 089-0197-P (AM) | First Term Extension | Pharmacy Services for Health and Human Services | Health & Human Services | Kash 'N Karry Food Stores, Inc., d/b/a Sweetbay Supermarket | 4,800,000.00 2-176 | 5/31/12 | 4,800,000.00 Annual |
| 53. | 112-0061-B (NP) | Award of Bid | Aircraft – Helicopter Maintenance Service – BELL Manufacturer | DEI | Lance Aviation, Inc. | 202,500.00 Annual | 1/31/12 | 607,500.00 36 Month |
| Total | | | | | | <u>\$37,836,369.82</u> | | |

#12 Declaration of miscellaneous County-owned equipment (thickening centrifuge) as surplus as identified in the agenda memorandum dated October 16, 2012, approved; authorization granted for liquidation of same through public auction conducted by GovDeals.com (Real Estate Management/Department of Environment and Infrastructure).

#13 Sitting as the Countywide Planning Authority, the Board received and accepted a Minor Plan Change to the City of Dunedin's "Guideways to Downtown's Future" Special Area Plan (Case CW 06-12, SAP Change No. 2-2012), as recommended by the Pinellas Planning Council in its memorandum dated October 16, 2012, a copy of which has been filed and made a part of the record.

#14 Sitting as the Countywide Planning Authority, the Board received and accepted an amended development agreement for City of St. Petersburg Case No. CW 10-09, as recommended by the Pinellas Planning Council in its memorandum dated October 16, 2012, a copy of which has been filed and made a part of the record.

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#15 Sitting as the Countywide Planning Authority, the Board officially accepted two Countywide Plan Map boundary adjustments submitted by the City of Oldsmar and Pinellas County, as recommended by the Pinellas Planning Council in its memorandum dated October 16, 2012, a copy of which has been filed and made a part of the record.

#16 Items pulled for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller).

2b Receipt and file of Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2012-21 dated September 27, 2012 – Audit of Fleet Allocations.

Noting that the report repeatedly refers to duplication of functions, Commissioner Bostock inquired as to the outcome of steps taken two years ago to avoid such duplication. Administrator LaSala stated that staff has worked with the Sheriff's Office to maximize efficiencies and economies in fleet operations; and that he will continue to look for opportunities to reduce costs; whereupon, Assistant County Administrator Mark S. Woodard indicated that the County's fleet is primarily heavy and specialized equipment, while the Sheriff's fleet consists of cruisers and passenger sedans; and that an agreement with the Sheriff recognizes the specialties of each service department. He noted that consolidation of operations for the acquisition and dispensing of fuel have lowered unit costs and allowed for the closing of a facility, resulting in a savings of approximately \$100,000.00; that the changes were implemented during the period of the audit; that further information is provided in the Management Response portion of the document; and that he will update the savings estimates previously provided to the Board.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

8 Ranking of firms and authorization for staff to negotiate an agreement with the number one ranked firm, Miles Media Group, LLLP, for a technology marketing program for the Convention and Visitors Bureau (Contract No. 112-0250-P).

and

#11 Procurement items approved by the County Administrator for the quarter ending June 30, 2012.

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Stating that Agenda Items Nos. 8 and 11 are tied together, Commissioner Seel referred to Procurement Item No. 7 and inquired as to the reason for a \$225,000.00 increase in the contract with Miles Media Group, and referring to Agenda Item No. 8, indicated that the Request for Proposals (RFP) anticipated an estimated expenditure of \$550,000.00. Noting that Miles Media was awarded 200 points for Fees and Expenses, she inquired whether the points were based on the \$550,000.00 estimate and questioned whether consideration of the previous year's revised contract amount of \$775,000.00 would have impacted the evaluation.

Noting that he was not on the Evaluation Committee, Convention and Visitors Bureau (CVB) Deputy Director David Downing indicated that the CVB operates numerous websites that require periodic maintenance; that their functionality is currently being expanded; and that he could obtain additional information and report back to the Board.

Thereupon, Assistant County Administrator Mark S. Woodard indicated that the \$225,000.00 amendment was intended to cover a transition period, should a different vendor be selected as a result of the competitive RFP process; and that Agenda Item No. 8 is a new contract with the same vendor, so transitional services will not be needed; whereupon, Chief Assistant County Attorney Dennis R. Long clarified that the amendment was for a not-to-exceed amount of \$225,000.00, based on an hourly rate for services provided beginning October 1 as part of a transition; and that it will not be necessary to rescind or terminate the arrangement because no hours will be expended. In response to additional query by Commissioner Seel, he stated his understanding that the arrangement has always been based on a negotiated hourly rate; and that the ranking is based not only on fees, but also on the firm's qualifications and abilities.

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| Motion | - | Commissioner Seel |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

- #10a Receipt and file of Quarterly Report on Administrative Budget Amendments for the period July 1, 2012 through September 30, 2012.

Commissioner Bostock stated her concern that there has been a trend in recent years of the County committing an increasing amount of its resources to Health and Human Services for the County Health Program for the indigent, indicating that she would like a deep dive discussion as to whether the County should

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continue to expand the services it provides internally or whether it should provide funding to community agencies and let them deliver the services; and that a strategic decision should be made by the Board.

Administrator LaSala referred to a series of workshops held earlier this year wherein the Board was given a detailed explanation of services provided by Health and Human Services and Community Development, noting that, at the Board's direction, staff had developed Strategic Initiatives designed to consolidate and simplify the delivery of services for poor and indigent care and to create partnerships with the private/nonprofit sector; whereupon, he stated his understanding that the Board had endorsed the Strategic Initiatives and directed staff to proceed.

Responding to query by Administrator LaSala, Commissioner Welch stated his opinion that staff has proceeded exactly as directed by the Board, noting that the Pinellas Health Campus incorporates partnerships with various community agencies; and that the Board has significantly cut the Health and Human Services budget, including the Health Plan, over the last few years, not increased it. Acknowledging that the County is serving more clients with fewer resources, which could not have been accomplished without its community partnerships, Commissioner Bostock indicated that her concern lies in the relationship of the parties with regard to the delivery of services.

Administrator LaSala clarified that the subject Administrative Budget Amendment does not represent a supplemental allocation or budget appropriation; and that it is merely a reallocation of dollars previously committed to the programs, as presented in the budget and adopted by the Board.

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Commissioner Brickfield left the meeting at 2:53 P.M.

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| Motion | - | Commissioner Bostock |
| Second | - | Commissioner Latvala |
| Vote | - | 6 – 0 |

October 16, 2012

- #17 First Amendment to the Agreement for Marketing Representative Services with Global Travel Marketing LTD, d/b/a Tourism Marketing Partnership for international marketing representation in the United Kingdom, Ireland, and Scandinavia approved increasing the contract in the amount of \$25,000.00 (Contract No. 101-0150-P); revised contract amount, \$275,000.00; Chairman authorized to sign the amendment and the Clerk to attest (Convention and Visitors Bureau/Purchasing).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 6 – 0 |

Following the vote, Chairman Morroni reported that the Tourist Development Council (TDC) held a great meeting over the weekend; and that the members will be receiving exciting news from the TDC in the next couple of weeks.

- #18 First Amendment to the Agreement for Marketing Representative Services with Marion S. Wolf d/b/a MSWolf Marketing for international marketing representation in Central Europe approved increasing the contract in the amount of \$25,000.00 (Contract No. 101-0151-P); revised contract amount, \$275,000.00; Chairman authorized to sign the amendment and the Clerk to attest (Convention and Visitors Bureau/Purchasing).

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At this time, 2:54 P.M., Commissioner Brickfield returned to the meeting.

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In response to queries by Commissioner Roche, Convention and Visitors Bureau (CVB) Deputy Director David Downing indicated that Agenda Items Nos. 17 and 18 are similar; and that BRAND USA is a new program established by the United States Department of Commerce and is the nation's Federal Tourism Board marketing the United States in international countries. He indicated that BRAND USA has invited all local CVBs from across the country to participate in one-for-one dollar matching programs; and that the CVB has previously been able to take \$25,000.00 investments and double or triple them by taking advantage of state matching programs; whereupon, Mr. Downing provided statistical information regarding the increase in international tourism for the first six months of 2011 versus 2012, and Chairman Morroni provided input.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

- #19 Health Resources and Services Administration grant award (Award No. 1 C8ACS23732-01-00) to build a health clinic for homeless families with children at 14840 49th Street North, Clearwater, and companion Operating Plan for the Pinellas County Health Campus accepted (Health and Human Services).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |

Discussion ensued wherein several members expressed support for the project and concerns regarding the County building another medical facility and finding the funding for operation and maintenance of the facility going forward, as fewer resources are expected. Commissioner Bostock stated that relying on “future efficiencies” does not provide a high level of confidence that the County will be able to absorb future costs; and Commissioner Seel questioned the estimated amount of reimbursement if the clinic becomes a federally qualified health center.

Health and Human Services (HHS) Director Gwendolyn Warren related that program efficiencies will continue to be pursued; that a major reorganization is currently underway, which is expected to provide additional efficiencies; and that the Operating Plan essentially calls for HHS to design and build a structure and bring in a series of partners to assist in providing and delivering comprehensive, coordinated health care, which has been approved by the BCC.

Ms. Warren described the partnerships and programs, and indicated that in addition to the operating board, the Health Department, the Juvenile Welfare Board, and the Department of Health and Human Services are also partners; and that with the facility essentially being paid for by the federal government, staff is looking to share operational expenses to the degree the billing will allow and to have the community health care providers operate in a coordinated manner out of the clinic, as directed by the BCC. She stated that she believes the department’s efficiency and administrative skills have been repeatedly demonstrated; that the clinic will be successful; and that she is confident the costs will be within the current budget if things continue on the current trajectory, noting the uncertainty of what 2015 may bring; whereupon, she pointed out that other mechanisms, such as the Affordable Care Act and a new program to offset the cost of pharmacy care by over \$3 million, are coming quickly.

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Commissioner Roche questioned the plan for the cost savings resulting from the partnerships and whether the Board would have the opportunity to discuss its strategic ideas and focus areas where it would like the funds directed, stating that Ms. Warren could provide the plan at a later date. Administrator LaSala indicated that the use of any additional funds would be brought before the Board for discussion and direction; and that as savings are identified, they will be brought before the Board in the form of a budget proposal for next fiscal year.

Commissioner Welch pointed out that the Homeless Leadership Board is very supportive of the Plan; and that he believes it aligns with the Board's Strategic Plan; whereupon, he commended staff for their efforts.

Vote - 7 – 0

- #20 Letter of Agreement between Pinellas County and the State of Florida, Agency for Health Care Administration, for the Medicaid Buy-Back Program, retroactive to July 1, 2012, approved; and Memorandum of Understanding for Pinellas County Low Income Pool Grant Fund between Pinellas County and Baycare Health System, Inc. approved; Chairman authorized to execute and the Clerk to attest (Health and Human Services).

Ms. Warren related that Baycare hospitals recently approached HHS staff and requested that the County assist them in participating in the Medicaid Buyback Program, pointing out that the County has participated in the Medicaid Buy-Back and Low Income Pool (LIP) programs for several years; and that participation generally occurs during the budget season, but that Baycare received an extension. She indicated that staff initially responded that the budget hearings had concluded; that BCC approval would be needed; and that Baycare reminded staff of the efforts over the last year to develop a different kind of relationship to bring additional funds to the community to assist with providing access to care for low-income residents.

Ms. Warren indicated that the BCC had provided the HHS Department \$13 million in general fund dollars for its medical program; and that HHS staff talked with Baycare about trading the HHS Department's general fund dollars for Baycare's non-general fund dollars and Baycare using the non-general fund dollars to pay the County's bills, which would allow Baycare to participate in the Medicaid Buy-Back Program, pointing out that doing so would be contingent upon approval by the BCC.

Ms. Warren related that as a result of the Medicaid Buy-Back Program participation partnership, Baycare has agreed to provide a series of resources, including (1) staffing for the 24-hour indigent health care program, respite care program, which will be part of the new homeless facility, and five medical staff for the regular clinic service; (2) looking at developing a pilot program, with HHS and its behavioral health partners, for behavioral health or psychology services for adolescents who are becoming independent; (3) providing the furnishings and medical equipment for the respite center, which can cost up to \$100,000.00 per room; (4) working with staff to develop a comprehensive plan or series of steps to bring to the BCC relating to forging a broader, more comprehensive future relationship with Baycare to expand access points and broaden the level of service to make it more comprehensive; (5) looking at the health care issues in the five health community zones, with HHS staff; and (6) coming back as a partner with HHS to the BCC to discuss how to approach better access, better care, and better health outcomes.

Thereupon, Ms. Warren related that the benefits of the partnership to the County are that the premier medical facility in the County will be working with HHS staff to help deliver a higher level of care to the community and to expand services; and that all Baycare is asking in return is for Baycare to be allowed to pay the County's medical bills and for the HHS Department to loan Baycare its General Fund dollars.

Commissioner Bostock expressed concern regarding the statement in the Agenda Memorandum that Baycare will work with the HHS Department to explore and develop integrated health campuses throughout the County, assisting with land procurement, construction, and operations at these clinics where possible; and indicated that the County and many of its partners have existing facilities; and that the more money put into buildings means less money to provide services. In response to Commissioner Bostock's comments and concerns, Administrator LaSala stated that staff previously advised how it would pay for the costs of the clinic; that there is no commitment to additional facilities in the current or future budgets; that he is not recommending increasing the current or future budgets; and that he allowed the recommendation to come before the Board only after staff assured him that there would be available funds from savings, economies, and efficiencies in the realignment to cover the costs; whereupon, Commissioner Bostock stated that although she understands that the Plan does not obligate the building of any future buildings, she is uncomfortable with the language being in the Plan, pointing out that existing facilities should be pursued first; and that using future savings or grants for additional buildings would be a last resort if existing facilities could not be located, and Commissioner Welch expressed support for the Plan.

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During discussion and in response to comments and queries by Commissioner Seel, Ms. Warren indicated that Baycare should receive a dollar-for-dollar match of funds from Medicaid equivalent to at least the amount of funds provided by the HHS Department; that no changes have been made to the Master Medical/Health Agreement at this time; and that any changes would be brought before the BCC as a separate item, noting that the contracts have been extended; and Attorney Bennett advised that the Master Health Agreement still stands; whereupon, Commissioner Seel indicated that she believes the County is proceeding in the right direction.

During discussion, Commissioner Roche expressed concern regarding increasing the County's liability pertaining to the Medicaid billing, whether there is a cost associated with the retroactive date of the Letter of Agreement, and covering costs with future cost savings, pointing out that claims were made that Safe Harbor would be funded through savings to the Sheriff's Office, but there is now a request for \$1.6 million from the General Fund. Ms. Warren stated that the retroactive date relates to the state's date of application; and that there is no expected payment to catch up; whereupon, in response to query by Commissioner Roche, Assistant County Administrator Carl Brody explained that the fiscal non-funding statement is put in most County health care contracts to protect the County from responsibility for future payments in the event it is unable to pay as agreed.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |

Ms. Warren indicated that the plan is to put together an assessment of the medical needs to be brought before the BCC for direction; that if Baycare donates land and builds a facility, the facility would belong to Baycare; and that HHS staff hopes to be able to influence where Baycare builds community clinics in the future and to ensure that they are one-stop clinics in high-risk communities, noting that HHS staff would provide for some of the social service needs; and that Baycare, through its charitable foundation and other resources, has more of a financial commitment and status; and that the intent of the language is to ask Baycare to dedicate resources to additional facilities.

Commissioner Bostock stated that the Board's direction is explicit in that before the County builds any new buildings, it wants to explore every resource of reusing an existing facility; and that most of the Commissioners are in favor of looking at existing County-owned and funded facilities before looking at new ones, and no objections were noted.

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| Vote | - | 7 – 0 |
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- #21 Resolution No. 12-165 adopted declaring a portion of County-owned property surplus and authorizing conveyance to the City of Clearwater at no cost, as authorized in Florida Statutes, Section 125.38; Chairman authorized to execute the County Deed and the Clerk to attest; Clerk authorized to record the resolution (Real Estate Management/Environment and Infrastructure).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

- #22 Interlocal Agreement with the City of Clearwater accepted; Right-of-Way and Utilities Easement to the City of Clearwater for the Capitol Theatre Expansion Project granted; Chairman authorized to sign the Interlocal Agreement and the Clerk to attest (Real Estate Management/Environment and Infrastructure).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Seel |

In response to queries by Commissioner Roche regarding the City's Responsibilities section of the Interlocal Agreement, Administrator LaSala indicated that the City of Clearwater has agreed to complete the modification to the County parking lots in accordance with all applicable rules and regulations of regulatory authorities with jurisdiction and in accordance with the construction plans approved by the County.

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| Vote | - | 7 – 0 |
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- #23 Fourth Amendment to the Agreement for Consultant Services for Rehabilitation of Runway 4-22 with Kimley-Horn and Associates, Inc. (St. Petersburg-Clearwater International Airport Rehabilitation Design of Runway 4-22; Contract No. 090-0108-A) approved, increasing the agreement by \$46,818.00 (revised agreement amount, \$1,283,198.00); Chairman authorized to sign the amendment and the Clerk to attest (Airport/Purchasing).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

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Deviating from the agenda, Chairman Morroni indicated that Agenda Item No. 28 would be heard at this time, and no objections were noted.

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- #28 Consent for Bryant Miller Olive to engage in dual legal representation granted in accordance with the memorandum from County Attorney James L. Bennett dated October 16, 2012.

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| Motion | - | Commissioner Welch |
| Second | - | Commissioner Latvala |
| Vote | - | 7 – 0 |

- #24 First Amendment to Interlocal Agreement with the City of Dunedin relating to City bonds issued for the Toronto Blue Jays Spring Training Facility approved (County Administrator/County Attorney).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |

In response to queries by Commissioner Seel, Jeffrey T. Larson, President, Larson Consulting Services, LLC and Financial Advisor for the City of Dunedin, with input by Chief Assistant County Attorney Dennis R. Long, provided general, statistical, and financial information relating to the debt service payments on the bonds issued by the City of Dunedin to pay for the construction and equipping of the Toronto Blue Jays spring training facility. He indicated that Pinellas County's final payment date and annual payment amount will not change following approval of the amendment; that the County's obligation ends and the Interlocal Agreement expires with the final note payment to be made on April 1, 2016; and that the state supports the facility through a separate agreement until 2021.

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| Vote | - | 7 – 0 |
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- #25 Amended Memorandum of Understanding related to the State of Florida Department of Children and Families' Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant approved, revising the funding received in the second year of the grant to reflect \$639,348.79; funding to be used for the Public Defender of the Sixth Judicial Circuit's Mentally Ill Jail Diversion Program (Justice and Consumer Services).

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

- #26 Transfer Agreement of the Friendship Trail Bridge from Pinellas County to Hillsborough County approved (Parks and Conservation Resources).

Administrator LaSala indicated that the Transfer Agreement is an attempt to limit Pinellas County's exposure in the demolition of the Friendship Trail Bridge; and

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following a brief overview of the bidding process for demolition, further indicated that should Hillsborough County decide it is time to demolish the bridge, Pinellas County may expect additional costs to be incurred as the contract for demolition is no longer on the table; whereupon, he explained that the Agreement would transfer full ownership of the bridge and the \$515,000.00 Pinellas County set aside for demolition to Hillsborough County, which would complete Pinellas County's obligations relating to the bridge.

Administrator LaSala related that the Hillsborough County Administrator indicated (1) that the Hillsborough County Commission would not likely accept Pinellas County's offer immediately, and (2) that he understood that the Pinellas County BCC's approval of the Transfer Agreement is intended to limit Pinellas County's obligations beyond the previous agreement.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Seel |

Commissioner Welch noted that a recent newscast indicated that the Hillsborough County Administrator would not recommend the Transfer Agreement to the Hillsborough County Commission; and in response to his comments and queries, Administrator LaSala stated that he requested that the Hillsborough County Administrator take the Agreement to the Hillsborough County Commission; and that he will reiterate the request in a letter of transmittal. Discussion ensued and in response to comments, concerns, and queries by Commissioner Roche, Administrator LaSala indicated that a letter was previously sent to Hillsborough County stating Pinellas County's intent to terminate its financial obligation relating to the bridge; that the Transfer Agreement would be a more formal action; and that if Hillsborough County does not take ownership of the entire bridge, Pinellas County would still own its portion and the Board would have to discuss exercising its options going forward, pointing out that Pinellas County has no obligation to enhance the bridge and would have the opportunity to voice its position regarding any action taken with respect to the bridge; whereupon, Attorney Bennett advised that Pinellas County's obligation is to the demolition of the bridge; and Commissioner Bostock stated that while Pinellas County may have the opportunity to vote against any action in terms of its obligation, it would still have an ongoing obligation for the demolition regardless of the cost.

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| Vote | - | 7 – 0 |
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Following the vote and in response to Commissioner Brickfield's suggestion that Pinellas County revoke Hillsborough County's designation as the lead agency on the bridge demolition, which would negate its primary veto power, and move forward with

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demolition of Pinellas County's portion of the bridge, Administrator LaSala stated that he will explore the suggestion with the attorneys, engineers, and environmentalists.

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At this time, 3:48 P.M., Commissioner Bostock left the meeting.

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#27 Other Administrative Matters – None.

#29 County Attorney Miscellaneous – None.

Attorney Bennett noted that he sent the members a memorandum advising that Chairman Morroni had requested that the Pinellas Suncoast Transit Authority item be discussed at the next BCC meeting.

#30 County Administrator Report – Initiatives and Projects – None.

#31 Appointment of Brent Beck, Adam Bentley, Abigail Creighton, Kevin Griffith, Ravi Kohli, Alex Meadows, and Michael Jonathan Schuller to the Youth Advisory Committee approved.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 6 – 0 |

#32 Confidentiality of Qualified Target Industry (QTI) Incentive Applicants retained.

Commissioner Brickfield discussed the anonymity of the present policy, and indicated that his goal is for the Board to know the name of the applicant requesting the incentives before it votes, as the Board is, in effect, allocating money out of future budgets; whereupon, he requested that the policy be changed to require the company to reveal its name before the Board votes on the incentives.

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At this time, 3:51 P.M., Commissioner Bostock returned to the meeting.

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At the request of Chairman Morroni, Economic Development Director Mike Meidel provided an overview of the QTI program, and in response to queries by the members, indicated that only he and his staff and possibly staff from Community Development or one of the municipalities know the name of the applicant; that the Board has voted on approximately 60 offers in the past five years, with approximately 10 to 15 companies achieving their goals; and that it is his opinion that the change in policy would limit the number of applicants; whereupon, Commissioner Latvala indicated that she could not support the change, as it could possibly drive businesses away.

Commissioner Bostock stated that disclosure is preferred, as the Board is the custodian of the public dollars; and discussion ensued regarding the timeline of the votes required throughout the QTI process. Mr. Meidel related that it depends upon the interpretation of the state statute as to whether the Board acts as the Economic Development Agency; that disclosure of the applicant's name could result in both civil and criminal penalties; and that the state negotiates the final agreement; whereupon, Commissioner Seel suggested that the applicants be informed that the Board prefers that the name of the company be disclosed.

In response to Commissioner Bostock's statement that disclosure is important to the citizens in that incentives could be given to their competitors without them having an opportunity to provide input, Mr. Meidel related that competition sometimes creates a vibrant market; whereupon, following confirmation from the County Attorney that a new policy requiring disclosure of the company's name would not preclude the County from being part of the QTI program, Commissioner Brickfield moved, seconded by Commissioner Bostock, that the County adopt a policy requiring an applicant that asks the County to make it an offer to divulge its name so everyone in the County knows the name of the company that is asking for the incentive.

Thereupon, upon call for the vote, the motion failed by a vote of 2 to 5, with Chairman Morroni and Commissioners Welch, Roche, Seel, and Latvala dissenting.

- #33 Request from the City of St. Petersburg to establish a Tax Increment Financing (TIF) District for at-risk communities discussed; support for further review of the concept approved.

Commissioner Welch related that the request today is for the Board's feedback on the concept of a new or expanded Community Redevelopment Area (CRA) with a TIF in the Midtown area of St. Petersburg, which approximates the County's Healthy Communities Initiative area, comprised of projects that align with the goals stated in the Healthy

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Communities Initiative, which would be subject to the County's normal fiscal and programmatic review for CRAs and TIFs, noting that the Board is not being asked to establish a TIF District today. He indicated that the cost has not been determined yet, as the Board's support for the concept is needed before any planning and calculations are done; and that there is significant interest in the St. Petersburg community for using a CRA/TIF as a tool, noting that when the Belleview Biltmore Hotel came back, it reignited the conversation and interest; whereupon, he pointed out that historically CRAs/TIFs have been used for a variety of projects that have not always fit with what is perceived as slum and blight.

Commissioner Welch indicated that the proposal is an opportunity to advance the County's Healthy Communities Initiative in a way that fits with the County's strategic planning; and that a partnership between the City and the County would be fostered, noting that City dollars would be used, with County dollars being added in the future, which would fit with the County's "25 equals 1" priority. He further indicated that establishing a TIF would get to the core causes and impacts of poverty in the community, coinciding with the intent of the Healthy Communities Initiative; and that by getting to the systemic causes of poverty and the impacts, the other impacts discussed in the Healthy Communities Initiative would be reduced; whereupon, he related that while the potential revenue generation would not likely reach the figures calculated for the recent Dunedin extension, it would provide an additional tool for the community, the City, and the County to use to try to address the issues that are driving up costs for human and medical services, as well as criminal justice costs, and would allow for the development of projects that would make a difference and impact poverty.

Commissioner Latvala expressed support for moving forward with identifying the potential impacts of establishing a TIF, with the caveat that the other four communities identified in the Healthy Communities Initiative also be reviewed, indicating that she would support a greater discussion after the information has been provided.

Commissioner Bostock expressed concern regarding committing future revenues without knowing the financial situation and budgets future County Commissions may face; and indicated that she supports further review, but would like all areas of need throughout the County to be included in the review, not just the other four areas identified in the Healthy Communities Initiative.

Commissioner Brickfield noted that Palm Harbor has a lingering request for a TIF District; and that the Board may have to address the request; and expressed support for

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looking into every option available or conceivable before committing to a TIF District; and Commissioner Seel concurred, noting that most TIFs do not produce substantial funding. She suggested that the amount of potential revenue that establishing a TIF may produce and the proposed infrastructure projects be identified prior to significant study and research being performed; and stressed that the funding would need to be used for concrete infrastructure; whereupon, Commissioner Welch agreed that the projects would have to make a difference and impact poverty; and indicated that the City of St. Petersburg is not looking at the entire south St. Petersburg area, noting that the City wanted to obtain the Board's feedback before beginning the planning process.

Commissioner Roche indicated that he supports all of the Commissioners' comments, and Chairman Morroni concurred. Commissioner Roche expressed concern with the 25 equals 1 concept, and suggested that every option be reviewed, including any new idea that would provide for a countywide approach and would allow the County to allocate the revenues for targeted areas; whereupon, Chairman Morroni stated that he supports looking at the concept, with the inclusion of the comments by Commissioners Brickfield and Seel.

In response to the Chairman's call for citizens wishing to be heard, the following individuals appeared and spoke in support of the request:

Rick Smith, Florida Public Service Union Chief of Staff, St. Petersburg
Christine Allamanno, Esquire, Gulfcoast Legal Services, St. Petersburg
Arthur O'Hara, Executive Director, 'R Club Child Care and Louise Graham Regeneration Center,
St. Petersburg

Commissioner Welch moved, seconded by Commissioner Latvala, that the Board (1) respond to the City of St. Petersburg's letter and resolution with a letter from the BCC Chairman stating the Board's support for the concept of a new or expanded CRA and TIF in the St. Petersburg Healthy Communities Initiative area, subject to the County's normal fiscal and programmatic review, with projects that align with the Healthy Communities Initiative, (2) review other funding options, (3) review funding the other Healthy Communities Initiative areas, and (4) review mechanisms for the balance of the County, not including the five Healthy Communities Initiative areas; and discussion ensued wherein Commissioner Bostock expressed concern with the wording of the motion; whereupon, following brief discussion, Commissioner Welch amended the motion, indicating that the phrase "support for the concept" be replaced with "support for further review of the concept," and no objections were noted.

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Motion - Commissioner Welch
Second - Commissioner Latvala

Commissioner Welch confirmed with City of St. Petersburg Planning and Economic Development Director Dave Goodwin that the motion allows the City to begin moving forward and to provide the requested figures. Commissioner Bostock stated that information about the areas in the County containing the 55 percent of needy citizens that do not live in one of the Healthy Communities Initiative areas would need to be gathered by the County; and in response to her comments, Chairman Morroni stated that the letter to the City of St. Petersburg will inform the City that the County will be looking into a TIF or other options for other areas, in addition to St. Petersburg; whereupon, in response to concerns expressed by Commissioner Brickfield, Commissioner Welch indicated that the key will be for the City of St. Petersburg to bring back infrastructure projects that align with the Healthy Communities Initiative goals.

#34 County Commission Miscellaneous:

- a. Commissioner Welch expressed sympathy re the death of Brittany Gordon, daughter of City of St. Petersburg Assistant Chief of Police, in Afghanistan.
- b. Chairman Morroni discussed the appointment/re-appointment process for the Pinellas Planning Council (PPC); whereupon, Commissioner Welch moved, seconded by Commissioner Brickfield and carried, that Chairman Morroni be re-appointed to the PPC.

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At this time, 4:51 P.M., the meeting was recessed and reconvened at 6:07 P.M. with all members present.

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All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.

COUNTYWIDE PLANNING AUTHORITY PUBLIC HEARING

- #35 Sitting as the Countywide Planning Authority, the Board adopted Ordinance No. 12-40 approving Case No. CW 12-14, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Urban to Institutional, re 6.3 acres m.o.l., located on the northeast corner of the northern terminus of 68th Street North and the eastern terminus of 40th Avenue North (street address: 6701 40th Avenue North) (regular amendment). The Local Planning Agency (LPA) recommended approval of the application based on the LPA Report. No correspondence has been received. No citizens appeared to be heard.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS (BCC)

- #36 Ordinance No. 12-41 adopted amending the Pinellas County Code by repealing Sections 126-276 through 126-413 and adding new Sections 126-276 through 126-413 of Article IV of Chapter 126 of the Pinellas County Code relating to the County sewer system; and Resolution No. 12-166 adopted establishing the allowable industrial pretreatment program local limits of the presence of pollutants in industrial sewer customers, in Chapter 126, Article VI, of the Pinellas County Code, County Sewer System.

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| Motion | - | Commissioner Seel |
| Second | - | Commissioner Welch |
| Vote | - | 7 – 0 |

- #37a Resolution No. 12-167 adopted granting the application of William B. Schaller through Robert Pergolizzi, Representative, for a change of zoning from C-3, Commercial, Wholesale, Warehousing & Industrial Support, to C-2, General Retail Commercial and Limited Services, and variances to allow a zero-foot setback for a gasoline canopy and a 12-foot front setback for gasoline islands where 15-foot setbacks are required, and the sale of alcoholic beverages within 750 feet of a church (425 feet) (Z-1-7-12) (LPA 10-7-12), re a parcel of land containing approximately 2.43 acres located at the south side of Walsingham Road, 1,127 feet west of 125th Street North in unincorporated Largo. The Local Planning Agency (LPA) recommended approval of the application based on the LPA Report. No correspondence has been received.

Chairman Morroni noted that Robert Pergolizzi, Clearwater, David A. Davis, New Port Richey, and T. Truett Gardner, Tampa, submitted cards in support of the application.

Motion - Commissioner Roche
Second - Commissioner Welch

In response to query by Commissioner Roche, John F. Cueva, Planning Department Zoning Manager, indicated that there are other variances to allow the sale of alcoholic beverages within 750 feet of a church in the County; and that approving the variance would not set a precedent; whereupon, Mr. Cueva stated that the applicant has withdrawn a request for a variance to allow two identification signs where one sign is permitted.

Vote - 7 – 0

- #37b Resolution No. 12-168 adopted granting the application of Feather Sound Golf, LLC, through Thomas Little, Representative, to modify a previously approved Development Agreement extending the Agreement for an additional five-year term to provide additional time for the development of 71 multi-family residential units in four six-story buildings with a building height up to 74 feet from finished floor elevation on Parcel A, containing approximately 6.4 acres located on the north side of Feather Sound Drive, and utilizing density averaging with Parcels B and C (LU-4-12-07) (LPA 51-12-07), re a total of approximately 14.3 acres in the unincorporated area of St. Petersburg (street address: 2201 Feather Sound Drive); all parcels under the unified control of the applicant. The Local Planning Agency (LPA) recommended approval of the application based on the LPA Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

- #37c Resolution No. 12-169 adopted granting the application of William H. Baumgart & Bison Creek Estates HOA through Robert Pergolizzi and John Geiger, Representatives, for a change of zoning from RPD-0.5-W, Residential Planned Development, 0.5 unit per acre-with Wellhead Protection Overlay, to A-E-W, Agricultural Estate Residential-with Wellhead Protection Overlay, and PC, Preservation Conservation (Z-1-9-12) (LPA 13-9-12), re approximately 57 acres located on the north side of Keystone Road, approximately 580 feet east of East Lake Road, in the unincorporated area of Tarpon Springs (street address: 3255 Buffalo Run). The Local Planning Agency (LPA) recommended approval of the application based on the LPA Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Welch
Vote - 7 – 0

- #37d Resolution No. 12-170 adopted granting the application of Rocco F. and Nancy S. Cappo through Steven M. Seibert, J.D., Representative, for a change of zoning from E-1, Estate Residential, to R-2, Single Family Residential (Z-2-9-12) (LPA 14-9-12), re approximately 2.5 acres located on the east side of 137th Street (Antilles Drive), 280 feet north of 94th Avenue North (street address: 9511 137th Street North, Seminole). The Local Planning Agency (LPA) recommended approval of the application based on the LPA Report. No correspondence has been received.

Mr. Cueva referenced an aerial photograph and the zoning and land use map, pointed out the subject parcel, described the surrounding area, and related that staff supports the request as it is consistent with the zoning in the area, specifically the R-2 zoning designation to the north, which is what the applicant is requesting, and because the roads that supply frontage to the property are adequately sized for the site. He indicated that at the LPA hearing, the adjacent property owners expressed concern regarding the removal of trees, noting that the site is heavily wooded; that retaining trees is the desired goal; that the home sites would be designed around the existing trees; and that the County's habitat management ordinance and the site plan review process would address those concerns.

In response to the Chairman's call for citizens wishing to be heard, Robert Pergolizzi and Rocco Cappo, Seminole, appeared and spoke in support of the application; and Marguerite Harter, Seminole, appeared, submitted documents, which have been filed and made a part of the record, and expressed concerns regarding the tree removal and discrepancy relating to correspondence received.

In response to comments by Ms. Harter, the members indicated that they had received the emails and hand-written note referenced. Discussion ensued wherein Attorney Bennett and Chief Deputy Clerk Harris responded to comments, concerns, and queries by Commissioners Roche and Welch, explained the standard process for ensuring correspondence received is reflected, and provided the standard cutoff time for including correspondence; whereupon, Chief Deputy Clerk Harris indicated that the correspondence may have been received for a previous hearing, which is usually stated.

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| Motion | - | Commissioner Latvala |
| Second | - | Commissioner Seel |
| Vote | - | 7 – 0 |

#37e Resolution No. 12-171 adopted granting the application of Sutherland Realty Holdings I & II, LLC, through Chris Coleman or Braulio Grajales, P.E., Representative, for a conditional use to allow for the transfer of development rights (TDR) from sending parcels at 905 11th Street, 1001 Omaha Circle, and 1188 Omaha Street in Palm Harbor to receiving vacant parcels at the northwest corner of Georgia Avenue and 12th Street, Palm Harbor, and a variance to reduce the minimum front setback from ten feet to five feet on the vacant parcels at the northwest corner of Georgia Avenue and 12th Street, Palm Harbor, with conditions as delineated in the agenda memorandum dated October 16, 2012 (CU/TDR-4-9-12) (LPA-16-9-12), re four parcels of land totaling approximately 1.297 acres located in the Old Palm Harbor-Downtown District. The Local Planning Agency (LPA) recommended approval of the application based on the staff report. Thirty-one emails in support of the application have been received.

Administrator LaSala stated that the matter before the Board relates only to the transfer of development rights and the associated setback variance; and that it does not have any bearing on the parking issue currently under study or the floor area ratios that were previously decided on by the Board. He noted that the parking study consultant is in attendance and could provide a progress report at the Board's request; that the study has not been completed; and that preliminary findings suggest that there is adequate parking available in the Old Palm Harbor-Downtown zoning district.

Commissioner Bostock expressed concern regarding the approval process, indicating that the applicants, staff, and members of the community have been inconvenienced by the need to attend numerous meetings; and questioning whether the case could be continued until completion of the parking study to allow all remaining decisions to be made at one time; whereupon, Administrator LaSala, with input by Attorney Bennett, indicated that the conditional use and variance are subject to a quasi-judicial process set forth in State Statute, which requires that the matters proceed in accordance with a specified timeline; that the parking study is unrelated to the subject project; and that tying it into the decision process could subject the Board to judicial action.

Discussion ensued, and in response to query by Chairman Morroni, Commissioner Latvala indicated that the Board did not request a parking study in connection with the applicant's project; that the study was prompted by a citizen who wants more parking for restaurant and retail businesses; and that there is no correlation between the two.

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Responding to further query by Chairman Morroni pertaining to the parking study, Planning Division Manager Gordon R. Beardslee indicated that a community meeting has already been held to review existing conditions; that a second meeting is scheduled for October 25 to discuss future demand; and that the final study report should be available by November 2, or possibly a few days sooner. Mr. Beardslee related that the report and recommendations will be presented at a Board workshop, providing all interested parties the opportunity to attend; that the members will consider whether to further reduce parking requirements for restaurants and retail businesses in Downtown Palm Harbor; and that any changes will require amendments to the Land Development Code, involving a public hearing process that would span several months.

In response to queries by Commissioner Bostock, Mr. Beardslee related that a previous site plan was based on an assumption that the Board would reduce on-site parking requirements for business uses as well as restaurant and retail, which was not the case; that the current site plan meets the existing requirement of 42 spaces; that the Certificate of Appropriateness issued in 2009 is still valid, as staff feels the building design modifications were minor in nature; and that if the Board approves the item tonight, the final step is site plan approval, which is an administrative process.

Mr. Beardslee conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record. Referring to an aerial photograph and the land use and zoning map, he noted the location of the subject parcels and described surrounding land uses, indicating that the request is to transfer a total of 8,100 square feet from three parcels to allow construction of a three-story office building totaling 18,900 square feet, which is 175 percent of the maximum normally permitted by the zoning district. Mr. Beardslee reviewed the standards and criteria for evaluating a conditional use application using TDRs, indicating that the proposed development meets all requirements; whereupon, he recommended approval of the conditional use and TDR application, as well as the requested setback variance, subject to the following conditions:

- a. Development on Parcel A must be substantially in conformance with the site plan application. This includes the creation of five parking spaces on Parcel B and five parking spaces on Parcel D that are dedicated to meeting the on-site parking requirements for development on Parcel A.
- b. Development on Parcel A must be substantially in conformance with the elevation plans.
- c. Development on Parcel A shall not exceed 18,900 square feet of office space.

- d. Covered bicycle racks shall be provided on Parcel A and at least two of the sending parcels (Parcels B, C, and D).
- e. Geographic Solutions and any subsequent business located on Parcel A are required to work with Tampa Bay Area Regional Transportation Authority's (TBARTA) Commuter Services to provide commute options to their employees within Downtown Palm Harbor to reduce the number of vehicular trips on the surrounding roadways and reduce the demand for public parking spaces in the Old Palm Harbor-Downtown District. Commute options include, but are not limited to, carpooling, vanpooling, transit, teleworking, walking, and biking.
- f. The owners of Parcel A will coordinate with County staff to incorporate appropriate low impact design techniques in the parking plan for this parcel.

Responding to queries by Commissioner Bostock, Mr. Beardslee indicated that off-site parking referred to in the first condition is allowed by County Code, as both parcels are located less than 500 feet from the area to be served; that the Certificate of Appropriateness refers to design characteristics of the proposed structure; and that staff has believed that office use is compatible with the surrounding area since the project was first proposed in 2009.

During discussion and in response to Commissioner Roche's concern that the applicant would be required to follow direction from TBARTA, a non-elected board, Mr. Beardslee indicated that TBARTA's Commuter Services Program regularly works with businesses to provide alternatives to the use of single-occupant vehicles; and that Board approval of the condition will impose the requirement, which is not a standard condition, but is recommended in this case in light of concerns regarding reducing parking demand; whereupon, in response to queries by Commissioners Brickfield and Bostock, he clarified that the applicant will be required to make commuter options available to its employees; and that other employers throughout the area have the option of doing the same.

Responding to the Chairman's call for citizens wishing to be heard, the following individuals spoke in support of the application, presented additional information, and responded to queries and concerns by the members:

David Brandon, Brandon Construction, Palm Harbor
Suzann Painter, Palm Harbor, Executive Board Member, Old Palm Harbor Main Street
Tim Himes, Southerland Realty Holdings I and II, LLC, Odessa
Braulio Grajales, High Point Engineering, Tampa
Paul Toomey, Southerland Realty Holdings I and II, LLC, Palm Harbor
Louise Goetz, Palm Harbor

In response to queries by Commissioner Roche pertaining to Geographic Solutions' current and projected employee counts, Mr. Himes indicated that the purpose of the redesign of the third floor from residential to office use was to provide adequate space to enable members of the company's Development, Quality Assurance, Project Management, and Business Analysis teams to work together more closely, collaboratively, and productively; whereupon, Commissioner Roche stated that he had been under the impression from the very beginning that the purpose was to expand the business and provide immediate new, high paying jobs. Mr. Toomey provided input, clarifying that the company grew rapidly following initiation of the project in 2009, requiring the rental of two properties; and that the purpose of the proposal is to consolidate operations and accommodate steady growth of approximately ten percent per year.

Responding to the Chairman's call for persons wishing to speak in opposition to the application, the following individuals appeared and stated their concerns regarding parking, TDRs, and other issues:

JoAn Totty, Palm Harbor
Norman Atherton, Palm Harbor – submitted document
David Ballard Geddis, Jr., Palm Harbor
Tony Caso, Palm Harbor
Neil Valk, Palm Harbor
Brenda Brown, Iris and Ivy, Palm Harbor
Kathy Lanni, Palm Harbor

At the request of Administrator LaSala, Sandra Gorman, King Engineering, related that her company was hired by the County in July of this year to conduct a parking and circulation study for the purpose of determining the appropriate parking codes to be put in place in order to accommodate the maximum build-out potential of the Old Palm Harbor-Downtown District. She indicated that data had been gathered on an average Tuesday, Friday, and Saturday at the end of July; that parking was monitored on a space-by-space basis at 20-minute intervals between the hours of 8:00 A.M. and 8:00 P.M. on Tuesday, 8:00 A.M. and midnight on Friday, and 10:00 A.M. and midnight on Saturday; and that surveys were conducted with business owners as well as patrons; whereupon, she presented preliminary findings, as follows:

- ▶ Maximum occupancy of 46 to 47 percent was observed on Tuesday afternoon.
- ▶ Some 100-percent occupied on-street parking occurred along 12th Street.
- ▶ No spaces or areas on Florida Avenue were 100-percent occupied until the evening.

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- ▶ Spaces in front of Thirsty Marlin and Peggy O'Neill's were 100-percent occupied from approximately 6:00 P.M. until about 10:00 P.M.
- ▶ Other areas of Florida Avenue experienced a 45-minute to 90-minute turnover.

Referring to future demand, Ms. Gorman related that based on current Code, existing on-site, private, and public parking may be enough to support the needs of the Downtown area at full build-out; whereupon, responding to query by Commissioner Latvala, she indicated that the study is based on Geographic Solutions vacating its existing locations and the properties being developed back to their maximum potential.

Alluding to concerns of the objectors, Mr. Toomey displayed an aerial photograph highlighting areas where Geographic Solutions tells its employees not to park, noting that the company utilizes an employee vehicle sticker system that allows store owners to identify employee vehicles parked on Florida Avenue or in another red zone, call the company, and have them removed; and that the company has not received any calls of that nature in months.

Chairman Morroni closed the public hearing, and responding to query by Commissioner Bostock, Mr. Beardslee confirmed that the proposed total of 42 parking spaces meets the parking requirement for the project at the 175-percent density after approval of the TDRs.

Commissioner Roche expressed his continued concern regarding the TDR concept, noting that he opposes the bureaucracy, time, and money involved in the process; and referring to the off-site parking issue, stated that he will not support the application due to uncertainty as to the adequacy of available parking to accommodate future expansion of Geographic Solutions and other businesses.

Noting that she had been unsure whether to support the project prior to tonight's meeting, Commissioner Seel indicated that King Engineering has convinced her that parking will not be a problem going forward; whereupon, she moved, seconded by Commissioner Latvala, that the conditional use and setback variance be approved in accordance with staff's recommendation. Commissioner Brickfield concurred, noting that King Engineering has answered a lot of his questions; that the applicant has met the County's parking requirements by providing 42 spots; and that the parking study will be completed and discussion will continue regardless of whether the project is constructed or not.

Echoing the concerns of others regarding the lengthy process, Chairman Morroni noted that Mr. Toomey appears to be a likeable person who would be able to work with the community; and that he has had a whole year to educate them and garner support for the

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project, yet the small business owners do not believe what he is telling them is true. He indicated that he is supportive of bringing in new high-paying jobs and retaining them, but he has doubts as to what is right or wrong because no one can agree on the facts; and that he will not support the proposal because he is worried about the community and the historic district; whereupon, he noted that he viewed broadcasts of some of the meetings during his illness; that he is surprised the matter is still under discussion; and that he believes the Board has studied the issue, given it consideration, and is ready to proceed.

Reiterating her concerns and those of the members regarding the need to streamline the process, Commissioner Bostock indicated that she will support the motion based on the fact that the only matters to be decided today are the setback variance and the project density; and that she sees no reason to consider parking, as it is not relevant to the 75-percent transfer in density or the setback; whereupon, she noted that no one has spoken for or against the setback variance.

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| Motion | - | Commissioner Seel |
| Second | - | Commissioner Latvala |
| Vote | - | 5 – 2 (Chairman Morroni and Commissioner Roche dissenting) |

#38 Meeting adjourned at 8:12 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk