

AGENDA ITEM NO. 1
November 27, 2012

1. APPROVAL OF MINUTES

Regular Meeting of October 30, 2012.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, OCTOBER 30, 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 Michael P. Schmidt, Board Reporter, Deputy Clerk.

INVOCATION: Attorney Bennett.

PLEDGE OF ALLEGIANCE: Chief Deputy Clerk Harris.

PRESENTATIONS AND AWARDS:

1. Proclamation recognizing the week of November 12 through November 18, 2012 as “Global Entrepreneurship Week” presented to Tonya Elmore and Danielle Weitlauf of the Tampa Bay Innovation Center.
2. 2012 Digital Government Achievement Award (DGAA) and 2012 Best of the Web Award presented to Pinellas County by the Center for Digital Government; Business Technology Services (BTS) Deputy Director David A. James provided an update on Gov 2.0; Michael Roiland and Gordon Othmar, BTS, demonstrated the latest innovation for watching streaming video.
3. Introduction of New Staff
Administrator LaSala introduced Animal Services Director Phillip Morgan and Office of Management and Budget Director Eric C. Naughton.
4. Justice Consolidated Case Management System (CCMS) Project Update
Justice CCMS Project Sponsor Susan M. Jennings conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record, consisting of the following elements: Project Recap, Schedule Summary, Accomplishments, Future Activities/ Schedule, and Budget Summary.

5. Beckett Bridge Project Update

Ann Venables, Consultant Project Manager, E.C. Driver & Associates, Inc., with input by Jim Phillips, Chief Engineer, E.C. Driver & Associates, Inc., conducted a PowerPoint presentation titled *Beckett Bridge PD&E Study*, a copy of which has been filed and made a part of the record, and presented detailed information regarding the potential removal, rehabilitation, or replacement of the existing Beckett Bridge over Whitcomb Bayou in Tarpon Springs.

CITIZENS TO BE HEARD

Greg Pound, Largo, re families.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 9 – APPROVED.

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

1 Minutes of regular meeting of October 2, 2012 approved.

2 Reports received for filing:

- a. Dock Fee Report for the month of September 2012.
- b. Quarterly Report of Routine Dock Permits issued from July 1, 2012 to September 30, 2012.

3 Vouchers and Bills Paid

Period September 16 through September 22, 2012

Payroll – None.

Accounts Payable

Checks – \$3,542,549.72 (536 documents)

ACH Transfers – \$1,559,254.22 (62 documents)

Wire Transfers – \$1,122,840.82 (11 documents)

October 30, 2012

Period September 23 through September 29, 2012

Payroll

ACH – \$2,963,941.34 (2,979 documents)

Checks – \$51,449.53 (48 documents)

Third Party ACH – \$17,526.94 (75 documents)

Third Party Checks – \$2,306.03 (13 documents)

Accounts Payable

Checks – \$6,874,554.06 (597 documents)

ACH Transfers – \$6,433,508.02 (103 documents)

Wire Transfers – \$11,415,579.26 (11 documents)

Period September 30 through October 6, 2012

Payroll – None.

Accounts Payable

Checks – \$11,866,855.09 (423 documents)

ACH Transfers – \$29,977,715.76 (107 documents)

Wire Transfers – \$604,711.11 (4 documents)

Period October 7 through October 13, 2012

Payroll

ACH – \$2,975,028.49 (2,977 documents)

Checks – \$35,720.60 (29 documents)

Third Party ACH – \$17,457.71 (74 documents)

Third Party Checks – \$2,166.95 (12 documents)

Accounts Payable

Checks – \$4,064,904.63 (423 documents)

ACH Transfers – \$1,601,510.52 (55 documents)

Wire Transfers – \$2,691,857.44 (4 documents)

Period October 14 through October 20, 2012

Payroll – None.

Accounts Payable

Checks – \$7,394,565.72 (650 documents)

ACH Transfers – \$4,401,798.67 (79 documents)

Wire Transfers – \$5,911,796.77 (8 documents)

4 Miscellaneous items received for filing:

- a. Correspondence from the Florida Department of Revenue regarding elected County Constitutional Officers salaries for Fiscal Year 2012-2013:
 1. Dated September 21, 2012, along with a Budget Amendment/Transfer reflecting necessary adjustments (Property Appraiser).
 2. Dated September 28, 2012, along with a Summary of the Fiscal Year 2012-2013 Budget by Appropriation Category (Tax Collector).
- b. Correspondence dated September 27, 2012 from the Supervisor of Elections re reimbursement of grant funds in the amount of \$29,196.59 to the General Fund.
- c. City of Pinellas Park Notice of Public Hearing re proposed Ordinance No. 3828 held October 25, 2012, voluntarily annexing certain property.
- d. Pinellas Suncoast Fire & Rescue Resolution No. 2012-07 adopted September 20, 2012, adopting the 2012/2013 final budget, adopting rates of assessments, and establishing pay raises for administrative staff/personnel.

In response to query by Commissioner Roche, Administrator LaSala indicated that Item No. 4d was basically a codification of the previously-approved budget and included as an informational item.

- # 5 Grant Application with the Southwest Florida Water Management District for the Lake Seminole Sediment Removal Phase II Project, previously approved by the County Administrator, ratified and confirmed (CIP No. 922025; Project No. 000157A); anticipated grant funding amount, \$4,018,000.00.

October 30, 2012

- # 6a Award of bid to Beach Construction, Inc., for William E. Dunn Water Reclamation Facility Improvements (Bid No. 112-0490-CP; Project No. 000774A/2063) approved for an estimated total expenditure in the amount of \$1,287,000.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 210 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.
- # 6b Award of bid to Buccaneer Landscape Management Corporation for Landscape and Grounds Maintenance: Department of Environment and Infrastructure Locations (Bid No. 112-0444-B) approved for an estimated 24-month expenditure in the amount of \$626,921.24 on the basis of being the lowest responsive, responsible bid received meeting specifications; contract is for a period of 24 months with one 24-month extension to be exercised only if all terms and conditions remain the same and the County Administrator grants approval; term extension will allow for price adjustments (increases/decreases) in an amount not to exceed the average of the Consumer Price Index (CPI) for all Urban Consumers, U.S. City Average, for the 12 months prior to extension; County Administrator authorized to amend the contract for future additions/deletions of locations and service intervals.
- # 6c Award of bid to PCL Construction, Inc., for Ultraviolet Disinfection System – South Cross Bayou Water Reclamation Facility (Bid No. 112-0503-CP; Project No. 000768A/2156) approved for an estimated total expenditure in the amount of \$4,831,568.26 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 330 consecutive calendar days; Chairman authorized to sign the agreement and the Clerk to attest.
- # 7 DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Airport	(a) Lessor's Agreement with E&G Properties, LTD and USAmeriBank for Completion of Sublease with USAmeriBank	(a) N/A	10.1.12
	(b) Consent to Sublease with E&G Properties, LTD and USAmeriBank for Space at the Airport Business Center	(b) N/A	

October 30, 2012

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
	(c) Third Amendment to Lease Agreement with Quantem Aviation Services, Inc. for Office Space at the Airport	(c) \$2,898.00 Annual Revenue	
Airport	Grant Agreement with the U.S. Department of Transportation, Federal Aviation Administration for an Airfield Sweeper and Wildlife Hazard Management Plan	\$199,275.00 Grant Revenue	9.10.12
Airport	Supplemental Joint Participation Agreement Number 2 with the State of Florida Department of Transportation (FDOT) for Airfield Drainage Improvements	NA	8.13.12
Community Development	Specific Performance Agreement with Homeless Emergency Project, Inc. for the Homeless and Homelessness Prevention Services Program	\$188,645.00	10.4.12
Community Development	State Housing Initiatives Partnership (SHIP) Certifications for Implementation of Regulatory Reform Activities Required by SHIP	N/A	9.11.12
Community Development	Amendment to Specific Performance Agreement with Directions for Mental Health, Inc. for Homeless Supportive Services Funding	\$140,000.00	9.5.12
Community Development	Satisfaction of Mortgages (4)	All mortgages have been paid in full	7.30.12
Convention and Visitors Bureau	Elite Event Tourism Agreement with Clearwater Jazz Holiday Foundation, Inc. for the Annual Clearwater Jazz Holiday Marketing	\$100,000.00	9.24.12
Convention and Visitors Bureau	First Amendment to the Agreement with Allegiant Air, LLC for Pinellas County Marketing	\$230,000.00	9.17.12
Convention and Visitors Bureau	Fiscal Year (FY) 2013 Tourism Services Funding Agreement with the Clearwater Beach Chamber of Commerce, Inc. for Visitor Information Services and Monthly Reporting	\$15,000.00	9.10.12
Department of Environment and Infrastructure	(a) First Renewal of the Jolley Trolley Service Agreement – North County Coastal Route	(a) \$18,443.00	10.1.12
	(b) Temporary Waiver for Consumption of Alcoholic Beverages – Old Palm Harbor Main Street – Rocktoberfest 2012	(b) N/A	

October 30, 2012

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
	(c) Amendment No. 3 to the Interlocal Agreements for Maintenance of Traffic Control Signals and Devices with Various Municipalities	(c) Time Extension Only	
Department of Environment and Infrastructure	FY2014 Ranking for Cooperative Funding Projects Submittal to the Southwest Florida Water Management District	N/A	9.26.12
Department of Environment and Infrastructure	Community Rating System Annual Recertification with the Federal Emergency Management Agency	N/A	9.25.12
Department of Environment and Infrastructure	Letters of Application for a County Incentive Grant Program (CIGP) with the FDOT for Intelligent Transportation Systems (ATMS/ITS) Improvement Projects at:	Anticipated Grant Funding Revenue: (Equal County Match)	9.7.12
	(a) Starkey Road; Tyrone Boulevard to State Road 60	(a) \$2,000,000.00	
	(b) 113 th Street; 54 th Avenue North to East Bay Drive	(b) \$1,500,000.00	
	(c) County Road 1; State Road 60 to Alderman Road	(c) \$2,000,000.00	
Department of Environment and Infrastructure	Interlocal Agreement with the FDOT for an Illicit Discharge Inspection Program	\$30,000.00 annual revenue for five (5) years	8.27.12
Economic Development	Letter of Agreement with the Florida High Tech Corridor Council for Power Level Support Participation	\$2,500.00	9.10.12
Economic Development	Agreement with the Florida Department of Economic Opportunity for Sharing of Employment and Wage Data	N/A	8.8.12
Economic Development	Extension of Joint Project Agreement with the United States Department of Commerce International Trade Administration for U.S. Export Assistance	N/A	7.11.12

October 30, 2012

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Health and Human Services	Pinellas County Health Program Specialty Provider Agreements First Option of Renewal and Amendment No. 1 with:	Per Resolution No. 10-209 waiving Purchasing Ordinance to allow HHS authority to negotiate specialty health care services. Total FY 2013 expenditure: \$3,715,000.00	10.11.12
	Alan R. Lustig, M.D., P.A. Nabila Niaz, M.D.		10.9.12
	St. Pete Endocrinology Associates Berc Sarafian, M.D. Christos Politis, M.D., P.A. d/b/a St. Pete Urology Michael Siedlecki, M.D. Gerald J. Rizzo, M.D., P.A. Aurindom Narayan, M.D., P.A.		
	Levitt Medical Associates of FL Inc. d/b/a Advanced Dermatology & Cosmetic Surgery Nautilus Health Care Center Group P.A.		9.25.12
	Pinellas Hematology & Oncology, P.A. Jerry A. Margolin, M.D., P.A.		9.19.12
	Bay Area Medical Center, PA. Bay Surgical Specialists, P.A. Helen Ellis Memorial Hospital Group d/b/a Dr. David Fine, D.M.P.		9.13.12
	West Florida Cardiovascular Center, Inc. Dharamraj, Inc. Coastal Pulmonary and Critical Care, P.L.C. Gateway Radiology Consultants, P.A. Coastal Cardiology Consultants d/b/a the Heart and Vascular Institute of Florida		9.5.12
	Diabetes Care Center, Inc. Mark L. Ritch, D.O. Interventional Cardiac Consultants, P.L.C. Bayfront Physician Specialty Services, LLC d/b/a Bayfront Cardiovascular Associates Bay Area Heart Center, P.A.		9.4.12
	Infectious Disease Consultants of St. Pete, P.A.		8.24.12
	American Lung & Sleep Disorders Consultants, P.A.		8.8.12
Health and Human Services	Service Funding Agreement with Religious Community Services, Inc. for Support Services to Victims of Domestic Violence	\$54,210.00	9.24.12

October 30, 2012

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Health and Human Services	(a) First and Final Option of Renewal and Amendment No. 1 to the Funding Agreement with Daystar Life Center, Inc. for the Traveler's Aid Emergency Assistance Program	(a) \$30,000.00	9.18.12
	(b) Service Funding Agreement with Community Action Stops Abuse, Inc. for Shelter Services for Domestic Violence Victims	(b) \$84,790.00	
Health and Human Services	Master Provider Agreements for Medical Services	(a and b)	9.17.12
	(a) Radiology with Eight Vendors	\$200,000.00 each	
	(b) Hospitalist with Two Vendors	per fiscal year	
Health and Human Services	First and Final Option of Renewal and Amendment No. 1 to the Master Pinellas County Laboratory Provider Agreement with Nine Vendors	\$200,000.00 per fiscal year	9.14.12
Health and Human Services	First and Final Option of Renewal to the Master Homeless Initiatives Funding Program Agreement with Eight Agencies	\$200,000.00	9.6.12
Health and Human Services	Amendment No. 4 to the Area Agency on Aging of Pasco-Pinellas, Inc. Emergency Home Energy Assistance Program for Funding Changes and Amended Exhibits	N/A	8.20.12
Health and Human Services	Agreement with the Pinellas County Health Department for Laboratory Services	\$100,000.00	7.25.12
Justice and Consumer Services	(a) Funding Agreement with the Suncoast Center, Inc. d/b/a Help a Child for:		10.4.12
	1. Sexual Assault Victim Examination Program	(a) 1. \$164,000.00	
	2. Medical Assessments of Children who are Alleged Victims of Abuse or Neglect	(a) 2. \$100,000.00	
	(b) Approval of a Grant Award with the Florida Department of Law Enforcement, Office of Criminal Justice Grants for the Justice Assistance Grant Program to Fund the Street Smart Program	(b) \$10,000.00 Grant Revenue	
Justice and Consumer Services	Data Collaborative Services Agreement with the University of South Florida Mental Health Institute for Information Sharing Services	\$20,000.00	9.26.12

October 30, 2012

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Justice and Consumer Services	Funding Agreement with WestCare Gulfcoast- Florida, Inc. for Operation of Turning Point Inebriate Shelter	\$97,330.00	9.25.12
Justice and Consumer Services	Sheriff's Office Grant Agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services for the COPS Hiring Grant Program	\$625,000.00 Grant Revenue over three-year period, \$372,235.00 County Match	9.6.12
Justice and Consumer Services	Renewal of Legal Aid Services Agreement with Gulfcoast Legal Services, Inc. for Legal Aid Services to Indigent Residents	\$357,467.47	8.30.12
Justice and Consumer Services	Renewal of Interlocal Agreement with the Sixth Judicial Circuit Court for Administration of Pinellas County Drug Court Funding	N/A	8.14.12
Justice and Consumer Services	Renewal of Interlocal Agreement with the State of Florida Guardian Ad Litem Office for Funding of Operational Functions	\$35,000.00	8.13.12
Parks and Conservation Resources	Interlocal Agreement with Tampa Bay Water for Florida-Friendly Landscaping Community Outreach Program	\$71,500.00 Revenue	9.25.12
Parks and Conservation Resources	Assistance Amendment with the U.S. Environmental Protection Agency (EPA) for the National Air Toxics Trend Site, Tampa Bay Area	\$81,643.00 Federal Revenue, \$73,357.00 EPA in-kind services	9.18.12
Public Safety Services	Subrecipient Agreement with the State of Florida Department of Financial Services for Hazardous Materials Response Teams Training and Equipment	\$38,878.00 Revenue	8.24.12
Real Estate Management	One Year Renewal of Property License Agreement with Alliant Techsystems, Inc. for Space at Solid Waste Operations	\$52,513.76 Annual Revenue	10.11.12
Real Estate Management	Second Amendment to the Lease Agreement with Homeland Intelligence Technologies, Inc. for Office Space at the Young-Rainey STAR Center	\$27,658.35 Annual Revenue	10.2.12
Real Estate Management	Lease Agreement with Smart Polymers Research Corporation for Office Space at the Young-Rainey STAR Center	\$914.88 Annual Revenue	10.1.12

October 30, 2012

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Real Estate Management	(a) Recreation License Agreement with Cross Bayou Little League, Inc.	(a and b) N/A	9/18/12
	(b) First Amendment to Recreation License Agreement with the Seminole Junior Warhawks Athletic Association, Inc.		
Real Estate Management	Amendment to Maintenance and Management Agreement with the Greater Palm Harbor Area Chamber of Commerce for Pop Stansell Park	N/A	9/10/12
# 8	Resolution No. 12-172 adopted supplementing the Fiscal Year 2012 Business Technology Services (BTS) Budget to appropriate earmarked receipts for a particular purpose (unanticipated revenues to the Custom Services Program in the amount of \$393,380.00) (Management and Budget).		
# 9	Acceptance of a donation from First Advantage Corporation of one Liebert 20-Ton Air Cooled Upflow system and one Fire Suppression system and transfer of ownership to the Pinellas County Industrial Development Authority (Real Estate Management).		
#10	Items pulled for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller) – None.		
#11	First amendment and second and final term extension to the contract with Premier Magnesia, LLC, for magnesium hydroxide suspension (Contract No. 089-0474-B) approved, changing the escalation/de-escalation clause from the Consumer Price Index (CPI) to the Producer Price Index (PPI), Chemical Manufacturing (198412); estimated annual expenditure, \$1,040,060.00.		
	Motion	-	Commissioner Latvala
	Second	-	Commissioner Welch
	Vote	-	7 – 0
#12	Change Order No. 1 (Final) to the contract with Wharton-Smith, Inc., for Pump Station Upgrade No. 189, Madeira Beach (PID No. 2036, Contract No. 101-0098-CP) approved, increasing the original project budget by \$6,316.15 and the contract term by 75 consecutive calendar days (revised contract total, \$423,316.15; revised contract term, 255 consecutive calendar days), accepting the contract as complete, and releasing the final payment, including retainage. Chairman authorized to sign and the Clerk to attest.		

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

- #13 Change Order No. 2 to the contract with Wharton-Smith, Inc. for Sludge Processing Improvements – South Cross Bayou Water Reclamation Facility Phase 3 and 4, Odor Control (Project No. 1901-A, Contract No. 101-0107-CP) approved, increasing the agreement by \$123,788.00 and extending the contract term by 425 consecutive calendar days (revised agreement amount, \$1,044,802.74; revised term end date, January 26, 2013). Chairman authorized to sign and the Clerk to attest.

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

- #14 Change Order No. 003 to the contract with CivicHealth LLC/Care Scope for Community Health and Electronic Data Application System (CHEDAS) project implementation and services (Contract No. 078-0417-P) approved, resolving any and all claims that were or could be asserted against the County from the commencement of the project through the effective date of the change order (no fiscal impact to the County). Chairman authorized to sign and the Clerk to attest (Health and Human Services/Business Technology Services).

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

- #15 Public Schools Interlocal Agreement among the Board of County Commissioners, the School Board of Pinellas County, Florida, and affected municipalities approved, setting forth definitions and procedures for coordinating land use and public school facilities planning, as required by Section 163.31777, Florida Statutes (Strategic Planning and Initiatives).

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

- #16 Other Administrative Matters – None.

- #17 Revision to the “Transfer Closing Date” in Amendment No. 5 of the Pinellas County Resource Recovery Facility Service Agreement with Veolia ES Pinellas, Inc. approved, extending the date from October 31, 2012 to November 30, 2012.

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

- #18 County Attorney Miscellaneous – None.

- #19 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the extension of the Master Advanced Life Support (ALS) First Responder Agreement between the Authority and the City of St. Petersburg. Agreement is for a one-year term to commence October 1, 2012; estimated Fiscal Year 2012-2013 expenditure is \$12,904,388.00. Agreement incorporates specific language not included in the Master Agreement Extension with the other 17 cities and fire districts, as requested by the City of St. Petersburg; however, there are no substantive changes to any contract provisions. Chairman authorized to sign the Agreement.

Motion - Commissioner Seel
Second - Commissioner Welch

Responding to query by Commissioner Roche, Attorney Bennett clarified that the City’s legal department would not submit the agreement to the City Council without the requested changes.

Vote - 7 – 0

- #20 County Administrator Report – Fort DeSoto Park – Collection of Parking Fee

Assistant County Administrator Mark S. Woodard related that, as part of the adoption of the Fiscal Year 2012 budget, the Board had implemented a \$5.00 parking fee at Fred Howard, Fort DeSoto, and Sand Key parks; that annual passes are offered at a discounted rate, as are passes for senior citizens, military personnel, and the economically disadvantaged; and that the purpose of the fee is to generate revenue to prevent further degradation of levels of service in the park system, restore some previously reduced services, and accelerate capital improvements to enhance the visitors’ experience.

Mr. Woodard provided a brief update on park statistics and activities and responded to queries by the members, as follows:

- The fees were implemented in January 2012 and have generated approximately \$2 million in total revenue.
- Total attendance at the three parks from January through September was approximately 3.7 million: 1.9 million visitors at Fort DeSoto Park, 1.1 million visitors at Fred Howard Park, and 840,000 at Sand Key Park. It is difficult to determine whether attendance has been negatively affected by implementation of the fee because visitation numbers are dependent on the weather; however, total revenue is in line with Fiscal Year 2012 budget forecasts.
- The most recent Board update discussed the possible necessity of a short-term agreement with the turnpike authority and the Florida Department of Revenue as well as a longer-term shadow tolling agreement with the same agencies. Staff now believes there is no need to proceed with the short-term agreement, as anticipated queuing problems between the toll plaza and the Fort DeSoto welcome station never materialized. Discussions are ongoing regarding a shadow tolling agreement.
- Staff is continuing to pursue the possibility of installing an automated entry gate for season pass holders. TransCore, the provider of SunPass, has recommended the use of Radio Frequency technology, which would not be integrated with the current SunPass system.
- A roadway improvement project scheduled to begin in January 2013 will add another entryway into Fort DeSoto Park. The project should be completed in four to eight weeks, in time for spring visitors. One of the two lanes could be dedicated for use by season pass holders, further reducing vehicle queuing concerns.
- Under the preferred procedure for special events, the event organizer includes the parking charge as part of its registration fee, issuing vehicle placards for display at the Fort DeSoto entry station. The organizer then remits the parking fee based on a true-up of the number of actual participants.

In response to queries by Commissioner Bostock, Mr. Woodard related that the City of Clearwater previously owned and maintained the parking meters at Sand Key Park and provided parking attendants; that the County received a portion of the fee; and that the County has assumed all responsibility for the parking and now receives a \$5.00 per day fee. He agreed to provide information regarding collection costs at all three parks, including a comparison to the previous model at Sand Key.

Responding to queries by Commissioner Roche, Mr. Woodard indicated that staff has held discussions with Department of Transportation representatives pertaining to the possibility of “swapping” responsibility for the Honeymoon Island and Pinellas Bayway bridges; whereupon, he reviewed items of concern with regard to negotiation of a shadow tolling agreement with the turnpike authority and Department of Transportation, indicating that the bridge swap concept is still part of the discussion.

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

#22 Reappointment of Noreen Hodges to the Educational Facilities Authority approved.

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

#23 Appointment of Kathy Dunmire Ralph to the Pinellas Public Library Cooperative approved.

Motion	-	Commissioner Roche
Second	-	Commissioner Brickfield
Vote	-	7 – 0

#24 Paul Valenti appointed to fill a vacancy on the Pinellas Opportunity Council, Inc. Board of Directors.

Commissioner Seel related that an e-mail had been received from the Executive Director of the Pinellas Opportunity Council indicating that the Council was specifically seeking a candidate with a legal background; that Mr. Valenti, Director of the Pinellas County Office of Human Rights, has indicated a willingness to serve; that Mr. Valenti’s predecessor, Leon Russell, served on the Opportunity Council Board for many years; and that, while she has known the other candidate, Christopher Settle, for a long time and thinks highly of him, she believes that Mr. Valenti’s skill set is more suited to the vacant position.

October 30, 2012

Commissioner Bostock indicated that some board appointments are subject to specific qualification requirements, but this one is not; that the appointment is to serve in a governing role, not a legal role; and that she is concerned that the Commission would consider appointing a County employee rather than a representative from the community at large. Indicating that he was initially surprised to see Mr. Valenti as a candidate, Chairman Morroni noted that the precedent had been set by the appointment of Mr. Russell, stating that he understands the reasoning articulated by Commissioner Seel.

Commissioner Seel noted that she had checked with Attorney Bennett, who confirmed that there is no conflict of interest; and Commissioner Bostock suggested that if an organization wishes to obtain a County perspective or County expertise, the commissioners could appoint an employee to serve on its board in a non-voting capacity.

Commissioner Bostock expressed her strong belief that the County should do a much better job of reaching out to the community to inform citizens about upcoming appointment opportunities; and Commissioner Welch related that Business Technology Services is in the process of designing an interactive means of doing so; whereupon, Mr. LaSala stated that staff has a proposal for the Board to consider when there is an opportunity to hold a workshop.

The members referred to previous discussions regarding the need to adopt a clearly defined application and appointment process; and Commissioner Latvala expressed concern that the Board should not be debating the qualifications of the applicants at the dais, suggesting that today's appointments be postponed until a new process is in place. Discussion ensued, and Attorney Bennett stated that Mr. Valenti is not being invited to join the Pinellas Opportunity Council Board to practice law; and that he will not have a client relationship with them, but that the desire is to have a member who "thinks" as lawyers do; whereupon, Chairman Morroni indicated that the requested expertise should be included in its written membership criteria, rather than included in an email to two commissioners.

Commissioner Seel clarified that Mr. Russell's service on the Opportunity Council Board has nothing to do with Mr. Valenti's proposed appointment, indicating that, to the best of her knowledge, the Council did not have any candidate in mind; that not-for-profit organizations require a membership with various skill sets; and that this happened to be an area in which they are lacking; whereupon she moved, seconded by Commissioner Latvala, that the appointment of Mr. Valenti be approved. Commissioner Roche suggested that both applicants be appointed, as a compromise; and Chairman Morroni and Commissioner Seel stated that only one vacancy exists.

October 30, 2012

Motion	-	Commissioner Seel
Second	-	Commissioner Latvala
Vote	-	6 – 1 (Commissioner Bostock dissenting)

- #25 Appointments and reappointments to the Tourist Development Council (TDC) for a four-year term beginning November 1, 2012 and expiring on October 31, 2016, approved.

Chairman Morroni referred to a memorandum dated October 30, 2012 from Chief Assistant County Attorney Dennis R. Long, a copy of which has been filed and made a part of the record, and indicated that Timothy R. Bogott and Anthony Satterfield have submitted applications for reappointment to the TDC in the Motel/Hotel/Recreational Vehicle Park/Tourist Accommodation membership category.

Motion	-	Commissioner Brickfield
Second	-	Commissioner Seel
Vote	-	7 – 0

Referring to discussion by the members with regards to Agenda Item No. 24, Commissioner Bostock noted that the County Commission has a history of reappointing members to the various boards and councils, indicating that the Board should inquire whether they wish to be considered for reappointment, but it should not be automatic; whereupon, she suggested that the members may wish to consider implementation of term limits at its upcoming workshop.

Chairman Morroni distributed ballots for vacancies in the Tourist Industry Involvement/Interest membership category, requesting that the members select two persons from the following slate of applicants: Ken Burnett, Dennis F. DiTunno, Robert Longenecker, Bill Priakos, Steven W. Rodriguez, Harvey Alexander Smith, and Neil Valk. In response to Commissioner Bostock's concern that the names and categories listed do not correspond with the published agenda information, Commissioner Morroni related that two candidates had inadvertently checked the wrong category on their application; and that the ballots are correct.

Responding to queries by Commissioner Seel, Attorney Long indicated that Mr. Longenecker has resigned from his position on the Clearwater Beach Chamber of Commerce Board; whereupon, he discussed the provisions of the Florida ethics statute, noting that TDC Board members are prohibited from serving on the board of any organization that receives funding from the TDC, and discussion ensued. Attorney Long indicated that the Board previously waived a conflict related to Mr. Longenecker's

appointment and an ongoing contract with the Jolley Trolley, recommending that the waiver be renewed for the term of his reappointment.

Following tabulation of the votes, Attorney Bennett related that Messrs. Priakos and Longenecker had each received four or more votes; and Chairman Morroni requested a motion to confirm their appointment.

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

Chairman Morroni indicated that he has received letters of recommendation pertaining to TDC vacancies in the category of Elected Municipal Officials and requested a motion to confirm their appointment, as follows:

- Reappointment of Mayor George Cretekos by the City of Clearwater
- Reappointment of Council Chair Leslie Curran by the City of St. Petersburg
- Appointment of Madeira Beach Mayor Travis Palladeno by the Barrier Islands Governmental Council (BIG-C)

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

Thereupon, Attorney Long recommended that the Board continue its previously approved waiver of Section 112.313, Florida Statutes, related to Mr. Longenecker, and the members concurred.

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

- #26 Board appointment of Brian Scott to the Pinellas Suncoast Transit Authority (PSTA) discussed; Board indicated a consensus to stand by its previous action.

County Attorney James L. Bennett indicated that following its appointment of Brian Scott to the PSTA Board in September of this year, the Board had directed his office to explore concerns raised regarding Mr. Scott's qualifications to hold PSTA membership.

Referring to his memorandum dated October 16, 2012, a copy of which has been filed and made a part of the record, Attorney Bennett related that Managing Assistant County Attorney Jewel White had spoken with Mr. Scott and determined that he is an operator of

October 30, 2012

a charter bus service in Pinellas County, which is a prohibition or disqualifying characteristic for membership under Section 2-342(6) of the PSTA Special Act. He indicated that Section 2-342(9) of the Act contains an exception for “a person furnishing transportation solely for his or its employees or customers”; and that the Board has the option of interpreting the wording narrowly or broadly, as outlined in his memorandum.

Attorney Bennett related that he has spoken with PSTA Counsel Alan Zimmet, who indicated that the Special Act is poorly drafted and an interpretation is needed; that there is no doubt that Mr. Scott has a related background and would lend credible service to the Board; and that should the commissioners choose a broad reading of the exception, he would work with Mr. Scott to avoid any conflicts of interest; whereupon, Commissioner Seel indicated that she supports a broad reading of the exception and moved that the members stand by their previous decision.

Noting that he also supports the appointment of Mr. Scott, Commissioner Welch related that he did not return phone calls from Mr. Scott due to Sunshine Law concerns; whereupon, he questioned the difference between the current discussion and the decision to waive statutory requirements pertaining to the appointment of Mr. Longenecker to the Tourist Development Council under Agenda Item No. 24. Chief Assistant County Attorney Dennis R. Long, with input by Attorney Bennett, related that the waiver provision is governed by general law, whereas the PSTA appointment is controlled by a Special Act; that there is no waiver provision under the Special Act; and that the Board is free to interpret the exemption broadly and therefore determine that Mr. Scott is qualified, as a charter service provides transportation to its customers.

Commissioner Roche indicated that he had spoken at length with Mr. Scott regarding the appointment, which he does not consider a Sunshine issue; that Mr. Scott had addressed all of his concerns regarding past, current, or future conflicts; and that he is satisfied with Mr. Scott’s commitment to the improvement of mass transit and the growth, development, and redevelopment of the county. Chairman Morroni stated that he has also spoken with Mr. Scott and feels comfortable with his appointment to the PSTA Board and, hearing no objection, declared that the appointment of Mr. Scott will stand.

Thereupon, Chairman Morroni reiterated the need for establishment of an appointment policy, indicating that the matter will be revisited at a December work session.

#27 County Commission Miscellaneous:

- a. Commissioner Roche gave update on activities of Canvassing Board.
- b. Commissioner Seel provided additional information re Canvassing Board.
- c. Commissioner Brickfield urged everyone to vote.
- d. Commissioner Latvala provided update on Florida Association of Counties' RESTORE Act Committee.
- e. Commissioner Welch welcomed new Bureau Directors Phillip Morgan, Animal Services, and Eric Naughton, Office of Management and Budget.

thanked Canvassing Board members and noted information available on Supervisor of Elections' website.

attended Bayfront Healthcare's announcement re partnership with Shands and HMA.

inquired as to status of letters re Friendship TrailBridge and TBARTA Chairman. Chairman Morroni related that both letters have been sent; and Mr. LaSala indicated that no response has been received from Hillsborough County regarding the bridge.
- f. Chairman Morroni noted that there are no public hearings tonight.

expressed thanks for support of the community, noting that he has been declared cancer free.

SCHEDULED PUBLIC HEARINGS – None.

October 30, 2012

#28 Meeting adjourned at 4:02 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk