

AGENDA ITEM # 4
February 12, 2013

4. APPROVAL OF MINUTES

Regular Meeting of January 15, 2013.

* * * *

At this time, 8:31 A.M., in the County Commission Assembly Room, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, the following individuals were sworn in for their new terms as Pinellas County Constitutional Officers: Clerk of the Circuit Court and Comptroller Ken Burke by State Attorney Bernie McCabe; Supervisor of Elections Deborah Clark by County Court Judge Patrick K. Caddell; and Property Appraiser Pam Dubov and Tax Collector Diane Nelson by Sixth Judicial Circuit Chief Judge J. Thomas McGrady.

* * * *

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JANUARY 15, 2013 – 9:31 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Kenneth T. Welch, Chairman; Karen Williams Seel, Vice-Chairman; Norm Roche; Susan Latvala; Charlie Justice; Janet C. Long; and John Morroni.

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

INVOCATION: Reverend Gabe Oberholzer, Chapel on the Hill, Seminole.

PLEDGE OF ALLEGIANCE: Commissioner Seel.

PRESENTATIONS AND AWARDS: None.

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

- # 1 Ordinance No. 13-01 adopted amending Chapter 70 of the Pinellas County Code relating to Human Relations creating a Domestic Partnership Registry and investing registered persons with certain rights in Pinellas County. Correspondence received includes one letter in support and two letters in opposition, City of Dunedin Resolution 13-03 in support, and 52 letters in support received in connection with the December 6, 2012 work session.

January 15, 2013

Office of Human Rights Director Paul Valenti noted that Chapter 70, Pinellas County Code is titled *Human Relations*, not *Human Rights*, as he stated in the Agenda Memorandum.

Clerk of the Circuit Court and Comptroller Ken Burke indicated that the maintenance and administration of a Domestic Partnership Registry is not a standard duty of the Clerk, who serves as an independent Constitutional Officer and whose specific duties are set forth by Florida Statute; however, recognizing the Board's interest in passing the proposed ordinance, which necessitates the creation of a database and designation of an entity to implement the program, the Clerk's Office will agree to take on such new administrative responsibilities. He stated that the Clerk's voluntary assumption of the new administrative functions is based upon a mutual cooperative agreement between the Board and the Clerk that the registry will be administered by the Clerk; that the Clerk's Office will receive fees for the services to offset the cost of maintenance of the registry, including staff costs; and that the Clerk will look to the Board to fund operations which may not be covered by the fees.

Mr. Burke indicated that the Clerk's Office has been working on the project cooperatively with the Office of Human Rights, the County Attorney's Office, and Business Technology Services; that registrations will be accepted at the Clerk's Downtown St. Petersburg, Tyrone, and North County offices and the Official Records office in the Downtown Clearwater Courthouse; and that the fee will be waived for persons who have paid to register in one of the municipalities prior to the startup date of the program; whereupon, he recognized Recording Services Manager Kim Swain and other staff members for their efforts related to the proposed program.

Chairman Welch thanked Clerk Burke, Attorney Bennett, Mr. Valenti, and staff for their cooperation and partnership, noting that it makes sense to implement the registry on a countywide basis; and Attorney Bennett stated that the ordinance is infinitely more practical and capable of implementation than it would have been without the help of the Clerk's Office.

Responding to query by Chairman Welch, Mr. Valenti indicated that the Cities of Gulfport and Clearwater have agreed to refer prospective registrants to the Clerk's Office; and that, while he has not had final confirmation from the City of St. Petersburg, City staff have indicated that they will likely do the same as long as the County and City ordinances are substantially consistent, which he believes to be the case; whereupon,

January 15, 2013

Chairman Welch related that St. Petersburg Councilmember Steve Kornell is looking into the matter.

Responding to the Chairman's call for citizens wishing to be heard, the following individuals spoke in favor of the proposed ordinance:

George Olds, Clearwater
Ian Taylor, Clearwater
Jan Lowe, Gulfport
Joyce Hamilton Henry, ACLU of Florida, Tampa

The following individuals spoke in opposition to the proposed ordinance:

Joe Paige, Clearwater
Geoff Moakley, Largo
Greg Pound, Largo

Alluding to comments by the speakers, Chairman Welch indicated that the commissioners are elected to serve all the citizens of Pinellas County; that everyone should be entitled to the same basic rights regardless of their respective faith or sexual orientation; and that there is no larger political agenda. Commissioner Latvala concurred, noting that the Board should not have to pass an ordinance to ensure such rights, but it is one step that can be taken to help alleviate the situation; whereupon, she moved approval of the proposed ordinance.

Motion	-	Commissioner Latvala
Second	-	Commissioner Long

Commissioner Roche expressed concerns regarding the proposed ordinance, indicating that certain provisions are exclusive, and concurring with statements by the objectors that it has no legal merit and would merely be a political statement; whereupon, he proposed that the ordinance be revised to provide that the registry be available to any two persons with the only requirement being that they must first execute a power of attorney. He stated that he cannot support the ordinance as proposed due to its exclusivity; and that if the Board truly believes it is time to deal with the civil union issue, the proper mechanism would be to request that the matter be addressed by the Legislative Delegation.

Chairman Welch indicated that creation of the registry would not be just a political statement; that the ordinance would provide real benefits; and that it was written to be compatible with the existing Gulfport and St. Petersburg ordinances in order to provide a

January 15, 2013

true countywide ordinance. Responding to his queries, Commissioner Latvala indicated that she did not wish to rescind the motion, and the members expressed no interest in considering the amendments proposed by Commissioner Roche; whereupon, Chairman Welch noted that the Board would have the opportunity to amend the ordinance at a later date.

Commissioner Seel proposed that the Clerk make a suggestion to registrants, verbally or in writing, urging them to obtain a durable power of attorney to protect their rights in other jurisdictions, noting that it should not be a requirement due to the legal expense; whereupon, Mr. Burke indicated that the Clerk's Office is prohibited by law from giving legal advice, but informational brochures compiled by the Office of Human Rights could be made available. Mr. Valenti related that his office has drafted preparatory materials suggesting that applicants consider obtaining power of attorney and highlighting specific requirements regarding exemption from public records law; and that the documents will be finalized in conjunction with the Clerk's Office and the Office of the County Attorney.

Referring to comments by Commissioner Roche and Chairman Welch, Commissioner Justice indicated that real progress would be made by passage of the ordinance; that while he would prefer action be taken by the Florida Legislature, he does not believe Pinellas County residents should have to wait for them to do so; and that passage of similar ordinances by numerous jurisdictions throughout the state may prompt the Legislature to address the issue; and Commissioner Latvala concurred.

Attorney Bennett indicated that the proposed ordinance will have effect in other jurisdictions that have adopted comparable ordinances with reciprocity provisions; and that Pinellas County will recognize registrants from other areas. He noted that, if approved, the ordinance will become effective within ten days; however, a number of administrative preparations must be made before registrations can occur; whereupon, he suggested that inquiries as to timing be directed to the Office of Human Rights.

Vote - 6 – 1 (Commissioner Roche dissenting)

- # 2 Resolution No. 13-1 adopted appropriating unanticipated fund balance in the Fiscal Year 2013 General Fund budget for the Department of Justice and Consumer Services. No correspondence has been received. No citizens appeared to be heard.

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

- # 3 Resolution No. 13-2 adopted appropriating unanticipated fund balance in the Fiscal Year 2013 Business Technology Services Fund budget. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Latvala
Second - Commissioner Seel

Responding to queries by Commissioner Roche, Administrator LaSala indicated that the request represents a re-appropriation of funds carried forward from the previous fiscal year; that the allocation of funds by activity is outlined in detail in the Agenda Memorandum; that full funding is committed to projects at the outset and carried forward as the projects move toward completion; that large projects such as the Justice Consolidated Case Management System may span several years; and that the request is in alignment with generally accepted accounting principles and State requirements for fund accounting.

Vote - 7 – 0

- # 4 Resolution No. 13-3 adopted granting the petition of Joseph R. Edwards to vacate a portion of Pine Street, between Lots 1 and 6 of Section A, Seminole Estates Subdivision and reserving a drainage and general utility easement over the vacated area (Legislative Hearing). Authority granted for the Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

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

- # 5 Resolution No. 13-4 adopted granting the petition of David and Misti Evans to vacate a portion of a drainage easement located in Lot 26, Pine Lake Subdivision (street address: 4737 Simcoe Street, Palm Harbor) (Quasi-Judicial Hearing). Authority granted for the Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

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

January 15, 2013

- # 6 Resolution No. 13-5 adopted granting the petition of Mark A. Bates and Tracey A. Bates to vacate a portion of a drainage and utility easement located in Lot 5, Wexford Leas – Unit 2B Subdivision (street address: 1307 Tenby Way, Palm Harbor) (Quasi-Judicial Hearing). Authority granted for the Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

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

SCHEDULED PUBLIC HEARINGS - COUNTYWIDE PLANNING AUTHORITY

- # 7a Sitting as the Countywide Planning Authority, the Board adopted Ordinance No. 13-02 approving Case No. CW 12-15, the proposal by the Town of North Redington Beach to amend the Countywide Future Land Use Plan from Residential High with Resort Facilities Overlay to Residential/Office/Retail, re 1.8 acres m.o.l., located at 17307 Gulf Boulevard (subthreshold amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

- # 7b Sitting as the Countywide Planning Authority, the Board accepted the withdrawal of Case No. CW 12-16, the proposal by the City of Largo to amend the Countywide Future Land Use Plan from Residential Estate and Residential Low Medium with Resort Facilities Overlay to Residential High, re 13.8 acres m.o.l., located at 2098 Seminole Boulevard and the contiguous southern parcel (regular amendment). No correspondence has been received. No citizens appeared to be heard.

Administrator LaSala referred to a memorandum from the Pinellas Planning Council dated January 10, 2013, a copy of which has been filed and made a part of the record, and indicated that the City of Largo has requested withdrawal of the application; that the item has already been advertised for the February 12 public hearing; and that it will be necessary to discuss the matter briefly at that time.

January 15, 2013

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

CITIZENS TO BE HEARD

Joe Paige, Clearwater, re how to de-populate the cities.

Greg Pound, Largo, re Pinellas families.

CONSENT AGENDA ITEMS NOS. 8 THROUGH 23 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 12a AND 12b, WHICH WERE DISCUSSED AND APPROVED UNDER ITEM NO. 23.

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

8 Minutes of regular meetings of November 27, 2012 and December 11, 2012 approved.

9 Reports received for filing:

- a. Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2012-25 dated November 29, 2012 – Follow-Up Audit of Community Development Administration and Selected Programs.
- b. Florida Model Jail Standards Inspection Report for Pinellas County Jail inspection held October 29-31, 2012.
- c. Dock Fee Report for the month of November 2012.

#10 Vouchers and Bills Paid

Period November 4 through November 10, 2012

Payroll

ACH – \$4,544,147.70 (2,983 documents)

Checks – \$41,474.84 (20 documents)

Third Party ACH – \$17,137.94 (73 documents)

Third Party Checks – \$2,753.75 (12 documents)

January 15, 2013

Accounts Payable

Checks – \$5,480,804.89 (633 documents)

ACH Transfers – \$12,142,317.01 (77 documents)

Wire Transfers – \$1,043,900.25 (4 documents)

Period November 11 through November 17, 2012

Payroll – None

Accounts Payable

Checks – \$2,200,958.38 (405 documents)

ACH Transfers – \$1,874,603.10 (70 documents)

Wire Transfers – \$1,703,451.03 (10 documents)

Period November 18 through November 24, 2012

Payroll

ACH – \$2,993,732.77 (2,985 documents)

Checks – \$36,771.35 (23 documents)

Third Party ACH – \$16,758.08 (72 documents)

Third Party Checks – \$2,166.96 (12 documents)

Accounts Payable

Checks – \$3,144,528.61 (394 documents)

ACH Transfers – \$1,557,962.65 (52 documents)

Wire Transfers – \$155,124.15 (5 documents)

Period December 2 through December 8, 2012

Payroll

ACH – \$3,015,410.69 (2,988 documents)

Checks – \$50,345.80 (33 documents)

Third Party ACH – \$16,885.58 (72 documents)

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

January 15, 2013

Accounts Payable

Checks – \$4,660,742.79 (551 documents)

ACH Transfers – \$34,545,330.88 (74 documents)

Wire Transfers – \$568,799.85 (4 documents)

Period December 9 through December 15, 2012

Payroll – None

Accounts Payable

Checks – \$8,980,436.45 (464 documents)

ACH Transfers – \$1,167,399.38 (40 documents)

Wire Transfers – \$476,649.88 (3 documents)

#11 Miscellaneous Items Received for Filing:

- a. City of Largo Notice of Public Hearings re proposed Ordinances Nos. 2013-18 through 2013-24 held December 18, 2012, annexing certain property.
- b. City of Safety Harbor Ordinance No. 2012-17 adopted November 19, 2012, annexing certain property.
- c. City of Pinellas Park Notice of Public Hearing re proposed Ordinance No. 3833 held January 10, 2013, voluntarily annexing certain property.
- d. City of Seminole Notice of Public Hearings re proposed Ordinances Nos. 10-2012 through 12-2012 held January 8, 2013, voluntarily annexing certain property.
- e. Proposed Library Interlocal Agreement re Library Cooperative adopted by the Cities of Pinellas Park, St. Petersburg, Largo, Tarpon Springs, Seminole, Oldsmar, Safety Harbor, and Gulfport and approved in concept by the Cities of St. Pete Beach, Clearwater, and Dunedin.
- f. Correspondence from the Town of Redington Beach re Gulf Boulevard Beautification project allocations.
- g. Public Risk Management of Florida Contract and Bylaws Intergovernmental Cooperative Agreement, as amended and restated through December 12, 2012, for the Towns of Belleair and Kenneth City and the Cities of Gulfport, Safety Harbor, South Pasadena, Indian Rocks Beach, St. Pete Beach, and Treasure Island, together with an Affidavit of Authenticity.
- h. Public Official Bonds, Oaths, and Powers of Attorney for Pinellas Suncoast Fire & Rescue District Commissioners Lawrence G. Schear, Laura T. Martin, and James C. Terry.

#12a See Item No. 23.

#12b See Item No. 23.

#12c Award of bid to Rowland, Inc., for Sanitary Sewer Repair, Rehabilitation, and Extensions (Bid No. 123-0040-CP; Project No. 001272A/2095) approved for an estimated total expenditure in the amount of \$2,529,249.05 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 730 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

#12d Bid of Bun Construction Company, Inc., rejected on the basis of being non-responsible and not meeting project performance requirements on similar work performed for recent County construction contracts; award of bid to Suncoast Development of Pinellas County, Inc., for Gooden Crossing Sidewalk and Drainage Improvements (Bid No. 123-0037-CP; Project No. 000145A) approved for an estimated total expenditure in the amount of \$565,842.10 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 180 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

#12e Award of bid to Cone and Graham, Inc., for Park Street Bridge Replacement (Bid No. 123-0016-CP; Project Nos. 000180A/2162 and 000125A) approved for an estimated total expenditure in the amount of \$1,094,635.53 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 300 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

#12f Award of bid to Pepper Contracting Services, Inc., for Intersection Improvements – Bryan Dairy Road at Starkey Road (Bid No. 123-0010-CP; Project No. 000126A/2182) approved for an estimated total expenditure in the amount of \$4,198,595.41 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 360 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

January 15, 2013

- #12g Award of bid to Traffic Control Devices, Inc., for Countywide ATMS/ITS Installation – State Road 686 from Gulf Boulevard (County Road 699) to Airport Parkway (Bid No. 123-0008-CP; Project No. 000199A/2023) approved for an estimated total expenditure in the amount of \$1,767,260.00 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 270 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.
- #13 First Amendment to the Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) to correct the project limits for the Nursery Road Safe Routes to School Sidewalk Improvements Project Phase 1A from Keene Road to Oakadia Drive East – Plumb Elementary School (Contract No. AQO54; FDOT FPN: 30405 1 58 01; County PID No. 000330A) approved (no funding change); Chairman authorized to sign and the Clerk to attest.
- #14 Resolution No. 13-6 adopted approving Amendment No. 2 to the County Incentive Grant Program (CIGP) Agreement with the Florida Department of Transportation (FDOT) for extensions of time for the installation of conduit and fiber optic cable along Alternate U.S. Highway 19/State Road 595 from downtown Clearwater to U.S. Highway 19 and along U.S. Highway 19 from Alternate U.S. Highway 19/State Road 595 to 54th Avenue North (FDOT Financial Project No. 427005 1 58 01; County PID No. 000196A (2160); Contract No. AQ909), including the installation of Advanced Traffic Management System devices along the primary Alternate U.S. Highway 19 corridor, and revising the design completion date, construction letting date, and construction completion date (no fiscal impacts). Chairman authorized to execute the amendment and the Clerk to attest.
- #15 Fiscal Year 2012 Board Budget Amendment No. 17 was filed and made a part of the record.
- #16a Resolution No. 13-7 adopted appropriating earmarked receipts for a particular purpose supplementing the Fiscal Year 2013 General Fund Budget for grant funding from the Second Chance Act Grant Award to the Pinellas County Department of Justice and Consumer Services Department (\$500,000.00).

- #16b Resolution No. 13-8 adopted appropriating earmarked receipts for a particular purpose supplementing the Fiscal Year 2013 General Fund Budget for Pinellas County Sheriff's Office contracts for law enforcement services with the Cities of Madeira Beach and St. Pete Beach that were not anticipated and not included in the Fiscal Year 2013 Adopted Budget (\$1,588,990.00).
- #17 Resolution No. 13-9 adopted approving Budget Amendment No. 1 appropriating earmarked transfer receipts in the Fiscal Year 2013 Transportation Trust, Business Technology Services, Fleet Management, Risk Financing, and Employee Health Benefits Fund Budgets to realign funds for the One-Time Cost-of-Living Wage Disbursement (\$2,513,470.00).
- #18 Receipt and file of quarterly reports:
 - a. Quarterly Report on Administrative Budget Amendments for the period October 1, 2012 through December 31, 2012 was filed and made a part of the record.
 - b. Quarterly Report on the Law Enforcement Trust Fund – Payments to the Sheriff for the period October 1, 2012 through December 31, 2012 was filed and made a part of the record.
- #19 Supplemental Service Funding Agreement between Pinellas Ex-Offender Re-Entry Coalition, Inc., and Pinellas County for Re-Entry Court related to the Supplemental Grant Award from the U.S. Department of Justice for Re-Entry Court Services, approved and ratified by the Board of County Commissioners on November 27, 2012, retroactive to October 1, 2012 (Supplemental Agreement amount, \$500,000.00); Chairman authorized to sign and the Clerk to attest (Justice and Consumer Services).
- #20 Change Order No. 6 to the contract with Motorola Solutions, Inc., for an upgrade of certain portable and mobile subscriber radio equipment (Contract No. 990-0909-N) approved, extending the contract project completion date to December 31, 2014 (no fiscal impact). Chairman authorized to sign and the Clerk to attest (Public Safety Services/Purchasing).
- #21 Approval of Purchase Authorization for Computer Hardware, Oracle Exalytic Memory Machine with DLT Solutions, LLC; prices, terms, and conditions per GSA Contract No. GS-35F-4543G (Contract No. 123-0094-G) confirmed and made a part of the record (purchase exceeds County Administrator's delegated approval authority).

January 15, 2013

- #22 Sitting as the Emergency Medical Services (EMS) Authority, the Board issued a Certificate of Public Convenience and Necessity to TransCare Medical Transportation Services to provide non-medical wheelchair transport services in Pinellas County.
- #23 Items pulled for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller).

#12a Award of bid to Brasfield & Gorrie, L.L.C., for New Transfer Pumping Station and Chemical Treatment Facility Upgrade – Keller Water Treatment Facility (Bid No. 123-0013-CP; Project No. 000772A/2061) for an estimated total expenditure in the amount of \$11,765,000.00 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 495 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

Noting a scrivener's error on the Board Memorandum, County Administrator LaSala indicated that the funding source should read, "Department of Environment and Infrastructure Water Enterprise Funds."

In response to query by Commissioner Seel regarding the \$11.7 million cost for the project, Bill Harrington, Department of Environment and Infrastructure, Engineering and Technical Support, stated that there were several projects included in the Joint Project Agreement, some solely by Tampa Bay Water, some by Pinellas County, and some that are shared; and that he would forward a brief synopsis and the costs associated with each project to the Board.

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

- #12b Bid of Bun Construction Company rejected on the basis of being non-responsible and not meeting project performance requirements on similar work performed for recent County construction contracts; award of bid to David Nelson Construction Company, for Tarpon Woods Secondary Drainage Outfall System (Bid No. 123-0045-CP; Project No. 000476A/001027A) for an estimated total expenditure in the amount of \$1,754,116.40 on the basis of being the lowest, responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 240 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

In response to query by Commissioner Seel, Jorge Quintas, Engineering and Technological Support Director, Department of Environment and Infrastructure, indicated that this represents the balance of the secondary outfall system within the Toniwoods and Bryan Lane area of Tarpon Woods; that the purpose of the project is to minimize the duration of roadway flooding and provide storm water removal relief to that community after substantial storm events; and that this will bring the subdivision up to comparable standards with other subdivisions in the County.

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

- #24 Final negotiated contract with Miles Media Group, LLLP for a technology marketing program for the Convention and Visitors Bureau (Contract No. 112-0250-P) approved for a contract term of 21 months with two additional one-year term extensions (annualized cost not to exceed \$650,000.00; time and material cap through September 30, 2014, \$1,137,550.00). The County, at its sole discretion, may extend the term for an additional four months at the end of an annual extension to provide for a transition to a new service provider, if applicable, on the same terms, conditions, and compensation; Chairman authorized to sign the agreement and the Clerk to attest (Convention and Visitors Bureau/Purchasing).

Motion	-	Commissioner Latvala
Second	-	Commissioner Long

In response to queries by Commissioner Justice, D.T. Minich, Convention and Visitors Bureau (CVB) Executive Director, provided an overview of the technology marketing services provided by Miles Media Group, and indicated that a blended hourly rate was requested during the Request for Proposal process to ensure the pricing method used was consistent; that five proposals were received; and that Miles Media Group's pricing was competitive with the pricing submitted by the other four firms, noting that four of the five firms are nationally recognized and handle CVB websites across the nation.

In response to queries by Commissioner Seel, Mr. Minich related that Miles Media Group has been working with the CVB for 17 years and handled the hard publications before websites existed; that there have been increases in the contract due to the increased level of technology marketing services provided that were unavailable five years ago; that over the last five-and-a-half years, the contract has increased from about \$500,000.00 to

approximately \$650,000.00; and that the increases have been comparable to the services added, which have allowed the CVB to remain competitive in the marketplace.

In response to query by Chairman Welch, Mr. Minich indicated that a third party is necessary to provide the services, pointing out that Miles Media Group houses all of the technology offsite and out of the county, which will allow the CVB continued communications with visitors and potential customers in the event of a natural disaster; whereupon, Commissioner Morroni stated that the CVB is setting records due to the marketing provided and the work performed by the CVB staff; and that the County is getting its money's worth from the contract.

Vote - 7 – 0

- #25 Recommendation of the Tourist Development Council to waive the previously approved funding contingency and provide \$125,000.00 in support for the Professional Golfers Association (PGA) Tour Tournament Elite Event approved (Convention and Visitors Bureau).

Administrator LaSala recommended that the Board waive the previously approved funding contingency and only provide \$75,000.00 for the PGA Tour Tournament Elite Event; and indicated that staff is not recommending the \$50,000.00 associated with the TDC recommendation since the original contract required a 30-second television spot on a national broadcast, which the parties were unable to secure.

Chairman Welch expressed his appreciation for the work of Commissioners Latvala, Morroni, and Seel on the Tourist Development Council (TDC) last year and earlier this month; and Commissioner Morroni noted that a representative from Copperhead Charities spoke at length at the TDC meeting and raised valid points to support providing the additional \$50,000.00; and that the TDC voted to approve the additional funds, although he voted against the request in recognition of the Board's wishes last year.

D.T. Minich, Convention and Visitors Bureau Executive Director, provided background information regarding the proposals for the Elite Events reviewed by the Elite Event Committee, and explained that the Committee voted to approve the full \$125,000.00 allocated for the PGA tournament during its workshop; and that after the workshop, staff discovered that the same amount of funding was requested in last year's proposal, which included a guaranteed 30-second spot on national television not included in the current proposal. He indicated that he disclosed the difference in the proposals at the next TDC meeting; and that, after discussion, the TDC valued the 30-second spot at \$50,000.00,

January 15, 2013

approved \$75,000.00 in funding for the event, and recommended that approval of the \$50,000.00 in funding be contingent upon securing a 30-second spot on national television. Mr. Minich indicated that the representatives for the tournament appeared before the TDC at its December meeting with a request to waive the funding contingency and provide the full \$125,000.00; and that the TDC approved the request, which is why the issue is currently before the Board.

Discussion ensued wherein Mr. Minich responded to comments and queries by Commissioners Seel and Roche regarding funding provided for other Elite Events, requirements for 30-second nationally televised commercials from other sponsorships, and the value of the PGA Tour Tournament Elite Event, indicating that there is nothing in the new contract that replaces the deliverable value of the 30-second spot on national television; that the event will be referred to as the Tampa Bay PGA, which provides value in marketing to Hillsborough County; that the Hillsborough County Tourist Development Council does not contribute to the event; and that naming the event is the tournament director's decision; whereupon, Commissioner Roche stated that Hillsborough County should contribute to the event if it is going to gain exposure from "Tampa Bay" in the event name.

PGA Tour Tournament Director Kevin Krisle, Palm Harbor, provided input regarding television ratings and the PGA business model, noting that the parties have yet to be able to secure a 30-second spot on national television, as commercial airtime is reserved for title sponsors. He explained that a 30-second NBC network commercial was provided in 2012; that funding for a 30-second NBC network commercial was not included in 2011, but an opening became available a week before the tournament and was offered to the CVB, with no additional funds awarded for securing the 30-second spot; and that a 30-second spot may again become available at the last minute this year, although it is not assured.

Mr. Krisle clarified that television network exposure and commercials on the Golf Channel were offered to Visit St. Pete/Clearwater as part of the benefits supplied; and that at the June TDC meeting, the TDC initially approved funding in the amount of \$125,000.00 and did not question having a 30-second spot on national television; whereupon, he indicated that even without the 30-second spot, the event meets and exceeds the objectives for attendance, heads in beds, and exposure and is in line with \$125,000.00 in financial support.

January 15, 2013

Noting that the television spots on the Golf Channel are on Thursday and Friday and do not have the same impact as weekend exposure, Administrator LaSala suggested that, as an alternative, the Board add a condition that would provide the \$50,000.00 if the 30-second spot on national television can be secured, which would give the parties the ability to represent local sponsorship under certain conditions and would act as an incentive for the parties to enthusiastically pursue a 30-second spot on national television.

In response to the Chairman's call for citizens wishing to be heard, Doug Graska, Copperhead Charities, Safety Harbor, spoke in support of waiving the funding contingency, indicating that the tournament has been part of the community since 1977; that the tournament is currently without a sponsor; and that the support of the local community is needed.

Discussion ensued wherein the members expressed their respective positions and in response to comments and queries by the members, Mr. Minich related that the \$50,000.00 in additional funding was tied to the 30-second nationwide spot on Saturday or Sunday on NBC. Mr. Krisle indicated that he was not included in the stipulation process relating to the funding contingency; that he is unsure how the 30-second spot on national television became an issue; that Copperhead Charities has participated in the event funding program for three years and has worked closely with the television stations and the PGA Tour to have the event announcers showcase St. Petersburg, Clearwater, Palm Harbor, and Pinellas County more frequently than had been done in the past; that financial support helped make it possible; that reducing the financial support will make it more difficult to continue to showcase the areas; and that not fully funding the event may be construed as a lack of local commitment and may prompt the PGA Tour to consider other communities for future events; whereupon, Commissioner Morroni noted that Mr. Krisle made valid points at the TDC meeting and today that support fully funding the event without the contingency; and Commissioner Seel provided statistical information relating to ticket sales, exposure, and economic impacts associated with the event.

Thereupon, Commissioner Seel moved, seconded by Commissioner Long, that funding in the amount of \$125,000.00 be provided without a contingency, but with the request that the 30-second spot on national television continue to be pursued.

Motion	-	Commissioner Seel
Second	-	Commissioner Long

Commissioner Roche suggested that future events with similar circumstances have contracts clearly outlining the deliverables; and in response to his comments and queries, Chief Assistant County Attorney Dennis R. Long provided input regarding the funding criteria and application process, noting that it is competitive.

Commissioner Justice expressed concern that approving the full funding could possibly set a precedent that would bring about event sponsors agreeing to certain terms for specific funding with County staff, but later coming back to the Board to obtain the full funding amount without providing all of the deliverables. Commissioner Seel related that, next year, the statistics from the event will be available; and suggested that the TDC revisit the funding criteria at that time; and that, going forward, there should be some equity in general for all of the Elite Events; whereupon, Chairman Welch provided input, indicating that it appears to be a process issue.

Vote - 7 – 0

- #26 First amendment to agreement with King Engineering Associates, Inc. for environmental support services (Contract No. 101-0116-P) approved adding a Clerical/Administration position classification at a fully burdened hourly rate of \$53.00 (Environment and Infrastructure/Purchasing).

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

- #27 Amendment No. 4 to Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for Bear Creek Channel Improvements (L379) (SWFWMD No. 06C00000024; PID No. 000108A [922306]) approved increasing the amount by \$1,156,486.00 and adding new provisions applicable to SWFWMD's cooperatively funded projects (total revised agreement, \$4,508,486.00); Chairman authorized to sign and the Clerk to attest (Environment and Infrastructure).

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

- #28 Resolution No. 13-10 adopted approving Project B2082843718 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support as local participation in the Qualified Target Industry (QTI) Tax Refund Program (total contribution of Pinellas County, \$18,000.00 to be paid over a series of fiscal years as determined by the State) (Economic Development).

At the request of Chairman Welch, Administrator LaSala stated for the record that the projected total tax refund is \$900,000.00 for 30 new jobs, based on pay scales of 115 percent above the average annual wage in the area, and provided additional details.

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

- #29 Request from the Friends of Fort DeSoto to conduct a two-day concert with beer and wine sales scheduled for April 5 and 6, 2013, at Fort DeSoto Park approved (Parks and Conservation Resources).

Chairman Welch related that he previously voted against the request due to the process, noting that the item was brought forward under Citizens to be Heard and had not been reviewed by the Parks and Conservation Resources Advisory Board (Parks Board), which made him uncomfortable. In response to comments and queries by Chairman Welch and Commissioner Justice, Paul A. Cozzie, Parks and Conservation Resources Director, indicated that the request will go before the Parks Board on Thursday; that the Parks Board has not met since the new application was received on December 6, 2012, as the Parks Board only meets four times a year; that the Parks Board was aware of the original application and did not have any objections, but has not seen the new application; that the event requires a permit, which would be established after the Board's vote; and that the waiver to allow beer and wine is a time sensitive issue and is necessary for the Friends of Fort DeSoto to work with the promoter to secure the event.

Chairman Welch stated that his position remains the same. Commissioner Latvala indicated that the event will raise money for Fort DeSoto Park; and that the Friends of Fort DeSoto needs to know whether beer and wine will be allowed in the park for the event before the application can be vetted. In response to query by Commissioner Justice, Mr. Cozzie indicated that the application would go through the special event permit process if the Board approves the application today, and would not come back before the Board; and provided further information; whereupon, Chairman Welch indicated that he is more comfortable with the situation.

Motion	-	Commissioner Latvala
Second	-	Commissioner Morroni

Commissioner Roche stated that he supports the concept, pointing out that approving the request would set a precedent for similar requests in the future and other groups that make the same offer should not be denied; and in response to his comments and queries,

January 15, 2013

Mr. Cozzie and Commissioner Latvala indicated that the percentage of the entry fee that will be applied toward Fort DeSoto Park cannot be determined; and that there is an agreement between the County and the Friends of Fort DeSoto that requires all proceeds raised by the Friends of Fort DeSoto to be returned to Fort DeSoto Park, which includes this event. Mr. Cozzie related that the relationship with the Friends of Fort DeSoto is different than requests received from other groups; and that he does not believe there would be much support from staff or the Parks Board to allow just anyone to hold this type of event involving so many people in the park, pointing out that the event is a fundraiser for Fort DeSoto Park; whereupon, he noted that a request from another group to hold an event in one of the parks, with all proceeds being donated to the park, would not necessarily be refused.

Commissioner Morroni expressed support for the application, and indicated that each request will be looked at individually to ensure that the proceeds are going to the park. Commissioner Long indicated that she does not believe approving the application sets a precedent, noting that the decisions are made on an individual basis, based on the objective of the event; whereupon, she recalled a similar situation that occurred in the City of Seminole over 20 years ago; and related that certain kinds of exceptions should be allowed, pointing out that the event is self-serving for the County.

Chairman Welch stated that he will support the application this time, pointing out that the process and potential precedent are important; and in response to his queries, Mr. Cozzie related that beer and wine are allowed in County facilities under limited circumstances; that due to the conversations held last year and the scale of the event, staff felt it was important to bring the application before the Board for approval; and that he does not foresee any logistical issues with the event; whereupon, he noted that the potential attendance at the event has been reduced from 25,000-30,000 people to 15,000 people; and that staff is confident the event will be manageable.

Thereupon, in response to query by Chairman Welch, Attorney Bennett confirmed that the motion is for a waiver of the alcohol prohibition.

Vote - 7 – 0

- #30 Resolution No. 13-11 relating to the operation of the Countywide 9-1-1 Emergency Communications System adopted, with a June 1, 2013 implementation date; resolution adopts policies relating to dispatch protocols and procedures for changes to such protocols (Public Safety Services).

STAFF PRESENTATION

Bruce J. Moeller, Ph.D., Director, Public Safety Services, indicated that the resolution implements Phase 3 of Medical Priority Dispatch as recommended by the Emergency Medical Services (EMS) Advisory Council and EMS Director Dr. David Bowden and as approved by the EMS Medical Control Board; and that Phase 3 would eliminate Advanced Life Support (ALS) First Responder unit responses to low acuity “fall” and “sick person” calls for service.

Mr. Moeller related that staff has evaluated and addressed concerns raised during the December 6, 2012 BCC work session and in the resolutions received from the various cities and fire districts; and stated that fire rescue agencies will be notified of, but not be required to respond to, medical calls in the Phase 3 category.

Mr. Moeller discussed concerns raised about the potential for under-triaging, and indicated that staff reviewed the issue from the perspectives of (1) the ability to properly implement emergency medical dispatch and (2) the percentage of time staff complied with the standards. He said that 98.36 percent of the time the calls reviewed were consistent with the Emergency Medical Dispatch Program guidelines and 99.17 percent of the time the calls remained at the lowest determinant. He related that the Medical Director’s Office reviewed the eight calls that were subsequently raised from the lowest determinant to the highest determinant and found that none of the eight patients experienced any adverse outcomes and the determinant level for all eight calls was raised by the emergency dispatcher before the units arrived on scene, which is consistent with published, peer-reviewed medical journals that found that, nationally, one-half to one percent of the time a call may be under-triaged.

Mr. Moeller related that building capacity back into the system and making ALS First Responder units available to respond to more serious calls are among the reasons staff supports implementing Phase 3; that a review of the County’s 2012 data revealed that, 5 to 15 percent of the time, fire stations were unavailable to respond to medical calls within their jurisdictions for a variety of reasons, and that, statistically, Phase 3 would be a better approach to manage the system; whereupon, Mr. Moeller stated that he has been asked to look at base adjustments to the Paramedics Plus contract and the actual payments made for medical first responder services and to Paramedics Plus over the preceding five years, which he will share with the Commissioners.

January 15, 2013

* * * *

At 11:40 A.M., Ms. Harris left the meeting and Norman D. Loy, Manager, Board Records, assumed her seat at the dais.

* * * *

CITIZENS TO BE HEARD

In response to the Chairman's call for citizens wishing to be heard, Joy Lewis, St. Petersburg, appeared and spoke in support of implementing Phase 3 of Medical Priority Dispatch.

In response to the Chairman's call for citizens wishing to be heard in opposition to implementing Phase 3 of Medical Priority Dispatch, the following individuals appeared, expressed their concerns, and responded to queries by the members:

Chief Robert Polk, Indian Rocks Beach

- ▶ Indicated that he is speaking on behalf of the Pinellas County Fire Chiefs Association; that the reason staff gave today for implementing Phase 3 is inconsistent with the reason given at the meeting with County staff on January 10, 2013, which was to slow the increase in fire department responses so ALS engines would not exceed the threshold requiring payment for a box unit, pointing out that eliminating responses by already funded box units to fall and sick persons calls may cause the units to drop below the threshold and be denied funding, and provided a recent example involving a child that fell.
- ▶ Related that County staff has stated that fire departments have a 96-percent performance standard compliance; that County staff agrees that there appears to be sufficient capacity in the system currently; and that on at least two occasions, the Board has filed resolutions stating that there is excess capacity in the system that needs to be removed in order to save money.
- ▶ Pointed out that the County agreed there is no quantitative data to suggest the percentage of accuracy of dispatch determinants is better than field impressions; and that the call determinants do not have to change for paramedics to find a different situation than what they thought they were being sent to.

Norman Atherton, Palm Harbor

- ▶ Indicated that he is speaking as the Commissioner of the Palm Harbor Special Fire Control District and as a citizen; and, as Fire Commissioner, indicated that his Board has requested that the BCC defer the issue until after the Fitch report has been developed, pointing out that postponing the vote will not have an economic impact on the taxpayers as the firemen are paid whether or not they are dispatched; and stated that he does not have an issue with priority dispatch, but does have an issue with how it is implemented. Provided historical information, and related that Phase 3 will damage the mutual aid agreement that is honored throughout the county. Compared vote on Phase 3 to vote on fluoride as being a defining vote with political consequences.

January 15, 2013

Mark Weinkrantz, Fire Commission Chairman, East Lake

- ▶ Related that the East Lake Fire Commission supports priority dispatch as it is currently being used, but opposes the implementation of Phase 3, which would send a Sunstar ambulance instead of a fire department vehicle to calls in the East Lake Fire District without producing immediate cost savings.
- ▶ Indicated that the main concern regarding implementation seems to be whether it is affordable; that the fire districts are certainly invested in saving money and providing the best protection for all of the residents in the county, but Phase 3 does not involve any savings and is based on a scarcity of resources, which does not apply to the East Lake Fire District.
- ▶ Indicated that the East Lake Fire District is in favor of maintaining its current service and will continue to respond to all calls within its area, will continue to provide automatic aid whenever possible, and will support whatever is recommended in the Fitch report.
- ▶ Requested that implementation be deferred until after the Fitch report is received and a wholesale change to the countywide EMS system can be performed.

John Klinefelter, Clearwater, Clearwater Firefighters Association Union President

- ▶ Indicated that he is speaking on behalf of the Clearwater and East Lake firefighters; and that implementation will not produce any immediate cost savings and would degrade the system.
- ▶ Contended that the Fitch report will address dispatch, as one of the concepts being reviewed is fire-based transport; and that implementation would effectively close the door on implementing fire-based transport, should that be part of the recommendation or findings in the Fitch report.

Alluding to concerns raised regarding the absence of immediate savings associated with the implementation of Phase 3, Administrator LaSala explained that implementation will not produce dramatic savings in Fiscal Year 2013, but will be of value in planning for the future and anticipating and recognizing the limitations, constraints, and consequences of the Board's taxing ability; that the County is rapidly approaching the 1.5 EMS millage cap, and financing will become urgent in 12 to 18 months; and that the aggregation of the steps necessary to modify the cost of the system is why implementing Phase 3 now is important, noting that it would provide a full year of data to be considered when adjusting how the EMS system operates.

BOARD DISCUSSION

Commissioner Justice queried whether Mr. Weinkrantz objects to the concept of priority dispatch or to having a private company versus a public company coming into East Lake to provide service. Mr. Weinkrantz again made the distinction that East Lake supports priority dispatch, just not Phase 3, and said it was an interesting question and he would discuss it with his Board.

January 15, 2013

related that he sees value in the arguments presented by both sides and also in waiting for the Fitch report; and that although waiting for the Fitch report puts the onus on the County fiscally, it also puts the onus on firefighters and fire districts to cooperate with the Fitch report recommendations or lose credibility built over the years.

stated that he does not support moving forward at this time.

Commissioner Latvala queried Administrator LaSala as to whether the Fitch report will address dispatch. Administrator LaSala stated that the primary focus of the Fitch report will be the IPS Study, the Sanford-Millican Plan, and a hybrid transport, but dispatch will be a tangential item as it impacts and touches upon the workings of the system.

related she has been asked numerous times why a fire truck is sent to every EMS call, and there is no good answer; noted traffic congestion and confusion caused by people trying to let emergency vehicles pass; and stated that other elected officials and public service providers implying that the Board is jeopardizing the citizens' public safety is disturbing, and Commissioner Long agreed.

suggested education program associated with implementation (addressed later) and stated that she supports moving forward.

Commissioner Long In response to her comments and queries during the staff presentation, Mr. Moeller explained that since Phase 3 would eliminate the need for fire units to respond to non-emergency fall and sick persons calls, Mutual Aid would no longer apply, noting that the difference in response times to non-emergent calls for the fire department and an ambulance is 2 minutes 44 seconds, and discussed the numbers and types of calls in the fall and sick persons categories in 2012, and how they were handled.

discussed recent meeting with several fire chiefs and their arguments against implementation; said that even if the Board delayed implementation, there would still be naysayers and others trying to convince the Board to keep the EMS system as it is currently; and stated fire chiefs believe citizens would not object if the County raised taxes to support the EMS system, but she disagrees.

January 15, 2013

expressed concern that some fire departments have misled citizens regarding the types of calls Phase 3 would impact; and related that implementation will make the EMS system stronger.

related that she does not and will not make decisions on important issues for political purposes; and that she looks at the big picture when making decisions to determine possible future consequences.

stated that she supports the initiative.

Commissioner Morroni Alluding to comments by Mr. Weinkrantz, recited excerpts from the resolution submitted by the East Lake Fire District, and related that the verbiage indicates that the District agrees with some parts of the implementation, disagrees with some parts, but is okay with implementation if it is notified of all calls in its District.

indicated that the Area Agency on Aging has expressed concern regarding senior citizens that fall and may not know why they fell; and that while there is some apprehension in the community about implementing Phase 3, ultimately, it will begin to rein in some costs.

stated that he supports moving forward.

Commissioner Roche contended that the Fitch report will address priority dispatch, as priority dispatch is part of the IPS and Sanford-Millican proposals; and stated that due to the contentious nature of the issue, he previously recommended that the Special Act be amended by bringing everyone to the table to resolve the issues, but the Board chose not to do so.

stated that there has been misinformation presented and games played by both sides, including presumptions made based on the County's current spending and current EMS system.

indicated that waiting for the Fitch report would still provide nine months of data for consideration during budget preparation; that he does not believe any of the Commissioners would allow the EMS system to go bankrupt, pointing out that the County has a collective of \$350 million in various reserve funds; that there is no sense of urgency to implement Phase 3 at this time; and that postponing implementation will not affect the overall decision.

January 15, 2013

indicated that firefighters are not the only opponents to implementation of Phase 3; that all of the stakeholders need to work together as a partnership to redesign the EMS system; and that the Fitch report will serve as a catalyst for the new design.

suggested that the Board wait until the Fitch report is received and then meet with the stakeholders to redesign the EMS system.

Commissioner Seel

In response to her queries, Mr. Moeller indicated that when calls come in, units are notified immediately; that only upon a response from the caller would the dispatcher be able to lower the call severity to a lesser determinant; and that how and if fire units respond to fall and sick persons calls in the Phase 3 category will be determined by the various municipalities and fire districts; whereupon, she expressed concern that not having a common countywide policy among all the fire departments could create confusion.

suggested that the County host a meeting of all the fire departments to determine which departments are going to enact the policy, and staff report back to the Board; discussed protocols for falls.

stated there will continue to be controversy after the Fitch report is received; that she has faith in 9-1-1 and staff to implement Phase 3 in a responsible manner; that she believes future savings will be realized; and that Phase 3 is the next logical step.

stated that she supports moving forward with caveat that staff report details to Board in situations when a response should have occurred sooner.

Chairman Welch

indicated that Mr. Moeller was not able to determine the rate of incidents in which a First Responder unit was unavailable to respond to a more serious call because they were at the scene of a fall or sick persons call.

related that the goal is redesigning the EMS system; that the path to get there is getting the Fitch report and building a new, sustainable EMS system, which should not be shaped around the reduction of services through Phase 3 of Medical Priority Dispatch; and that the new system needs to be shaped by the County and the stakeholders, pointing out that the system has to change and none of the parties are going to get everything they want, and Commissioner Roche agreed.

January 15, 2013

stated that City of St. Petersburg Mayor Bill Foster has confirmed that he will go to court if the County implements Phase 3, which will adversely impact the working relationship between the County and the City; and that there has been miscommunication and irresponsible comments made by some of the County's partners, pointing out that the East Lake Fire District was not one of them.

stated that he does not support moving forward at this time.

DISCUSSION RE DELAYING IMPLEMENTATION DATE TO EDUCATE PUBLIC

Commissioner Morroni indicated that at the Area Agency on Aging meeting, an aggressive educational program on Phase 3 was mentioned; and suggested that the effective date of the implementation be delayed to allow time for educating the public, noting that it would also put implementation closer to the receipt of the Fitch report; whereupon; Commissioner Latvala agreed, and indicated that she had already discussed an education program associated with implementation with Administrator LaSala, especially relating to the misinformation that has been spread.

Chairman Welch indicated that education is not the issue; that some cities and fire districts view the implementation of Phase 3 as a violation of their rights and responsibilities as First Responders within their districts; that the cities and fire districts want to be sent on the calls, not just notified; that moving forward with an education program would derail the focus of redesigning the EMS system and lead to litigation; that there is no financial benefit to implementing Phase 3 now; and that doing so would only make redesigning the EMS system more difficult.

Discussion ensued and in response to query by Commissioner Latvala, Mr. Moeller estimated that the education component could begin in about four to six weeks. Commissioner Latvala expressed concern that the constant outcry and misinformation conveyed by the fire departments, the fire chiefs, and the cities each time the Board tries to move the EMS system forward will impede the Board's ability to build confidence among the community and cause the community to lose confidence in the County and all elected officials; whereupon, she suggested that the Board determine the importance and extensiveness of an education program before voting on implementing Phase 3, noting that the decision will determine her vote.

January 15, 2013

In response to query by Commissioner Justice, Commissioner Latvala explained that the education program would be about Phase 3 and would include a component focused on teaching senior citizens what to say when they call 9-1-1.

Commissioner Justice expressed concern that educating the public on the breadth of information discussed would be challenging. Commissioner Morroni disagreed, indicating that there are several agencies that could help with the educational component; whereupon, he recommended that the effective date of the resolution be amended to allow time for public education.

Commissioner Roche pointed out that someone has to pay for the costs associated with the educational component; that delaying the effective date would result in less than a full year of data, which Administrator LaSala had earlier stated was important for redesigning the EMS system; and that if the effective date is going to be delayed for educational purposes, it could be delayed until the Fitch report is received. In response to comments by Commissioner Latvala, he related that the Board has educated the public all day, at no cost, on the implications of Phase 3; whereupon, he stated that the best course of action would be to wait until the Fitch report has been received and then get all of the stakeholders involved, including the citizens, and start redesigning the EMS system.

In response to queries by Chairman Welch, Managing Assistant County Attorney Donald S. Crowell indicated that the Board could (1) adopt the resolution as presented, which includes all three phases, (2) approve the resolution with the deletion of Phase 3, or (3) adopt the resolution with a date certain for implementation of Phase 3.

Thereupon, Commissioner Morroni moved, seconded by Commissioner Seel and carried, that the resolution be adopted with June 1, 2013 as the effective date for implementation.

Motion	-	Commissioner Morroni
Second	-	Commissioner Seel
Vote	-	4 – 3 (Chairman Welch and Commissioners Roche and Justice dissenting).

* * * *

At this time, 12:55 P.M., the meeting was recessed and reconvened at 1:22 P.M.

* * * *

- #31 Declaration of three County-owned escheat properties as surplus and approval of authorization to convey properties to the City of St. Petersburg in accordance with Florida Statute 197.592 approved; Chairman authorized to execute and the Clerk to attest the County deeds (Real Estate Management).

Motion - Commissioner Justice
Second - Commissioner Roche

In response to comments and queries by Commissioners Roche and Justice, Senior Assistant County Attorney Michael A. Zas and Attorney Bennett explained the process and statutory requirements for conveying escheated properties within municipalities, indicating that the statute requires that the County convey the property to the municipality; that by operation of law, only the Chairman can sign the deeds, which is why the item has been brought before the Board; that staff will report back to the Board about the taxes owed on the property; that the County does not reimburse the City for its lost taxes and the City does not reimburse the County for its lost taxes; that if the County had a use for the property, the County could talk to the City about using the property, but because the properties are residential, there was no County need for the properties in this situation; and that the Real Estate Practices and Procedures set the criteria when property is available and it escheats to the County.

Vote - 7 – 0

- #32 Other Administrative Matters – None.

- #33 Status of Amendments to the Pinellas County Lobbying Ordinance:

Attorney Bennett indicated that the Board previously directed staff to review the 2010 Charter Review Commission's findings and bring forward an ordinance addressing the issues raised; that the draft ordinance amends the lobbying ordinance by (1) broadening the definition of lobbying to include any kind of contact (oral, written, or electronic), (2) broadening the reporting requirements for lobbying activity to include lobbying initiated outside County offices, (3) providing for a reporting of any lobbying activity between a lobbyist and a County Commissioner to each of the other Commissioners, and (4) adding a penalty that provides for debarment of the lobbyist for a certain time period for repeated violations of the ordinance.

Attorney Bennett indicated that his office is working with the Communications Department to facilitate the enhanced reporting requirements, which includes upgrading the County's website to provide for online registration and reporting of lobbying activity; that the changes to the website will allow lobbyists to register and report lobbying

January 15, 2013

activity online using a Smartphone or other similarly enabled devices; and that the notice of lobbying activity will immediately be posted to the County's website and a notice of lobbying activity sent to each Commissioner.

In response to query by Chairman Welch, Attorney Bennett indicated that the last sentence under Section 26-275, Record of Lobbying Contacts, will be made more descriptive to ensure that the burden is on the lobbyist or principal to file the necessary notice of lobbying activity.

Thereupon, in response to Attorney Bennett's request for Board direction, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that Attorney Bennett be authorized to move forward with advertising a public hearing to be held on the proposed ordinance.

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

#34 County Attorney Miscellaneous – None.

#35 Change Order No. 2013-3 with Starboard Consulting, LLC for Phase 1 – IT Consulting Services – Maximo Upgrade (Contract No. 101-0177-S) approved, adding the identification of Geographic Information System business requirements, extending the Phase 1 completion date to April 19, 2013, and increasing the total cost by an amount not to exceed \$226,676.00 (revised not to exceed total cost for Phase 1, \$526,151.00); Chairman authorized to sign the agreement and the Clerk to attest (Business Technology Services/Purchasing).

Motion	-	Commissioner Seel
Second	-	Commissioner Latvala

In response to comment and query by Commissioner Roche, Administrator LaSala explained that the current project is different than the Maximo upgrade initiated in 1994, noting that the objectives are broader in scope.

Vote	-	7 – 0
------	---	-------

#36 County Administrator Reports:

Administrator LaSala reported that a meeting will be held at the Collaborative Labs next week with the facilitator to explore the Pinellas Public Library Cooperative extension; that on February 5, 2013, staff will provide an update on the financial forecast; and that

January 15, 2013

the mid-year report on the Capital Improvement Program will be provided later in February, noting that if the Board has any potential changes to be considered, staff needs to be made aware so that the appropriate information can be provided at that time. He indicated that staff is continuing with the new Commissioner orientations and is undertaking a review of strategic direction, financial forecast, and budgeting process; and that a meeting will be scheduled with the facilitator for late March regarding strategic direction, during which a progress report will be provided on a substantial body of work undertaken by staff in support of the Board's direction; whereupon, he recommended that the Board review its strategic direction and determine if there are any changes or other updates needed; and related that progress is being made.

Administrator LaSala indicated that he and Chairman Welch will be meeting with Pinellas County Sheriff Robert A. Gualtieri to discuss the opportunity for the Sheriff to engage the Board with a deep dive on public safety and law enforcement issues.

Later in the meeting, Administrator LaSala noted that the Board's legislative programs will be discussed at its next meeting; and that a meeting with the Legislative Delegation will be held on Tuesday, February 26, 2013, from 9:00 A.M. to 11:00 A.M.

- #37 Ed Peachey reappointed and Angelica Venae Alexander, SPHR, appointed to the Pinellas County Economic Development Council for two-year terms.

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

- #38 Tampa Bay Rays Presentation Discussion:

Chairman Welch noted that the Board previously expressed interest in beginning and renewing a dialogue with the Tampa Bay Rays and the City of St. Petersburg; that a meeting of the three parties is not practicable at this time due to the current situation between the Tampa Bay Rays and the City of St. Petersburg; and that members of the Tampa Bay Rays executive team have agreed to attend the January 29, 2013 BCC meeting to provide an update and hold a question and answer session at the beginning of the meeting; and in response to the Chairman's call for support, the members expressed consensus to move forward with the discussion; whereupon, Attorney Bennett advised that if there is an agenda for the Tampa Bay Rays item, he will meet with the Chairman to determine whether there are any issues and will brief the Commissioners individually prior to the meeting.

January 15, 2013

#39 County Commission Miscellaneous:

- a. Commissioner Roche discussed the state-level debate regarding Medicaid costs and in response to his query, Administrator LaSala indicated that there would not be any immediate impact on the backlog value that led to the millage rate increase, as the County has entered into a contract; and that the issue would be part of the upcoming budget planning.

provided input regarding the fifth anniversary of Pinellas Hope.

- b. Commissioner Latvala announced that Business Technology Services (BTS) Director Paul F. Alexander, III, has submitted his resignation; and that the BTS Board has appointed Jim Russell as the Interim Director. Related that the BTS Board will be meeting on January 17 to discuss (1) whether the County Administrator should continue to serve on the Board due to the possibility of inadvertent Sunshine Law violations when members need to discuss budget and other issues with him, (2) whether the BTS Department and its Director should be brought under the County Commission and the Administrator's purview, or (3) whether the BTS Board governance model should be changed or the Board even continue to exist, noting that it is not making any major decisions and only convenes to hear reports, and Chairman Welch provided input.

noted that a RESTORE Act meeting will be held on Friday, during which officers will be elected; that funding will be received from BP Oil Company; and that the intent is to focus on regional projects.

January 15, 2013

noted that, at her request, Attorney Bennett has crafted an ordinance relating to “doggie dining,” relating that petitions have been received from some restaurants in Palm Harbor. Attorney Bennett advised that the ordinance would apply only to the unincorporated area; and Chairman Welch noted consensus to bring the ordinance forward on a future agenda.

c. Commissioner Justice indicated that he is receiving departmental briefings; and that he attended the new Commissioner orientation at the Florida Association of Counties in Gainesville.

d. Commissioner Long related that she toured the St. Petersburg Free Clinic; that the Clinic is purchasing property across the street to provide housing for homeless families, a critical component of the Homeless Leadership Board (HLB) effort; and that she attended the HLB orientation and attended her first HLB meeting.

stated that she attended the Public Policy Council meeting of the St. Petersburg Chamber and learned about the new digital math learning opportunity for students, which Commissioner Seel has been involved with.

e. Commissioner Morroni indicated that he spoke to the Tara Cay Homeowners Associations about some of the drainage and weir issues, and asked the homeowners to meet with each of the Commissioners.

announced that his 18th Annual Law Enforcement Appreciation Luncheon will be held on January 25, 2013, from 11:30 A.M. to 1:00 P.M. at the Hilton-St. Petersburg.

January 15, 2013

- f. Commissioner Seel referenced an email received regarding the Patient Protection and Affordable Care Act and the potential impacts to the emergency medical services (EMS) system going forward, and pointed out that there could be penalties assessed against the hospitals if a patient is re-admitted within 30 days of discharge and if the hospital does not have a 360-degree data exchange and review system with affiliated partners, such as EMS, noting that this could bring revenue into the County's EMS system, and Commissioner Long provided input; whereupon, Administrator LaSala indicated that he will find out whether the Fitch report will address the potential impacts.

noted that there are several major road projects in the Bayside/118th Avenue area; and suggested that the Board hold a discussion at its next meeting re the funding status, as she would like to take the Board's priority for the roads to the Metropolitan Planning Organization for discussion, which may re-balance the project plans and timeframe.

- g. Chairman Welch commended staff and volunteers for their efforts re the Holiday Lights at the Botanical Gardens.

#40 Meeting adjourned at 2:00 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk