

2. APPROVAL OF MINUTES

Regular Meeting of February 12, 2013.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, FEBRUARY 12, 2013 – 9:32 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; Clarethia N. Harris, Chief Deputy Clerk; and Tammy L. Burgess, Board Reporter, Deputy Clerk.

INVOCATION: Pastor Dean Rucker, Calvary Baptist Church, Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Roche.

PRESENTATIONS AND AWARDS:

Tampa International Airport Master Plan Update presentation titled *Gateway to the West Coast of Florida* presented by Joseph W. Lopano, Executive Director, Tampa International Airport.

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At this time, 9:54 A.M., Commissioner Seel left the meeting.

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- # 1 Sitting as the Countywide Planning Authority, the Board adopted Ordinance No. 13-05 approving Case No. CW 13-1, the proposal by the City of Dunedin to amend the Countywide Future Land Use Plan from Residential Medium to Commercial General, re 0.6 acres m.o.l., located at 1326 San Christopher Drive (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 Latvala
Vote	-	6 – 0

- # 2 Sitting as the Countywide Planning Authority, the Board approved the request by the City of Largo to withdraw Case No. CW 12-16, a proposed amendment to the Countywide

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Future Land Use Plan, re 13.8 acres located at 2098 Seminole Boulevard and the contiguous southern parcel.

Motion	-	Commissioner Latvala
Second	-	Commissioner Morroni
Vote	-	6 – 0

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At this time, 9:56 A.M., Commissioner Seel returned to the meeting.

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- # 3 Resolution No. 13-17 adopted reserving the use of the uniform method of collecting non-ad valorem assessments for surface water management program services levied within the unincorporated areas of Pinellas County, as permitted by Section 197.3632, Florida Statutes. No correspondence has been received. No citizens appeared to be heard.

Administrator LaSala stated that the resolution is the second step in the effort to preserve the Board's option to consider a special assessment for stormwater management and the funding of a stormwater master plan, should the Board so choose, after reviewing the master plan that will be presented in the spring, pointing out that the resolution preserves the Board's ability to implement a special assessment, but does not bind the Board in any way to a special assessment program.

Motion	-	Commissioner Latvala
Second	-	Commissioner Seel

Commissioner Roche expressed concern that what the County Administrator represented the resolution would do does not coincide with the language in the resolution, pointing out that the resolution states that the County needs and intends to implement the special assessment, not reserve its right to do so. Administrator LaSala stated that the resolution language is necessary to maintain the appropriate legal and policy language; and that the Board's decision as to whether the issue becomes an item for public hearing and assignment of a methodology for levying a special assessment remains to be made.

Commissioner Roche expressed concern that the resolution predetermines that a special assessment is the appropriate funding mechanism without the Board having the ability to review the master plan and provide input, to discuss the questions and ideas raised during prior discussions, and to determine how other factors may impact the discussions, such as the data from the County's fertilizer ordinance, the millions of dollars transferred from

the Anclote Basin to the Southwest Florida Water Management District (SWFWMD), the \$250 million collectively spent by the County and cities on the project, and whether it is time to consolidate stormwater efforts. He indicated that the Board has the Charter authority to consolidate efforts, being careful not to step on the cities during the discussions; and pointed out that the County has not been able to meet the old standards, despite the amount of money invested, and is struggling to meet the new standards, which staff has stated are almost impossible to meet; whereupon, Commissioner Roche questioned whether postponing the resolution for a year to allow the Board the opportunity to review the master plan, have the necessary discussions, and get the answers to the many questions would be a more fiscally prudent way to address the issue. Chairman Welch stated that the resolution only locks in a method to collect revenue; and that it would take another vote by the Board to implement any funding mechanism; and agreed that the Board needs to discuss the master plan and the concerns expressed by Commissioner Roche and, in response to his query, Administrator LaSala indicated that the stormwater master plan will be brought before the Board at a work session sometime in April or May; whereupon, Chairman Welch indicated that Commissioner Roche's concerns and questions could be addressed during the work session; and noted that the cities have a stormwater plan and will not discuss a countywide effort until the County establishes a funding mechanism for the unincorporated area.

Commissioner Roche questioned whether the master plan is predicated on having a special assessment or on consolidation, and indicated that the Board should discuss the ideas for a master plan and a consolidation effort before a master plan is brought before it. Commissioner Seel indicated that over the last ten years, she has participated in the discussions with the cities about stormwater and cooperation; and that the County would likely have to take over the cities' responsibilities, provide for the funding, and meet the cities' standards, pointing out that the cities have higher standards than the County. Kelli Hammer Levy, Watershed Management, Department of Environment and Infrastructure, provided input regarding discussions held with the cities, indicating that some cities would like the County to take over the major drainage systems so they can focus on local issues; and that the larger cities, while they would like additional revenue to address the major issues, prefer to address the issues themselves; whereupon, she noted that regionalization would take a lot of effort; and that the cities agree that stormwater is an important issue that needs to be discussed, and Administrator LaSala provided input.

Discussion ensued wherein Ms. Levy provided input regarding the stormwater master plan and related that staff will be proposing a program that will improve water quality and begin to preclude some water from invading the neighborhoods, and will include

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comprehensive watershed planning, pointing out that the process will be incremental; and that every watershed management plan currently in progress is a partnership with the cities and with SWFWMD.

Discussion ensued wherein Commissioner Long recalled her work with the water management districts while serving on the Legislature, relating that the constant resistance she heard was that the counties would not do their part; that staff has stated that strong relationships are being developed with the cities; and that she supports moving forward, noting that it is incumbent upon the Board to provide staff with the necessary tools to do what needs to be done for the entire county. Commissioner Morroni indicated that while he is not ready to vote for a tax until all of the issues raised by Commissioner Roche have been addressed, he has no objection to reserving the special assessment as an option for the future; whereupon, noting the other water districts currently in place, he stated that the County needs to ensure that citizens are not double-taxed.

Commissioner Roche related that he agrees with the concept; and that it is important for the Board to defend the fact that the County has been cooperative and has done its part by spending a considerable amount of money to address the problem to no avail on any level, pointing out that the County has transferred between \$10 and \$12 million a year from the Transportation Trust Fund into the project; whereupon, he expressed concern that any action the Board takes must produce a positive countywide result; and reiterated that the Board has Charter authority to take control of the issue and address it at a countywide level and if that proves to be the best solution, should not fear using the authority.

Thereupon, Chairman Welch related that a full discussion will be held at the work session in April; and that Commissioner Roche's concerns are well-taken; whereupon, upon call for the vote, the motion carried unanimously.

Vote - 7 - 0

CITIZENS TO BE HEARD

Greg Pound, Largo, re Pinellas families.

Sharon Bobowski, Largo, re Ajax Paving.*

- Expressed concerns re potential adverse effects on surrounding neighborhoods if Ajax receives the air permit, which is currently pending approval, and is allowed to crush rock and concrete.
- Questioned (1) how Ajax could increase its processing by 20 percent and be able to begin crushing rock, stone, and concrete under the light industrial land use designation, (2) why such an increase would not require a heavier general industrial land use designation, (3) whether there is a process that would allow Ajax to move

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forward with heavy processing without County or residential input, and (4) whether the special approval process and the 2012 change to the Land Development Code would allow Ajax to move forward with rock and concrete crushing.

- ▶ Chairman Welch requested that Ms. Bobowski email her questions to the Commissioners expeditiously so the issues can be researched and responses provided.
- ▶ Attorney Bennett provided input re Ajax Paving air permit approval through the Department of Environmental Protection, pointing out that if Ajax meets the state requirements, it does not mean they satisfy the local zoning and land use requirements.
- ▶ Attorney Bennett explained the special approval process for non-conforming uses, indicating that the Board modified the Code for a specific property that was non-conforming; and that there are significant limitations (not materially changing the character and quality of the neighborhood, etc.) that may preclude the Board from approving a special approval re the Ajax issue.
- ▶ Commissioner Seel requested (1) that staff meet with Ajax Paving to determine the company's intent and purposes and pursue the issue with the same vigor as the issue with R.E. Purcell; and (2) that Ms. Bobowski inform the Commissioners of the date, time, and location of the hearing on the issue, noting that she intends to attend the hearing, and Commissioner Roche agreed.
- ▶ Commissioner Roche noted that the Ajax property is located within the County, while the residential area is within the City of Largo, pointing out that this is fallout from annexation, and Commissioner Latvala provided input.
- ▶ Commissioner Seel suggested that the Board explore adding a clause to all County contracts requiring that any entity doing business with the County must comply with all County ordinances and operate legally or the contract could be terminated and, in response to query by Chairman Welch, Attorney Bennett agreed to look into Commissioner Seel's suggestion.

*Spoke for five or more individuals in attendance.

CONSENT AGENDA ITEMS NOS. 4 THROUGH 10 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 8, 9b AND 10, WHICH WERE DISCUSSED AND APPROVED UNDER ITEM NO. 11.

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

4 Minutes of regular meeting of January 15, 2013 approved.

5 Reports received for filing:

Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2013-013 dated January 24, 2013 – Audit of Pinellas County Mosquito Control.

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6 Vouchers and Bills Paid

Period December 23 through December 29, 2012

Payroll – None

Accounts Payable:

Checks - \$3,859,335.65 (227 documents)

ACH Transfers - \$5,931,073.09 (33 documents)

Wire Transfers - \$497,068.93 (4 documents)

Period December 30, 2012 through January 5, 2013

Payroll

ACH – \$2,912,553.08 (2,985 documents)

Checks – \$26,731.42 (18 documents)

Third Party ACH – \$15,506.95 (67 documents)

Third Party Checks – \$2,135.87 (12 documents)

Accounts Payable

Checks – None

ACH Transfers – \$43,238,364.04 (62 documents)

Wire Transfers – \$470,817.42 (4 documents)

Period January 6 through January 12, 2013

Payroll – None

Accounts Payable

Checks – None

ACH Transfers – \$10,866,379.44 (106 documents)

Wire Transfers – \$419,151.47 (5 documents)

Period January 13 through January 19, 2013

Payroll

ACH – \$2,946,180.36 (2,983 documents)

Checks – \$38,159.81 (21 documents)

Third Party ACH – \$15,759.71 (68 documents)
Third Party Checks – \$2,135.90 (12 documents)

Accounts Payable
Checks – \$12,402,593.87 (1,323 documents)
ACH Transfers – \$5,468,093.67 (110 documents)
Wire Transfers – \$1,042,276.03 (5 documents)

7 Miscellaneous Items Received for Filing:

- a. City of Clearwater Notice of Public Hearing regarding proposed Ordinance No. 8374-13 amending the Annexation, Land Use Plan, and Zoning Atlas; public hearing to be held March 6, 2013.
- b. City of Seminole Ordinances Nos. 10-2012 through 12-2012 adopted January 8, 2013, voluntarily annexing certain property.
- c. Juvenile Welfare Board Monthly Financial and Investment Report dated December 31, 2012.

8 See Item No. 11.

9a Award of bid to EQ Florida, Inc. for Waste Collection Services – Household Chemical (Rebid) (Contract No. 123-0139; CATS No. 40932) approved for an estimated annual expenditure not to exceed \$653,461.00 (estimated 36-month expenditure, \$1,960,383.00), on the basis of being the only responsive, responsible bid received meeting specifications; three-year contract with one 24-month term extension; unit prices firm for duration of contract; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

9b See Item No. 11.

9c Award of bid to Air Mechanical & Service Corp. for Air Handler Replacement – 324 South Ft. Harrison Avenue (Rebid) (Bid No. 123-0110-CP; Project No. 000877A) approved for an estimated total expenditure of \$423,528.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 150 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

#10 See Item No. 11.

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

8 Promotional Fund Grant Agreement with Deepwater Horizon Economic Claims Administration, BP, and the Plaintiff Steering Committee for the promotion and marketing of two programs in support of Gulf tourism and seafood (CATS No. 41507) approved in the amount of \$500,000.00; term of agreement is from December 1, 2012 to November 30, 2013; Chairman authorized to sign and the Clerk to attest (Convention and Visitors Bureau).

In response to queries by Commissioner Seel, D.T. Minich, Executive Director, Convention and Visitors Bureau (CVB), stated that the perception of unsafe seafood still exists due to the BP oil spill in the Gulf of Mexico; and that BP offers a grant for the promotion of tourism and seafood from the Gulf of Mexico.

Mr. Minich indicated that Home Shopping Network is a hometown company reaching 90 million households across the country; that it has a massive database of dedicated followers; that its celebrity chefs bring tremendous credibility to Florida as a culinary destination; that Home Shopping Network and the Bill Edwards group had previously proposed that the CVB support the not-for-profit Bay Area Food and Wine Festival; that this promotion offers the CVB an opportunity, long-sought, to work with Home Shopping Network to promote Florida tourism; and that the festival is compatible with the intention of the BP grant. Mr. Minich indicated that the second program, Emeril Lagasse's new Florida television series, will air on the Cooking Channel and will promote Florida and Gulf seafood.

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

9b Award of bid to Suncoast Development of Pinellas County, Inc., for 2013-2014 Countywide American Disability Act (A.D.A.), Sidewalk, Drainage, and Roadway Improvements (Bid No. 123-0088-CP; Project No. 001123A) approved for an estimated total expenditure in the amount of \$5,654,041.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 540 consecutive calendar days; funding is provided by the Infrastructure Sales Tax (Penny for Pinellas);

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Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor.

Commissioner Seel requested that a list of the sidewalk improvement locations be provided, noting that the request has been made before.

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

#10 PROCUREMENT ITEMS APPROVED BY COUNTY ADMINISTRATOR (CA) FOR THE QUARTER ENDING DECEMBER 30, 2012 – RECEIVED FOR FILING (CA/PURCHASING)

<u>No</u>	<u>Contract #</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Dollar Value County Code</u>	<u>Date of Award</u>	<u>Contract Value Annual/Total</u>
1.	112-0002-M(SS)	Corrective Contract	Software Upgrade and Implementation Services – AURIGO	Business Technology Services (BTS)	Aurigo Software Technologies, Inc. (Aurigo)	5,000.00	12/27/12	134,366.00 Total
2.	078-0160-S(KR)	Continued Purchase Authorization	Services, Electronic Payment Provider	Various	BA Merchant Services, LLC	50,000.00	12/27/12	50,000.00 Six month
3.	078-0459-B(LN)	Time Extension	Pumps, Parts and Repairs (Co-op) Rebid	Department of Environment and Infrastructure (DEI)	Carl Eric Johnson, Inc. John Mader Enterprises, Inc. Xylem Water Solutions USA, Inc. Power & Pumps, Inc. Regional Engineering & Services, Inc. Tampa Armature Works, Inc.	N/A	12/20/12	1,042,000.00 Total
4.	090-0431-P(CLM)	First Term Extension	Motorola Radio/Pager Repair and Ancillary Maintenance Services	Various	Suncoast Communications & Electronics, Inc.	140,800.00	12/18/12	140,800.00 Annual
5.	123-0012-CP(DF)	Rejection of Bids	Roof Replacement – Criminal Justice Center	Real Estate Management (REM)	N/A	N/A	12/18/12	N/A
6.	101-0327-CP(DF)	Construction Change Order No. 4 (Final)	Roadway and Parking Lot Improvements, Phase II	Airport	Ajax Paving Industries of Florida, LLC	(7,077.53)	12/17/12	1,227,923.82 Total

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7.	123-0005-B(LN)	Rejection of Bids	Waste Collection Services – Household Chemical	DEI	N/A	N/A	12/14/12	N/A
8.	078-0343-P	Second Term Extension	Group Term Life Insurance	Human Resources (HR)	Hartford Life and Accident Insurance Company	412,500.00 2-176	12/12/12	412,500.00 Annual
9.	112-0016-PB(CM)	Continued Purchase Authorization	Maintenance, Repair, & Operating Supplies – Industrial	Various	Home Depot USA, Inc and HD Supply Facilities Maintenance, a Florida Limited Partnership	250,000.00	12/12/12	250,000.00 Annual
10.	112-0047-N(PF)	Time Extension, Increase in Funds and Amendment	Maintenance & Support and the Migration of STARS Enterprise System (Risk Management Software System)	BTS	CS STARS LLC	87,865.00	12/12/12	219,595.00 Total
11.	112-0550-B(LN)	Change Order Number 1	Recycling Collection and Processing Services	DEI	Waste Management, Inc. of Florida D/B/A WM of Pinellas	N/A	12/12/12	748,653.75 Total
12.	090-0465-CP(DF)	Construction Change Order No. 3 (FINAL)	Repair of Geotextile T-Head Groin Field on Upham Beach (PID No. 2072)	DEI	Waterfront Property Services, LLC D/B/A Gator Dredging	(3,489.47)	12/12/12	801,009.03 Total
13.	101-0023-CP(DF)	First and Final Term Extension	Sanitary Sewer Manhole Rehabilitation (Rebid)	DEI	Rowland, Inc	558,591.13 2-176	12/12/12	558,591.13 Annual
14.	090-0322-B(NP) and 101-0464-CN(RM)	Name Change – First Amendment	Traffic Management System Software Maintenance and Website Development and Traffic Engineering Consultant Services for ATMS - Intelligent Transportation System	DEI	From Telvent Farradyne, Inc. To Telvent USA, LLC	N/A	12/7/12	N/A
15.	123-0081-PB(RG)	Purchase Authorization	Mechanical Street Sweeping Services	DEI	USA Services of Florida, Inc	116,000.00	12/3/12	116,000.00 Total
16.	123-0094-G(CLM)	Purchase Authorization	Computer Hardware – Oracle Exalytics In-Memory Machines	BTS	DLT Solutions, LLC	380,531.00 Confirm to BCC	11/30/12	380,531.00 Total
17.	123-0095-G(PF)	Purchase Authorization	Storage Device: Disk Backup – Exagrid	BTS	ExtenSys, Inc.	233,630.62 2-164	11/27/12	233,630.62 Total
18.	123-0093-M(CLM)	Approval of Contract	Novell Software License and Support	BTS	Novell Inc.	108,754.79	11/21/12	326,264.37 Annual

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19.	101-0269-CP(DF)	Construction Change Order No. 1 (Final)	Bridgeway Acres Redevelopment Phase V (PID No. 1482)	DEI	Diaz/Fritz Group, Inc D/B/A Diaz Fritz Isabel	(5,244.10)	11/20/12	2,794,355.90 Total
20.	101-0468-CN(RM)	Corrective Contract	Construction Engineering & Inspection (CEI) Consultant Services	DEI	Parsons Brinckerhoff D/B/A PB Americas, Inc.	N/A	11/20/12	N/A
21.	056-0719-P(KR)	Second Amendment – Time Extension	Services, Auditing	Various	Ernst and Young U.S. LLP	N/A	11/20/12	2,962,786.91 Total
22.	089-0198-B(LN)	First Amendment	Sodium Hydroxide 50% Solution	DEI	Allied Universal Corporation	N/A	11/20/12	170,000.00 Total
23.	090-0014-B(CLM)	First and Final Term Extension	Computer Hardware, Peripherals, and Services – Hewlett Packard	BTS	Insight Public Sector, Inc.	170,000.00	11/16/12	170,000.00 Annual
24.	123-0068-E(RG)	Change Order No. 1	Emergency Relocation of Water Main Transmission and Utility Bypass Work at City of Treasure Island	DEI	Johnson Bros Corporation	2,897.75	11/14/12	196,080.75 Total
25.	089-0589-P(AM)	Corrective Action	Homeless Street Outreach Program	Health & Human Services (HHS)	Directions for Mental Health, Inc. Operation PAR, Inc	120,400.00	11/14/12	445,438.00 Total
26.	112-0027-B(KF)	Increase in Funds for Master Purchase	Repairs, Electrical – Light Commercial	DEI	TAMCO Electric, Inc. (24-Month Contract)	100,000.00	11/14/12	125,000.00 Annual
27.	123-0024-M(CLM)	Rejection of Bid	Software Maintenance/Support – Novell Master License – REBID	BTS	N/A	N/A	11/14/12	N/A
28.	089-0074-P(SS)	Time Extension and Increase in Funds for Blanket Purchase Agreement	Janitorial Services – Utilities	DEI	Jani-King of Tampa Bay	43,000.00	11/14/12	163,000.00 Total
29.	089-0371-M(CLM)	Time Extension and Increase to Contract Purchase Agreement	Services: Maintenance 9-1-1 Emergency Telephone/Recording Equipment	Public Safety Services (PSS)	Verizon Select Services, Inc.	246,323.95	11/14/12	985,295.78 Annual
30.	123-0066-E(RG)	Emergency Purchase	Water Main Transmission Relocation and Utility Bypass Work at City of Treasure Island	DEI	Johnson Bros Corporation	193,183.00	11/8/12	193,183.00 Total

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31.	112-0445-R (LN)	Rejection of Request for Proposals (RFP)	Services, Operations, Maintenance and Management of Fat, Oil, Grease Receiving and Dewatering (FOG) Facility	DEI	N/A	N/A	11/8/12	N/A
32.	056-0759-B (LN)	Time Extension	Services, Household Chemical Waste Collection	DEI	EQ Florida, Inc.	N/A	11/7/12	568,629.86 Total
33.	112-0453- CP (DF)	Rejection of Bids	Roof Replacement – STAR Center Bldg. 200 (PID No. 000905A/704)	REM	N/A	N/A	11/7/12	N/A
34.	089-0268-B (SS)	Increase in Funds for Blanket Purchase Agreement	Janitorial Services – Various Buildings	Various	Dazser – TPA Corp., D/B/A Jani-King of Tampa Bay	5,000.00	11/5/12	2,462,542.12 Total
35.	123-0069-N (RG)	Non Competitive Purchase	WebEOC® Crisis Information Management Software (CIMS)	Emergency Management	ESI Acquisition, Inc. D/B/A Emergency Services Integrators, Inc.	117,004.00	11/5/12	117,004.00 Annual
36.	112-0395-P (LN)	Approval of Ranking and Final Contract	Consulting Services – Solid Waste Reduction and Recycling Programs	DEI	Kessler Consulting, Inc.	120,000.00	11/1/12	120,000.00 Annual
37.	123-0011-S (NP)	Purchase Authorization Increase and Extension to Contract Purchase Agreement	Staffing Resources for Business Technology Services	Various	Image Technology Resources Corp. Software Resources, Inc. Veredus Corporation	180,000.00	11/1/12	420,000.00 Total

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38.	112-0515-S (NP)	Purchase Authorization	Staffing Resources for Business Technology Services	Various	ComSys Information Technology Services Employer Management Solutions, Inc. D/B/A EMC Consulting Image Technology Resources Corp. D/B/A IT Resources Corp. Indra USA Inc. Kyra Infotech, Inc. Nu Info Systems, Inc. Pomeroy IT Solutions Sales Company, Inc. SGS Technologies LLC Software Resources, Inc. Veredus Corporation	3,590,000.00 2-185	10/30/12	3,590,000.00 Total
39.	101-0405- CP (DF)	Construction Change Order No. 1 (Final)	Air Handling Unit Replacement – STAR Center	REM	Kenyon & Partners, Inc.	(25,000.00)	10/25/12	225,900.00 Total
40.	123-0053-N (KR)	Non-Competitive Purchase	Professional Facilitator Services - Library Interlocal	Various	Leadership Research Institute	22,000.00	10/25/12	22,000.00 Annual
41.	123-0054-N (KR)	Non-Competitive Purchase	Professional Services – Consulting Engagement – Healthy Communities	Health and Human Services (HHS)	Competitive Performance Systems of Safety Harbor	19,100.00	10/25/12	19,100.00 Annual
42.	045-410-P (NP)	Release of Retainage	Computerized Maintenance Management System (CMMS)	DEI	AgileAssets, Inc.	15,000.00	10/25/12	866,868.00 Total

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43.	089-0518-P (KR)	First Term Extension	Insurance Agent – Broker Services – Risk Management	Risk Management	Arthur J Gallagher Risk Management Services Inc. Marsh USA Inc.	346,000.00 2-176	10/23/12	346,000.00 Total
44.	123-0022-N (SS)	Non-Competitive Purchase	Marketing Representation – Mid- Atlantic Region	Convention and Visitor's Bureau (CVB)	Danetown Meeting, LLC	225,000.00	10/22/12	225,000.00 Annual
45.	101-0115- NC (RM)	Construction Change Order No. 1 (Final) – Amendment No. 1	Guaranteed Maximum Price (GMP) to the Construction Manager (CM) at Risk Agreement for St. Petersburg 545 First Avenue North Judicial Tower Renovations, PID No. 000001A	REM	Biltmore Construction Company, Inc.	(222,758.71)	10/19/12	1,546,613.29 Total
46.	078-0513-P (KR)	Second and Final Term Extension	Disclosure Counsel Services	Various	Nabors, Giblin & Nickerson, P.A.	15,000.00	10/11/12	15,000.00 Annual
47.	090-0032- CP (DF)	Name Change	Pipe Lining Services (PID No. 921321)	DEI	From Reynolds Inliner, LLC To Layne Inliner, LLC	N/A	10/9/12	N/A
48.	090-0151-A (DM)	Third Amendment	Certified Public Management (CPM) Program	Human Resources (HR)	Florida State University	77,000.00	10/4/12	218,279.00 Total
49.	112-0548-M (NP)	Rejection of Bid	Software Maintenance/Support – Novell Master License – REBID	BTS	N/A	N/A	10/4/12	N/A
50.	090-0316- CP (DF)	Construction Change Order No. 4 (Final)	S.R. 60 ATMS/ITS Project – Stage II (PID No. 1810)	DEI	Highway Safety Devices, Inc.	(51,537.48)	10/4/12	444,854.02 Total
51.	089-0535-B (KF)	First Term Extension	Garbage and Trash Collection Services	Various	Waste Services of Florida, Inc.	595,555.20 2-176	10/3/12	595,555.20 Annual
52.	101-0291- CP(DF)	Construction Change Order No.2 – Time Only Extension	2011-2012 Countywide Pavement Preservation (PID No. 2281)	DEI	Ajax Paving Industries of Florida, LLC	N/A	10/1/12	5,473,275.00 Total
53.	090-0320- P(AM)	First and Final Term Extension	Behavioral Health Care for Pinellas County HHS Services	HHS	Directions for Mental Health, Inc.	250,000.00	10/1/12	250,000.00 Total
54.	056-0719-P (KR)	Increase in Funds for Contract Purchase Order	Services, Auditing	Various	Ernst and Young U.S. LLP	60,000.00	10/1/12	2,962,788.91 Total

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<u>No</u>	<u>Contract #</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Dollar Value County Code</u>	<u>Date of Award</u>	<u>Contract Value Annual/Total</u>
55.	078-0393-P (AM)	Second Term Extension	Group Long Term/Short Term Disability Administrative Services	HR	Standard Insurance Company	752,000.00 2-176	10/1/12	752,000.00 Annual
56.	112-0570- CP (DF)	Award of Bid	Roof Overlayment (Projects 1, 2, & 3) STAR Center (PID NO. 001244A)	REM	Anderson & Shah Roofing, Inc. of Florida	119,000.00	9/28/12	119,000.00 Total
57.	123-0001-S (NP)	Purchase Authorization	Telephone Equipment Maintenance and Switch Maintenance	BTS	Siemens Enterprise Communications Inc.	539,627.61 2-185	9/26/12	539,627.61 Total
58.	089-0588-P (AM)	First and Final Term Extension	Homeless Shelter Beds for Adults	HHS	Homeless Emergency Project, Inc. Westcare Gulfcoast- Florida, Inc.	742,440.00 2-176	9/25/12	742,440.00 Total
59.	089-0589-P (AM)	First and Final Term Extension	Homeless Street Outreach Program	HHS	Directions for Mental Health, Inc. Operation PAR, Inc.	325,038.00 2-176	9/25/12	325,038.00 Total
60.	112-0463-M (NP)	Award of Bid	Maintenance & Support – Compellent Hardware & Software	BTS	ExtenSys, Inc.	116,305.86	9/25/12	116,305.86 Total
61.	078-0289-P (SS)	Fifth Amendment	Advertising and Promotional Services	CVB	Birdsall, Voss & Associates	8,424,872.00 2-176	9/25/12	8,424,872.00 Annual
62.	112-0373-M (NP)	Rejection of Bid	9-1-1 Emergency Telephone/Recording Equipment Maintenance	PSS	N/A	N/A	9/25/12	N/A
63.	101-0396-N (RG)	Third Amendment	Consulting Services, Environmental Air Quality	DEI	RTP Environmental Associates, Inc.	70,000.00	9/19/12	250,000.00 Total
64.	112-0556-B (KF)	Award of Bid	Propane, Liquid	Various	Suburban Propane, L.P.	218,505.00	9/10/12	218,505.00 Total

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<u>No</u>	<u>Contract #</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Dollar Value County Code</u>	<u>Date of Award</u>	<u>Contract Value Annual/Total</u>
65.	112-0262- P(AM)	Approval of Ranking of Firms	Request for Qualification -Administration of Housing Services in Pinellas County – REBID	Community Development	Tampa Bay Community Development Corporation Community Services Foundation, Inc. St. Petersburg Neighborhood Housing Services, Inc., d/b/a Neighborhood Solutions Clearwater Neighborhood Housing Services, Inc. Catholic Charities, Diocese of St. Petersburg, d/b/a Catholic Charities	175,000.00	5/8/12	175,000.00 Total
TOTAL						\$20,023,817.62		

In response to query by Commissioner Roche regarding line item No. 16, Purchasing Director Joe Lauro, with input by Mr. LaSala, explained that the item was previously approved by the Board and put on the quarterly report; that it had exceeded Administrator LaSala's authorization for approval; that due to time constraints, the Administrator authorized the software purchase for the re-implementation of the Hyperion software in preparation of the budget season; and that there was a scrivener's error in the comment and it should have read "confirmed" to the BCC.

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

- #12 Resolution No. 13-18 adopted appropriating earmarked receipts for a particular purpose supplementing the Fiscal Year 2013 Capital Fund Budget for the U.S. Department of Health and Human Services Grant Award to the Pinellas County Department of Health and Human Services for the Pinellas County Health Campus (\$300,000.00).

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

- #13 Fiscal Year 2013 Board Budget Amendment No. 19 was approved, filed and made a part of the record; amendment realigns funds between the Reserve for Contingencies to various programs within the Department of Health and Human Services Healthcare Services – General Fund cost center for the Medicaid Buy-Back Program.

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

- #14 Appointment of four individuals to the Pinellas County Historic Preservation Board, as set forth in the Agenda Memorandum and outlined below.

- ▶ Rae Claire Johnson nominated by Commissioner Morroni to serve for two years.
- ▶ Waldemar “Wally” Clark, Jr., nominated by Commissioner Seel to serve for three years.
- ▶ Cynthia Tarapani nominated by Commissioner Latvala to serve for one year.
- ▶ Chet Renfro nominated by Commissioner Roche to serve for two years.

Motion	-	Commissioner Morroni
Second	-	Commissioner Roche

In response to query by Commissioner Seel, Gordon Beardslee, Planning Department, indicated that he will bring back an updated list for selection of at-large and alternates upon receipt from the Commissioners of the last three appointments; whereupon, Commissioner Long indicated that her appointment was ready to be discussed.

Chairman Welch suggested that Commissioner Long’s appointment be incorporated at this time; whereupon, Commissioner Long stated that she highly recommends the appointment of Neil McMullen; and that she had previously distributed to the members a memorandum with his resume.

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

In response to query by Commissioner Roche, Commissioner Seel explained that the Board, as a collective, picks two alternates and makes two more appointments; whereupon, Mr. Beardslee noted, with input by Chairman Welch, that individuals may be

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added to the list; and that he would distribute the list of interested individuals to choose from for these appointments.

* * * *

Later in the meeting, Commissioner Long stated for the record that her appointment of Mr. McMullen is to the Historical Commission, not the Historic Preservation Board; and that she will bring forth her appointment for the Historic Preservation Board at the next meeting.

* * * *

#15a Annexation by the City of Dunedin of two single-family residential parcels of land located within the Palm Harbor Special Fire Control and Rescue District, re 8 Birdie Lane and 30 Bogie Lane in the Golf View Estates Subdivision approved (Strategic Planning and Initiatives).

and

#15b Annexation by the City of Tarpon Springs of a commercial parcel of land (approximately 0.9-acre) located within the Palm Harbor Special Fire Control and Rescue District at the southwest corner of U.S. Highway 19 and Klosterman Road approved (Strategic Planning and Initiatives).

Motion	-	Commissioner Latvala
Second	-	Commissioner Roche

Commissioner Latvala provided background information regarding the items, relating that these are rare exceptions, as the agreement for annexations signed by Senator Kiser in the 1980s stipulated that the County Commission must approve annexation of any properties in the Palm Harbor Fire District; that the Golf View Estates Subdivision properties must annex to the City of Dunedin for potable water, as the private wells on the property have been deemed unsafe for drinking; and that the City of Tarpon Springs previously annexed most of the commercial property located at Klosterman Road and U.S. Highway 19, and the remaining outparcel needs to be annexed for efficiency.

In response to comments by Commissioner Roche regarding the impact of annexation to the Municipal Services Taxing Unit (MSTU) budget, Chairman Welch and Commissioner Morroni indicated that the Pinellas Planning Council distributes quarterly Annexation Impact reports; whereupon, Commissioner Roche reiterated his request that a

running track, or dollar figure, be shown for each annexation, on a case-by-case basis, showing the impact to the MSTU.

Vote - 7 – 0

- #16 Administrator LaSala referred to the *2013 State Legislative Program*, indicating that the item was deferred from the January 29 meeting; and that the document has been revised as outlined in the Agenda Memorandum; whereupon, he distributed an addendum to the document, a copy of which has been filed and made a part of the record.

Referring to item one of the addendum, Chairman Welch recognized Tax Collector Diane Nelson, who addressed the Board regarding House Bill 421, a proposal to lower the interest rate on delinquent real property tax certificates from 18 percent to 12 percent.

Ms. Nelson provided historical information regarding interest rates, noting that the rate was increased to 18 percent by statute in the early 1980s in order to spur investment; whereupon, she related that she has written a letter to Representative Larry Ahern, sponsor of the bill, proposing the adoption of a market driven approach whereby the rate would be set at Prime plus a certain percentage, such as 12 percent; and that she has spoken with other tax collectors who concurred. Noting that she tries to remain neutral with regards to tax policy, she stated that if the intent of the Legislature is to provide tax relief, then the reduction should be expanded to include tangible personal property and tax deeds; whereupon, she related that Representative Ahern has indicated a willingness to discuss her proposals with the Senate bill sponsor to consider amending their bills accordingly.

Noting that there are pros and cons to be considered, Ms. Nelson related that Clerk of the Circuit Court and Comptroller Ken Burke has indicated no objection to the flat 12 percent rate; and that she informed Representative Ahern that the National Tax Lien Association considers Florida an industry leader for investors due to the large volume of certificates, the 18 percent interest rate, the five percent minimum payout, and the availability of data.

Responding to query by Commissioner Latvala, Ms. Nelson referred to a chart titled *2012 Tax Certificate Sale Results - Central District Tax Coalition*, a copy of which has been filed and made a part of the record, noting that while Pinellas County sold over 98 percent of its 2012 tax certificates, Hernando and Highlands Counties sold only 59 and 28 percent, respectively; and that it is important to consider what is good for the entire state of Florida; whereupon, she responded to queries by Commissioner Long pertaining

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to Pinellas County tax certificate sales, noting that Pinellas County would not be affected by the proposed rate reduction.

Assistant County Administrator Carl Harness stated that the legislative program document is a consolidated effort, compiled by staff based on input from the Board of County Commissioners, County Administrator, Appointing Authorities, and the departments regarding issues of concern and legislation that they feel will impact the County; that the issues and positions may change depending on what happens during the session; and that staff will advise the Board as additional information becomes available; whereupon, he reviewed the positions set forth in the proposed agenda, noting that many of the items carry forward from year to year.

Mr. Harness indicated that new items this year include:

- ▶ Support of a general statute amendment that would allow the County more discretion in the use of Penny for Pinellas funds for operation and maintenance purposes.
- ▶ Opposition to a proposed reduction in the number of members on the Southwest Florida Water Management District board, as discussed at the January 29 meeting.
- ▶ The Delinquent Real Property Tax item, as proposed by Ms. Nelson (if approved).
- ▶ Opposition to legislation allowing authorized physicians to dispense and fill prescriptions for Workers' Compensation claims (if approved).

Thereupon, Mr. Harness provided a brief update regarding proposed legislation pertaining to smoking on governmental property, regulation of pain management clinics, synthetic drugs, and concealed weapons and firearms.

Responding to the Chairman's call for discussion regarding the base package, Commissioner Morroni noted that the correct term is *beach nourishment*, not *renourishment*; whereupon, referring to the Florida Retirement System, he moved, seconded by Commissioner Seel, that the statement be revised to read, "Oppose any benefit change that results in an increase in the County's FRS contribution rate," omitting the word *substantial*. Discussion ensued, and responding to queries by Commissioner Roche, he clarified that he would oppose any increase, including reversal of the Legislature's action requiring a three-percent contribution by the employees.

Vote - 6 – 1 (Commissioner Roche dissenting)

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In response to query by Commissioner Morroni, Mr. LaSala related that proposed House Bill 147/Senate Bill 412 pertaining to the Southwest Florida Water Management District board originated in Sarasota County; and that Sarasota County is currently represented on the board, even though it is smaller and less populated than Pinellas and Hillsborough; and Commissioner Latvala provided input.

Responding to query by Commissioner Roche, Mr. LaSala indicated that the intent of the Infrastructure Sales Tax statement is to lay the groundwork for a future Penny for Pinellas referendum. Commissioner Seel indicated that the legislators have been unreceptive to similar proposals in the past; and that they may find a specific request to allow funds to be used for operation and maintenance of transportation, parks, and storm water more attractive. Following brief discussion, Commissioner Seel moved, seconded by Commissioner Roche and carried, that such language be considered as a secondary or alternative approach if a general statute amendment does not appear likely. Responding to query by Mr. Harness, Commissioner Seel clarified that the intent of the motion is not to replace the statement supporting a more flexible policy.

Vote - 7 – 0

Commissioner Justice inquired as to the process and whether the County is actively trying to find sponsors for the proposed sales tax legislation; and Messrs. Harness and LaSala related that they will work with the Pinellas Legislative Delegation and the Florida Association of Counties; and that the lobbyists in Tallahassee have already been alerted as to the County's position on the matter.

Commissioner Seel noted that the 2009 State Legislative Program contained language supporting legislation authorizing counties to index the local option gas taxes to annual changes in the Consumer Price Index; and moved, seconded by Commissioner Roche and carried, that the language be included in the 2013 Program.

Vote - 7 – 0

Commissioner Seel indicated that there has been some discussion at the state level regarding the construction of express driving lanes throughout the state and inquired whether the Board wishes to address the issue in its legislative package. She noted that such lanes would be optional, supported by user tolls, and in addition to general lanes; and following brief discussion, Chairman Welch indicated that he would like to receive more information regarding the concept under consideration by the state.

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Thereupon, Chairman Welch inquired as to the wishes of the Board regarding the Potential Addition items listed in the addendum document.

Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the Delinquent Real Property Tax item be included with the language proposed by Ms. Nelson.

Vote - 7 – 0

Commissioner Latvala moved, seconded by Commissioner Roche and carried, that the Workers Compensation Claim Medication item be added to the program.

Vote - 7 – 0

Commissioner Long referred to discussions at the January 29 meeting pertaining to gun control, noting that as an elected, responsible leader, she feels compelled to address the issue of violence as it relates to guns; whereupon, she asked the members whether they are comfortable knowing that the background check conducted prior to sale of a firearm does not include a means to identify persons with a history of domestic violence, mental illness, or other issues that could indicate they may pose a threat to the community; and whether they would support moving forward in a conversation with the Delegation regarding strengthening and clarifying what is meant by *background checks*.

Responding to query by Commissioner Latvala, Attorney Bennett indicated that while state law prohibits the County Commission from creating gun control legislation, it does not prohibit the members from holding a discussion with the Delegation regarding background checks. Chairman Welch stated that he would support such a conversation, and requested that Commissioner Long submit her request in the form of a statement identifying the problem prior to the February 26 meeting with the Delegation; whereupon, Commissioner Roche questioned whether the action should be to request that the previous legislation be repealed, noting that the Board has no authority and should be realistic about its expectations; whereupon, he stated that he would like to address the issue of a statewide domestic partnership registry with the Delegation.

Chairman Welch requested a motion to approve the amended 2013 State Legislative Program.

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

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Reiterating his desire to address the domestic partnership registry issue, Commissioner Roche indicated that his concern is based purely on the issue of fiscal responsibility, noting that cities and counties have set up separate registries creating a costly and redundant checkerboard of systems that will need to be collapsed should the state decide to move forward in the future.

Commissioner Seel stated that she would support a discussion with the Delegation regarding a statewide registry, but only if the suggestion utilizes the language approved by the Commission in its recent ordinance, and Commissioner Long concurred, indicating that the state has failed to support the issue for at least ten years, and the Commission moved forward with its ordinance in the interest of time.

Commissioner Justice stated that, from a fiscal or ideological point, he would be amenable to a conversation informing the legislators that the County Commission overwhelmingly approved the formation of a registry and that it would be very supportive of their moving forward in that direction at the state level. Commissioner Roche moved, seconded by Commissioner Seel and carried, that the conversation be added to the February 26 meeting agenda, including Commissioner Seel's proviso related to the language.

Vote - 7 – 0

Mr. Harness related that the joint Board of County Commissioners/Pinellas County Legislative Delegation meeting will be held on Tuesday, February 26, from 9:00 to 11:00 A.M.; whereupon, he thanked County staff for their assistance and, at the request of Commissioner Morroni, agreed to provide the members with final copies of the Program as soon as the approved revisions have been made.

Later in the meeting, Mr. Harness indicated that the joint meeting will be held in the Clerk's Fourth Floor Conference Room, 315 Court Street, Clearwater.

- #17 Change Order No. 1 to the contract with Lane Construction Corporation for Pinellas Trail Rehabilitation – Phase II (Michigan Boulevard to Oceanview Avenue) (PID Nos. 000328A/2298 and 000338A, Contract No. 112-0309-CP) approved, increasing the contract amount by \$124,000.00 (revised contract total amount, \$570,224.70). Chairman authorized to sign and the Clerk to attest (Environment and Infrastructure).

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

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- #18 Administrator LaSala announced that the public hearing for the re-appropriation of fund balances in the Fiscal Year 2013 budget for the governmental and enterprise Capital Improvement Project Funds has been deferred until the February 26, 2013 BCC meeting, and no objections were noted.
- #19 County Attorney directed to prepare a resolution for consideration at the February 26, 2013 meeting declaring the Board's intent to place on the November 4, 2014 ballot a referendum question of whether to levy an up-to-one percent Charter County and Regional Transportation System Surtax. County Attorney directed to prepare an additional resolution recognizing the new Advisory Committee for Pinellas Transit (ACPT) and tasking the Committee with the development and approval of a comprehensive transit and transportation package for presentation to the voters.

Noting that he and Commissioners Latvala, Long, and Roche sit on the Pinellas Suncoast Transit Authority (PSTA) Board, Chairman Welch related that the PSTA Board members had voted unanimously to request that the County establish November 4, 2014 as the date for a voter referendum on a sales tax to support a comprehensive transportation plan.

Chief Assistant County Attorney Dennis R. Long referred to a chart titled *Charter County and Regional Transportation System Surtax*, a copy of which has been filed and made a part of the record, and indicated that the County is authorized to levy a total of four discretionary infrastructure surtaxes for various uses as set forth in the chart; that the County already levies one surtax, the Penny for Pinellas; that the tax proposed by PSTA would be levied by the County subject to a referendum approved by a majority of the electorate; and that the County Commission would determine the uses and how the proceeds would be applied.

Noting that the Supervisor of Elections requires approximately 90 days prior to a scheduled referendum to prepare ballots and other materials, Attorney Long indicated that the Board would have to adopt an ordinance setting forth the ballot language by early August 2014 for a November 4 referendum; that statute requires that the Department of Revenue be notified of the referendum by October 1 and of the results by November 16; and that, if the referendum is successful, the tax would be levied beginning the following January 1 and would remain in effect until repealed. He noted that there is no requirement for sharing of the tax revenue, but the County is expressly authorized to enter into interlocal agreements and remit funds to cities or expressway, transit, or transportation authorities; and that he and Attorney Bennett are participating in an

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ongoing dialogue with PSTA General Counsel Alan Zimmet and staff regarding sharing requirements and other matters to be addressed in an interlocal agreement.

Responding to queries by Chairman Welch, Attorney Long related that the Board could adopt a resolution expressing its intent to place the item on the November 2014 ballot as early as its February 26 meeting; that the tax must be levied by an ordinance setting forth the ballot language; and that the ordinance could either specifically address how revenues would be shared or it could allow the revenues to be utilized in any combination permitted by law; whereupon, Chairman Welch indicated that he would like the Board to take action at its next meeting in accordance with the PSTA's request.

Commissioner Seel stated that information recently presented by the PSTA indicates an 18-percent structural budget gap by the year 2016; and that the Property Appraiser is forecasting a property value increase of approximately two and one-half percent; and responding to her query, PSTA Chief Development Officer Cassandra Borchers indicated that she will check with PSTA Chief Executive Officer Brad Miller as to whether the property value increase was taken into account, noting that, even if it was not, there will still be a substantial budget deficit; whereupon, Commissioner Seel requested that the PSTA provide a spreadsheet showing anticipated property value increases, fare increases, and any other assumptions used in preparing the financial forecast.

Chairman Welch related that he sits on the Advisory Committee for Pinellas Transit (ACPT) along with Commissioners Latvala and Seel; that the group is comprised of appointed elected officials from the PSTA, Metropolitan Planning Organization (MPO), Tampa Bay Area Regional Transportation Authority (TBARTA), and the Pinellas Planning Council (PPC); and that the Committee has requested that the Board of County Commissioners recognize it as the conduit for assembling the comprehensive transit and transportation package, noting that ACPT members would work with the member agencies to get the plan fully vetted and approved. Commissioner Seel noted that the original concept was for the ACPT to provide input to the PSTA, which would make final recommendations to the County Commission regarding projects to be included in the plan; however, it is her opinion that it would be better to designate the ACPT as lead, as it covers several elected bodies, noting that it would be best to work through all the bodies to compile a project list for use of the transit tax revenue; whereupon, she reiterated that the Board of County Commissioners will have the final say as to the use of funds.

In response to query by Commissioner Long, Commissioner Seel indicated that a portion of the funds could be used for non-transit projects, including trails, sidewalks, and roads;

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and that the ACPT would review the highest and most pressing needs of the County and suggest appropriate projects. Chairman Welch noted that the base plan from the Alternatives Analysis is posted online at *pinellasontrack.com*; that 55 percent of the funding would be used for light rail from Clearwater to Carillon to St. Petersburg, with connections to Hillsborough County; that 45 percent would be used to expand the bus service; and that the ACPT, working with the stakeholders, could adjust the plan to allow up to 25 percent to be used for non-transit projects, as noted by Commissioner Seel.

Commissioner Latvala noted that PSTA started the process with the intent of improving public transportation and creating a system that is financially viable moving forward and that meets the needs of the entire county; that even the entire penny may not be adequate to fund a system to meet the community's needs in 20 to 30 years; and that the first concern is to improve the bus service to a standard that meets the needs of the entire county; whereupon, she noted that PSTA has spent a lot of money already putting together a plan, building a consensus on the need, and conducting community outreach, and cautioned that the Board of County Commissioners should not try to change the plan and take it over as its own.

Discussion ensued, and responding to concerns of Commissioner Roche, Chairman Welch indicated that the ACPT will act as coordinator, bringing together a workable plan that can be presented to all the stakeholder agencies and the community; that the PSTA designated the ACPT to take that role at its last meeting; and that PSTA, TBARTA, MPO, and the PPC will all sign off on the plan before it comes to the BCC for final approval.

Responding to the Chairman's call for citizens wishing to be heard, Phil Compton, St. Petersburg, spoke on behalf of the Sierra Club in support of the transit plan; and Betsi Burgess, St. Petersburg, stated her opposition to a sales tax increase.

Commissioner Latvala moved, seconded by Commissioner Long, that a resolution be prepared for consideration at the February 26, 2013 meeting declaring the Board's intent to place a referendum question on the November 4, 2014 ballot regarding the levy of a transportation surtax.

Commissioner Roche indicated that the County has spent millions of dollars on rail and transportation studies; and that he will not support moving forward without a detailed analysis and plan, noting that questions that arose during presentation of the Alternatives Analysis report have yet to be answered; whereupon, Chairman Welch pointed out that

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Commissioner Roche participated in the 15-0 PSTA vote to request that the Board set a November 2014 referendum date; and stated for the record that a detailed plan exists and is available for viewing at *pinellasontrack.com*. In rebuttal, Commissioner Roche clarified that he has a different set of questions depending on whether he is sitting as a member of the transit body or as a member of the County Commission. He stated that he does not believe the proposed \$100 million surtax will support the Alternatives Analysis plan without continuation of the ad valorem tax; and Chairman Welch disputed the validity of his claim.

Commissioner Seel indicated that she supports moving forward to designate the ACPT to develop and coordinate the plan; that she is unsure whether it would be wise to replace the property tax and limit the funding source for the bus system; and that due to the still recovering economy, it would be better to delay the referendum until November 2015.

Commissioner Long noted that the elected leaders have been talking about improving public transportation since she moved to Pinellas County in 1972; that it is time to move forward to provide transit options; that she campaigned successfully on the issue; that Tampa Bay Times polling data clearly states that the citizens wish to be heard; and that it is the obligation of the Commission to let the public weigh in.

Clarifying that today's vote is only to reserve a spot on the November 2014 ballot, Commissioner Justice echoed Commissioner Long's comments that it is time to move forward, noting that there will be time to get into the details of what the ballot language will be; whereupon, referring to comments by Commissioner Roche, he stated that he would like to see a full presentation before the Board regarding the plan, for the benefit of the new commissioners and those who do not sit on the PSTA Board.

Commissioner Morroni concurred with Commissioner Justice that it would be worthwhile to hold a day-long discussion, noting that he had not seen the Alternatives Analysis presentation last year due to his illness; and that he is scheduled to meet with PSTA Chief Executive Officer Brad Miller next week. He indicated that individuals he has spoken with want the issue to come to a head; that the timing will be right for a referendum after a concerted effort is made to educate the voting public, as he does not believe they really understand what the initiative is about; and that if the ACPT does not do their homework and reach out to the Chambers of Commerce, Rotary Clubs, and other community groups prior to putting the matter on the ballot, the referendum will likely fail. Stating that he does not mind supporting the request as a placeholder, he indicated

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that if he does not feel comfortable, he will not vote for an ordinance to put a referendum on the ballot.

Noting that the presentation has been made many times and will be made many more, Commissioner Latvala requested that the members focus on today's request, which is not to approve a referendum, but to let the ACPT have authority to keep working on and tweaking the plan and to craft the ballot language for November 2014. She indicated that a firm has been hired to assist with messaging; that dozens of community meetings have been scheduled; and that there is a lot left to be done, but the PSTA has already spent a lot of time and money, and it would be foolish to proceed if the Board is not willing to move forward to put the question on the ballot; whereupon, she urged the members' support of today's request so the ACPT can continue its work, noting that the matter will come back to the Board at the appropriate time.

Chairman Welch echoed Commissioner Latvala's comments, noting that it has been a long process that has included numerous forums and community meetings; that the next step is to bring everything together in one plan, which the ACPT will do; that County leaders have studied the issue for 30 years, and it is time to let the people decide on their transit future; and that 21 months should be sufficient time to complete the work and get the message to the public; whereupon, he stated that the motion and second on the floor is to prepare a resolution of intent for a vote at the February 26 meeting.

Vote - 6 – 1 (Commissioner Roche dissenting)

Thereupon, Commissioner Welch referred to the February 7, 2013 letter from ACPT Chair Harriet Crozier, a copy of which has been filed and made a part of the record, and inquired whether approval of the Committee's request for recognition and direction to develop and approve a comprehensive transportation package would require a separate resolution; and Attorney Bennett indicated that it would.

Attorney Bennett inquired as to whether a base document exists that governs the ACPT's structure and functions, noting that it would be advisable to codify whatever is in existence and have the County Commission adopt the ACPT as an official body tasked with a series of duties; and that he will begin the process but is unsure whether the document will be ready by the February 26 County Commission meeting.

At the request of Chairman Welch, ACPT Chair Crozier provided input, noting that the Committee was formed by a Memorandum of Understanding among the partner agencies; and Attorney Bennett requested that he be provided with a copy thereof. Ms. Crozier

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indicated that she looks forward to putting together the plan which will lay everything out and answer the questions of the commissioners; and that she, her board, and the elected officials of the partner transportation boards will ensure that the community and the commissioners are kept informed as the process continues.

MPO Interim Director Sarah Ward informed the Board that the Memorandum of Understanding referred to by Ms. Crozier was put in place to establish the Project Advisory Committee for the Alternatives Analysis, and that the document must be amended to include the addition of the Pinellas Planning Council, which occurred later; whereupon, Attorney Bennett indicated that he will review the document and likely bring forth a new document promulgated by the Board.

PSTA Chair Jeff Danner thanked the Board for consideration of the request, noting that the best way to motivate people is to set a deadline; whereupon, he assured the members that if, for some reason, the Committee feels the plan is not fully vetted or the public sufficiently informed prior to the August 2014 deadline, it will request that the Commission delay the matter to a better time.

Following additional comments by Commissioner Morroni and at the request of Chairman Welch, Commissioner Latvala moved, seconded by Commissioner Long, that the Board move forward as soon as possible to designate the ACPT and task it with the development and approval of a comprehensive transportation package.

Commissioner Roche reiterated his concerns that a vote to move forward is premature, indicating that 30 years of studies show that rail does not make sense in Pinellas County; that the Alternatives Analysis was not commissioned to study pragmatics, but where it would be built and how it would be paid for; and that the Board should not be in the position of convincing the citizens that they need rail.

Thereupon, Chairman Welch noted that the motion and second on the floor pertains to the designation and tasking of the ACPT.

Vote - 6 – 1 (Commissioner Roche dissenting)

- #20 County Attorney authorized to initiate litigation in the case of Pinellas County versus Parsons Engineering Systems, Inc., and/or Parsons Water and Infrastructure, Inc. – Recovery of costs for design errors and omissions.

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

- #21 Settlement with the owners of and interest holders over Parcels Nos. F124-R1 and F824-R1 in the case of Pinellas County versus G.E. Capital Franchise Finance Corporation, et al. – Circuit Civil Case No. 09-006560-CI-21, approved.

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

- #22 County Attorney Miscellaneous:

Action plan to address odor control and site plan issues re operation of a Fat, Oil and Grease (FOG) facility by Reliable Septic & Sewer, Inc. and M&D Grease Disposal, Inc. on property located at 6660 90th Avenue North, Pinellas Park, approved.

Referring to the agenda memorandum, Attorney Bennett indicated that the Board had approved the rezoning of the subject property at its January 29, 2013 meeting, at which time the members had recommended that the County and applicant enter into a development agreement to address odor and site plan issues relative to operation of the FOG facility. Noting that a development agreement would take months to approve and implement and would have a limited duration, he indicated that staff is recommending that the parties enter into a consent order to address the odor control issues and that the property owner obtain a site plan via the full site plan review process, which would be a more expedient and permanent solution.

Attorney Bennett noted that he has received an email from counsel for the property owner indicating that odor sprayers are now in operation; that chemical treatments are occurring in the trucks; that outside tanks will be removed by the end of the week; and that their engineer has contacted Building and Development Review Services regarding the site plan review process; whereupon, responding to query by Chairman Welch, he related that a court hearing is scheduled for February 21, at which time the parties hope to report that they are moving forward and have a plan of action.

In response to the Chairman's call for persons wishing to be heard, Ted Legakis, Pinellas Park, appeared and expressed his concerns pertaining to continuing odor problems and other related issues.

Responding to Commissioner Long's concerns regarding timing, Attorney Bennett indicated that the property owner has implemented odor control measures; that the consent decree can be put in place relatively quickly; that the site plan process will take as long as necessary to address the issues; and that, while there is no firm deadline in place, the February 21 hearing date is an impetus to get things moving forward as soon as possible. Chairman Welch noted that the property owner had continued operations despite a temporary injunction, and Attorney Bennett related that the matter is before the Court due to the zoning violation, which has been addressed; and that the County may forego the temporary injunction and go straight to trial, if necessary, to get the matter resolved; whereupon, he agreed to provide a status report to the Board following the February 21 hearing.

Motion	-	Commissioner Latvala
Second	-	Commissioner Long
Vote	-	5 – 2

(Commissioners Morroni and Roche dissenting)

#23 County Administrator Report: Special Events Guidelines – A Citizen's Guide

and

#24 County Administrator Report: Volunteer Update – Holiday Lights

Mr. LaSala indicated that the County Administrator Reports, Items Nos. 23 and 24, will be deferred, and no objections were noted.

Mr. LaSala related that the County has been re-affirmed as having an "A+" rating by the Sunshine Review, an organization that rates governmental transparency nationally; that Pinellas is one of only six Florida counties to receive that rating; and that the rest of the state has been given an overall "B" rating at the state, city, county, and school district levels.

#25 Appointment of Joe C. Burdette to the Pinellas County Board of Adjustment approved.

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

February 12, 2013

#26 County Commission Miscellaneous:

- a. Commissioner Roche welcomed Wawa convenience store chain to Tampa Bay area and discussed ribbon-cutting ceremony.
- b. Commissioner Latvala suggested 9-1-1 Center tours for all elected officials.
- c. Commissioner Justice discussed visit to Palm Harbor Library and Community Center.

related that WorkNet staff met with employees of closing Sweet Bay grocery stores.
- d. Commissioner Long requested update/work session on Pinellas by Design.

informed commissioners of National Association of Counties webinars.
- e. Chairman Welch reminded commissioners of today's unveiling of new St. Petersburg-Clearwater Airport logo.

noted the passing of Pinellas educator Vyrle Davis and Reverend Clarence Welch and thanked everyone for their support.

#27 Meeting adjourned at 1:00 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk