

3. APPROVAL OF MINUTES:

Regular Meeting held April 9, 2013.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, APRIL 9, 2013 – 9:34 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 Michael P. Schmidt, Board Reporter, Deputy Clerk.

INVOCATION: Commissioner Roche.

PLEDGE OF ALLEGIANCE: Commissioner Long.

PRESENTATIONS AND AWARDS:

1. 500th Anniversary of the European Discovery of Florida Proclamation presented to Mary Brown, Executive Director, Pinellas Public Library Cooperative (PPLC), and Judith Burr, Chair, PPLC Board of Directors.
2. Certificate presented to Keith Bailey in recognition of his outstanding service.
3. Florida Department of Transportation Major Road Projects Presentation by Timothy Drawhorn, P.E., Amy Neidringhaus, P.D., and Sandra Gonzalez, P.E., District Seven Project Managers. Questions were answered throughout the PowerPoint presentation and projects reviewed included the following:
 - Pinellas County Gateway Area, including State Road 688 (Ulmerton Road), State Road 686 (Future Alignment), and 118th Avenue/County Road 296 (Future State Road 690).
 - U.S. Highway 19 – from Sunset Point Road to Countryside Boulevard; from north of State Road 580 (Main Street) to north of County Road 95.
 - Gandy Boulevard - State Road 694 from U.S. Highway 19 to east of 4th Street.
 - State Road 55 / U.S. Highway 19 reconstruction from north of Whitney Road to north of State Road 60.
 - Enterprise Road.

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Q What is the timeline for the project near the Sunshine Speedway? (*Commissioner Morroni*)

A It is not funded for construction.

Q Are there any plans to improve the area of 118th Avenue west of Starkey Road towards the beach? (*Commissioner Long*)

A That is a County road and not included in the State work program.

Q Will there be bicycle lanes on U.S. Highway 19? Can you address the safety factor? Is there a certain speed limit for which you allow bicycle lanes? Has there been research to determine the safety of bicycle lanes on major roads versus residential roads? (*Commissioners Seel, Latvala, Morroni, Welch*)

A A resurfacing project is planned from East Lake Road almost to the Pasco County line on U.S. Highway 19, and sidewalks and bicycle lanes will be provided. No speed limit applies to putting in bicycle lanes, as State law provides that a means of transportation for pedestrians and bicycles must be provided as part of the standards. The State has researched the bicycle lane safety issue, and further research will be done relating to the findings and status of that research and provided to the Board at a later date.

Q Would it be possible to make wider sidewalks and put bicycle lanes there instead of on the major roads? (*Seel*)

A Due to budget constraints, the State only provides five-foot sidewalks; however, if the County has additional funds for the projects, the County and State can work together through maintenance agreements and memorandums of understanding to put the bicycle lanes with the sidewalks.

Q What is the total cost for U.S. Highway 19, including projects that have already been constructed and those planned? (*Welch, Latvala*)

A Exact cost will be provided.

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

SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

- # 1 Ordinance No. 13-08 adopted amending Chapter 138 of the Pinellas County Land Development Code establishing a Dog Friendly Dining Program (Second Public Hearing). No correspondence has been received (Companion Item No. 26).

Program Planner Glenn Bailey, Planning Department, indicated that the proposed ordinance is basically an amendment to the Zoning Code to allow dogs in certain designated outdoor sections of properly permitted restaurants; that the ordinance is based on State law enacted in 2009 that requires a local ordinance establishing a permitting process; that the permits will require annual renewal, will not run with the land, and will be non-transferrable; and that the ordinance would apply to unincorporated areas only; whereupon, he discussed the regulations that permit holders must follow. Mr. Bailey indicated that the Local Planning Agency recommended unanimous approval of the proposed ordinance.

In response to a suggestion by Commissioner Roche and at the Chairman's direction, Assistant County Attorney David McCrea provided information regarding Companion Item No. 26, a proposed resolution amending Resolution No. 12-81 by adding a permit fee for the administration of the Dog Friendly Dining Program, and indicated that the fee basically comprises the permitting process, including review of the site to ensure the plan is properly instituted, staff time, and sending appropriate information to the State for its database; and that the fee will be \$215.00 annually.

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

Sue Fuller, Clearwater (supports the ordinance, questions fee process)
Steven Jefferis, Clearwater

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

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Deviating from the agenda, Chairman Welch indicated that Item No. 26 would be addressed at this time.

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- #26 Resolution No. 13-31 adopted amending Resolution No. 12-81 to add a permit fee for the administration of the Dog Friendly Dining Program (Companion Agenda Item to No. 1) (See Item No. 1 for discussion).

Motion	Commissioner Morroni
Second	Commissioner Seel
Vote	7 – 0

- # 2 Ordinance No. 13-09 adopted amending Section 110 of the Florida Building Code to delete the establishment of Local Construction Boards of Adjustment and Appeals. No correspondence has been received. No citizens appeared to be heard.

In response to query by Commissioner Roche, Commissioner Seel indicated that her assistant would draft a letter that all Commissioners can use to inform members on the various boards of the change and elimination.

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

- # 3 Ordinance No. 13-10 adopted amending Section 138-111 of the Pinellas County Code relating to the term limits for Board of Adjustment members. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Long

In response to query by Commissioner Roche, Administrator LaSala indicated that the Board of Adjustment members do not receive compensation; and that if the Board wishes, it may remove the sentence in the ordinance that reads “*Members of the Board of Adjustment shall be paid a salary as deemed appropriate by the Board of County Commissioners.*”

Vote	-	7 – 0
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- # 4 Resolution No. 13-28 adopted granting the petition of Nicholas N. and Stacy L. Fraser to vacate a portion of a 25-foot drainage and utility easement located in Lot 11, Block 1, Crossing at the Narrows Subdivision (street address: 13945 75th Avenue, Seminole) (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 Long

In response to the concerns of Commissioner Roche regarding future impact to the stormwater system, Kelli Levy, Watershed Management, Department of Environment and Infrastructure, indicated that staff reviews all requests to determine if the purpose for the easement continues to exist, the impact to the community at large, and if there is any benefit in retaining the easement for future projects.

Vote - 7 – 0

- # 5 Petition of Glenn and Leah Bergoffen to vacate a portion of public right-of-way located on South Gulf Drive in Crystal Beach Subdivision denied with prejudice. Letters of no objection received from all appropriate parties. Interested property owners were notified of the date of the public hearing. Staff recommended the vacation be denied. Two letters and a petition with 260 signatures in favor of and letters and messages from 214 persons in opposition to the petition have been received.

Administrator LaSala indicated that the Board denied without prejudice a previous petition to vacate the subject property on August 5, 2008 after numerous objections from citizens and concerns from staff; that the denial without prejudice was based on the Board's directive to the petitioners to consider a public dock versus a private dock; and that the petitioners have since rejected the possibility of a public dock.

Paul Sacco, Director of Real Estate Management, referred to an aerial photograph and indicated that the petitioners are seeking to vacate a portion of a right-of-way known as South Gulf Drive to secure rights to apply for a dock permit. He pointed out the Bergoffen property on the corner of the waterfront and Marilyn Avenue in the Crystal Beach community, noting that South Gulf Drive currently provides public waterfront access via a water-view foot path, which is currently not open to vehicle traffic. He indicated that the petition includes an approximate 6- by 88-foot access section, as well as a 20- by 22-foot dock landing section, for a total request of 969 feet, and also includes

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a reservation of a public access easement, which would be reserved for access and utilities over the entire portion of the vacation except for a 4- by 15-foot sliver at the water's edge where the proposed dock would land.

Mr. Sacco indicated that staff recommends that the petition be denied based on: (1) it is in conflict with the Board's adopted County Comprehensive Plan, (2) it will have an adverse impact to the shoreline environment, and (3) it will set a precedent for up to 20 more dock applications in the future. Mr. Sacco stated that:

- The Comprehensive Plan includes objectives and recreation open space in the culture element to protect the County's open spaces and scenic vistas, to enhance the quality of life, to prohibit the conversion of dedicated recreation open space land uses, to encourage retention of non-dedicated recreation open space land uses, and to maintain, enhance, and expand public shoreline access.
- The shoreline environmental impact would be to the sea grass beds, the mangroves, and the associated wetland species that form a vegetated buffer to prevent shoreline erosion and filters runoff.
- Due to the shallowness of the water, an approximately 300-foot dock would be required, which would shade out sea grasses beneath it and create potential additional damage from propeller dredging.
- Setting a precedent is a real concern. In the past, there have been four formal requests and multiple inquiries for docks along this portion of the shoreline. All have been withdrawn or denied for the same reasons and concerns staff is recommending denial today. Approval of this request could pave the way for up to 20 more requests.

Mr. Sacco indicated that staff from the Planning Department and from the Department of Environment and Infrastructure (DEI), Water and Navigation, are available to answer any questions.

Mr. Sacco discussed the exact location of the proposed dock with Commissioner Roche; and in response to queries by the members, Kelli Levy, DEI, with input by Mr. Sacco, displayed an aerial photograph of the area and indicated that in the 1960s there was a remnant of a non-permitted dock, not immediately adjacent to the property, but across from the alley, which was gone by 1977, and there are photographs of some derelict pylons; that there was not a dock permitting process in 1965; that the owners of two existing docks had agreements with the developer and the docks were originally platted; that the two docks were grandfathered in once the County began requiring permits, but were not allowed to be expanded or lengthened in any way, only maintained in their

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existing condition; and that there was no agreement with the developer for a dock at the Bergoffen property.

Todd Pressman, Palm Harbor, representing the Bergoffen family, conducted a PowerPoint presentation and pointed out objects of interest in the neighborhood, including the County's right-of-way, the shell path which runs along the coast, the property lines of the Bergoffen property, and the location of the proposed dock. He indicated that the first step would be a vacation to provide a property, or riparian, right for the Bergoffen home to have a dock; and that the second step would be to place on top of the vacation an easement to restore the public's right, the County's right, for access across that point, which would allow no blockages of any kind.

Mr. Pressman provided photographs of what he described as an unregulated, non-permitted boat mooring located directly next to and in front of the Bergoffen property, and related that although there is an "Environmental Area" sign directly in front of the mooring location, the moorings are decimating and destroying the sea bottom and sea grasses. He indicated that the applicant is proposing an environmentally-friendly dock that will not cause damage; and that the end result will be like waterfront properties with docks that can be found throughout Pinellas County. As an historical precedent, Mr. Pressman distributed one of the original agreements by Crystal Beach Development from the 1940s allowing one of the two above-mentioned existing docks, and pointed out on the aerial other docks in the area; whereupon, he indicated that approval of this dock would not create a precedent as the situation is singular and unique, and that even if it did create a precedent, it would be relevant to only eight docks, not 20 as claimed by staff.

Mr. Pressman discussed what he described as a "misinformation campaign," including a flyer proclaiming that the dock would be deeded from public ownership to the Bergoffen family, but neglecting to mention that ownership would be restored afterwards. He indicated that he advertised and held a public meeting, presented information through e-blasts, met with the community board, developed a website, and posted information on the bulletin board in Crystal Beach; whereupon, he summarized the reasons the request should be granted, and submitted an original petition with 224 signatures, primarily from the Crystal Beach area.

In response to query by Commissioner Justice, Mr. Pressman stated that the reasons he does not think approval of the request would be setting a precedent are: (1) the "boat garage" in front of the house creates a singular and unusual condition, (2) historical precedence, and (3) the County could control the environmental elements if this dock is

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approved and cannot control the current unregulated, non-permitted mooring; whereupon, in response to queries by Commissioner Roche and Chairman Welch, Mr. Pressman explained the significance of the Crystal Beach Development Company, noting that it purchased the area and developed it in the 20s, 30s, and 40s and retained ownership throughout the 50s and 60s, with an element and vision of keeping public access as an amenity; and discussed why he considers the 1941 document granting the buyer the privilege to erect a pier an historical precedent, acknowledging that no similar document can be found for the Bergoffen property.

In response to the Chairman's call for citizens wishing to be heard, the following individuals appeared and expressed their support:

David Brandon, Palm Harbor
Zev Buffman, Crystal Beach
Terri Skapik, Woods Consulting, Dunedin

In response to the Chairman's call for citizens wishing to be heard, the following individuals appeared and expressed their opposition:

Linda Henry, Crystal Beach
Barbara Micromanolis, Crystal Beach
Dr. William W. Falls, Crystal Beach
David Ballard Geddis, Jr., Palm Harbor
Charles Demean, Crystal Beach
Libby Burke, Palm Harbor
David Smalley, Crystal Beach
Thomas Rose, Crystal Beach
Colleen Kime, Crystal Beach
Gerard G. Legrand, Crystal Beach
Barbara Witlin, Crystal Beach
Kenneth F. Clarke, Crystal Beach
Linda Creighton, Crystal Beach
Dianne L. Fecteau, Crystal Beach
Cathleen Gillen, Crystal Beach
Donna Kay, Crystal Beach
Donna Sharpless, Crystal Beach
Ed Close, Crystal Beach
Angel Casteleiro, Crystal Beach
Justin Lis, Crystal Beach
Cynthia Balikowski-Lis, Crystal Beach
Jan Gibson, Crystal Beach
Jane Charland, Crystal Beach

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Michael Burke, Crystal Beach
Doris Markwalder, Crystal Beach
Thomas Markwalder, Crystal Beach
Marilyn Flinner, Crystal Beach
Cara Fisher, Crystal Beach
Wendy Smith, Crystal Beach
Bob Zook, Crystal Beach
Joe Sentowski, Crystal Beach
Jean Keir-Choong, Crystal Beach
Jon Hull, Crystal Beach
Donna Lapcevic, Crystal Beach
Lisa V. Roe, Crystal Beach
Steven Soso, Crystal Beach
Monika Dorrocholiska, Crystal Beach
Rick Jennings, Crystal Beach
Angela Burkart, Crystal Beach
Lucy C. Butcher, Crystal Beach
John McMahon, Crystal Beach
Robert Kime, Crystal Beach
Linda Kirt, Crystal Beach

In rebuttal, Mr. Pressman indicated that:

- The woman who indicated that she lives adjacent or next to the Bergoffens lives behind them instead, and does not live on the waterfront.
- He did not receive a letter from the community association board, and he checked the record, and the County did not receive an official letter either for or against the request. He did appear at the community association board and answered a lot of questions.
- The photographs of the mangroves displayed by the opponents were not of the Bergoffen property. The Bergoffens have not been cited for cutting mangroves nor have any mangroves been cut on the property; whereupon, he pointed out the location of the mangrove cut referenced by the opponents.
- The petition in support of the application was carefully worded, and he feels certain that the people signing it understood the request.

In summary, Mr. Pressman stated that the park and open vista will not be destroyed; that the pier will not be dangerous because of its length; that the claims of the opponents that the pier area is well protected and environmentally clean are contradicted by the environmental decimation occurring there as a result of the unregulated mooring; that

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what the Bergoffens are proposing is enforceable, unlike the uncontrolled situation that exists; and that the original land developer did intend for the area to be park-like, but also allowed two docks.

Thereupon, Mr. Pressman requested that the Board approve the request.

Chairman Welch closed the public hearing and during deliberation and in response to query by Commissioner Seel, Ms. Levy referred to aerial photographs and stated that the property owners to the north have waterfront property and certain rights are associated with waterfront property; and reiterated that the two docks to the south constructed circa 1941 cannot be expanded, extended, or improved, only maintained. She stated that the aforementioned agreement also states that the land between Gulf Drive and the waters of the gulf, as shown on the plat, is reserved by the Crystal Beach Development Company for park purposes only. In response to query by Commissioner Morroni, Ms. Levy confirmed that the request being heard today is the exact same request the Board heard five years ago, including the length of the dock.

In response to query by Commissioner Justice, Attorney Bennett explained the difference between denial without prejudice and denial with prejudice, stating that it is primarily rooted in zoning applications and means that if an application is denied with prejudice, it must come back, if at all, different in a measurable way, and if denied without prejudice, it can be brought back without difficulty, perhaps with only a better presentation.

In response to query by Commissioner Roche, Attorney Bennett stated that the development company dedicated the land to the County by a plat, making the right-of-way public property; that the 1941 documents provide evidence of the developer's intent to provide some right to a dock for the two grandfathered properties; and that the process to formalize the land as a public park so the matter would not again come before the Board would depend on exactly what the Board wishes to accomplish, noting that his office is working on ways to regulate the types of applications that come to public hearing.

Commissioner Latvala indicated that while she has long been a proponent for the right of waterfront properties to have a dock, this is not waterfront property; that the application shows a blatant disregard for the history, tradition, and legal intent of this special community; and that the original developer set it aside for a purpose and it has been kept that way for almost a hundred years; whereupon, she moved that the application be denied with prejudice.

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During discussion, Ms. Levy pointed out the public land on the plat; and Attorney Bennett indicated that the two pieces of paper Mr. Pressman discussed were intended for individual lots and no other examples have been found; and that the documents are letter contracts, not deeds, and are good for 99 years only; Commissioners Justice and Long commented on the pride of community shown by the citizens; and the members expressed their respect for the Bergoffen family for their many contributions to the community.

Commissioner Latvala confirmed her motion to deny with prejudice and Commissioner Long seconded the motion. Commissioner Roche requested that staff report back to the Board with a plan that would either designate the land as a public park or otherwise ensure the matter does not come back before the Board, and Commissioner Morroni concurred. Following discussion wherein the members explained their reasons for not supporting the request and upon call for the vote, the motion to deny with prejudice carried unanimously.

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

CITIZENS TO BE HEARD

David Ballard Geddis Jr., Palm Harbor, re Harris Act.

Greg Pound, Largo, re truth.

CONSENT AGENDA ITEMS NOS. 6 THROUGH 17 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 10, 11, 12, 16a AND 16b, WHICH WERE CONSIDERED UNDER ITEM NO. 18.

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

6 Minutes of regular meeting of February 26, 2013 approved.

7 Reports received for filing:

- a. Housing Finance Authority of Pinellas County (A Component Unit of Pinellas County, Florida) Independent Auditor's Reports, Financial Statements, and Required Supplementary Information for the Year Ended September 30, 2012.

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- b. Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Annual Report for the Year Ended December 31, 2012.
 - c. Dock Fee Report for the month of February 2013.
- # 8 Vouchers and Bills Paid – None.
- # 9 Miscellaneous items received for filing:
- a. City of Largo Resolution No. 2093 adopted March 5, 2013, resolving that the City Commission does not support priority medical dispatch and repealing Resolution No. 2080 adopted September 18, 2012.
 - b. City of Oldsmar Notice of Public Hearings regarding proposed Ordinances Nos. 2013-06 and 2013-07 to be held April 2, 2013, voluntarily annexing certain property.
 - c. City of Safety Harbor Ordinances Nos. 2013-03 through 2013-05 adopted March 4 and March 18, 2013, annexing certain property.
 - d. Homeowners Association of Highland Lakes, Inc. 2013 Slate of Officers serving on the volunteer Board of Directors.
- #10 See Agenda Item No. 18.
- #11 See Agenda Item No. 18.
- #12 See Agenda Item No. 18.
- #13 Resolution No. 13-30 adopted supplementing the Fiscal Year 2013 General Fund Budget to appropriate earmarked receipts for a particular purpose (unanticipated grant revenues to the Pinellas County Sheriff's Office in the amount of \$815,140.00).
- #14 Sole source purchase of Software License – Ambulance and Law Enforcement Dispatch Source Code with Infor Public Sector, Inc. (estimated total expenditure, \$350,000.00; funding in the amounts of \$200,000.00 and \$150,000.00 provided by Emergency Management Fund and 911 Fees Fund, respectively) (Contract No. 123-0266-SS); Chairman authorized to sign the Source Code Release and Order Form and the Clerk to attest (Public Safety Services).

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#15 PROCUREMENT ITEMS APPROVED BY COUNTY ADMINISTRATOR (CA) FOR THE QUARTER ENDING MARCH 31, 2013 – RECEIVED FOR FILING (CA/PURCHASING)

	<u>Contract No.</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Value County Code</u>	<u>Award Date</u>	<u>Contract Annual/Total Value</u>
1.	090-0087-C (DF)	Construction Change Order No. 3 (Final)	Belcher Road 48" Water Main Replacement	Department of Environment and Infrastructure (DEI)	GlobeTech Construction, LLC	(148,552.87) 2-62(a)(3)	3/18/2013	7,759,299.03
2.	090-0348-CN (RM) 101-0131- CN (RM) 101-0468-CN (RM)	Amendments	Transfer of Contacts for Professional Consultant Services Agreements	DEI	From: E.C. Driver & Associates, Inc. URS Construction Services, Inc. To: URS Corporation Southern	N/A	3/14/2013	N/A
3.	090-0360-B (LN)	Second Term Extension	Painting Services – Exterior and Infrastructure, Countywide	Various	L&T Brothers, Inc. d/b/a Lowes Painting	115,000.00	3/14/2013	115,000.00
4.	090-0171-B (KF)	Time Extension	Road and Landscape Materials (Co-op)	DEI	All About Hauling, Inc. Angelo's Aggregate Materials, LLC d/b/a Angelo's Recycled Materials Conrad Yelvington Distributors, Inc. Davis Concrete, Inc. E.R. Jahna Industries, Inc. Four Boys Landscape Supply Company, Inc. d/b/a Cypress Creek Landscape Supply Florida Dirt Supply, LLC	N/A	3/14/2013	271,079.00

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5.	078-0597-A (RM)	Time Extension – Second Amendment	Independent Consulting Engineering Services for Solid Waste Landfill and Landfill Related Activities	DEI	CDM-Smith	N/A	3/14/2013	4,000,000.00 Total
6.	101-0319-CP (DF)	Construction Change Order No. 2 (Final)	2011 Airfield Improvements (PID No. 673)	Airport	Ajax Paving Industries of Florida, LLC	(590,856.12) 2-62(a)(3)	3/13/2013	5,117,699.49 Total
7.	101-0107-CP (DF)	Construction Change Order No. 3 (Final)	Sludge Processing Improvements – South Cross Bayou Water Reclamation Facility (WRF) Phase 3 and Phase 4 Odor Control (PID No. 1901-A)	DEI	Wharton-Smith, Inc.	(31,443.69)	3/11/2013	1,013,359.05 Total
8.	112-0174-G (PF)	Increase in Funds for Blanket Purchase Agreement	Dedicated Enterprise-Wide Internet Access Services (ISP)	Business Technology Services (BTS)	TW Telecom Holdings, Inc.	91,043.16	3/11/2013	408,470.57 Total
9.	112-0491-M (PF)	Increase in Funds for Contract Purchase Agreement	Software Maintenance/Support: RescueNet	Department of Public Safety Services	Zoll Data Systems, Inc.	30,278.40	3/11/2013	105,255.00 Annual
10.	101-0036-B (LN)	First and Final Term Extension	Adopt-A-Program(s) Management Services	DEI	Keep Pinellas Beautiful, Inc.	514,000.00 2-176	3/7/2013	514,000.00
11.	123-0158-CP (DF)	Rejection of Bid	Potable Water Tank Mixer Installation – Three Locations (PID No. 001442A/2106)	DEI	N/A	N/A	3/7/2013	N/A
12.	112-0336-CP (DF)	Construction Change Order No. 1 – Time Only	2168 Detention Central Division Energy Management Upgrades (PID No. 000901A)	Department of Real Estate Management	Automated Building Control Systems, Inc.	N/A	3/4/2013	436,075.00 Total
13.	001-0790-A (RM)	First Term Extension	Service Agreement – South Cross Bayou Water Reclamation Facility Sludge Pelletization Project	DEI	Synagro-WWT, Inc.	N/A	3/4/2013	7,500,000.00 Total
14.	112-0075-B (KF)	Increase in Funds for Blanket Purchase Agreement and First Amendment	Fire Protection Systems Safety Testing, Inspection, and Certification	DEI	Commercial Fire and Communications, Inc.	160,000.00	3/4/2013	234,337.50 Total

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15.	101-0064-B (KF)	Second Term Extension	Herbicides, Insecticides, Mosquito Abatement Pesticides and Other Products	DEI	Clarke Mosquito Control Products, Inc.	365,000.00 2-176	2/28/2013	365,000.00 Annual
16.	101-0434-PB (PF)	Continued Purchase Authorization	Computer Peripherals and Equipment	BTS	Insight Public Sector, Inc.	200,000.00	2/27/2013	200,000.00 Annual
17.	112-0084-B (KF)	First Term Extension	Batteries, Vehicle (Co-op)	Department of Real Estate Management – Fleet Management	Batteries by Fisher, Inc.	60,000.00 Pinellas County 110,500.00 Cooperative	2/27/2013	170,500.00 Annual
18.	090-0258-B (SS)	Increase in Funds for Blanket Purchase Agreement	Security Guard Services (Co-op)	Various	Swift Security, Inc.	50,000.00	2/27/2013	1,001,825.00 Total
19.	123-0194-Q (PF)	Rejection of Quote	Exploratory Excavation – North Booster Pump Station	DEI	N/A	N/A	2/27/2013	N/A
20.	089-0311-C (DF)	Construction Change Order No. 3 (Final)	Annual Requirements Pump Station Rehabilitation/Improvements (PID No. 1965)	DEI	Rowland, Inc.	(232,545.05)	2/25/2013	4,658,521.85 Total
21.	101-0205-CP (DF)	Construction Change Order No. 3 (Final)	315 Court Street Parking Garage Structural Repair	DEI	Structural Preservation Systems, LLC	0.00	2/25/2013	420,429.08 Total
22.	112-0564-B (LN)	Continued Purchase Authorization	Real Time Traffic Control System	DEI	Rhythm Engineering, LLC	1,500,000.00 2-164	2/21/2013	1,500,000.00 Annual
23.	089-0255-P (CLM)	Change Order No. 013	Implementation Software Services – Oracle E-Business Suite (Rebid)	BTS	Applications Software Technology Corporation d/b/a AST Corporation	0.00	2/19/2013	599,864.55
24.	089-0178-B (SS)	Time Extension	Janitorial, Industrial – Utilities	DEI	All-Kleen Commercial Cleaning, Inc.	N/A	2/19/2013	110,000.00 Annual

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25.	112-0375-CP (DF)	Name Change and First Amendment	2013-2014 Countywide Pavement Preservation Contract	DEI	From: Tampa Pavement Constructors To: Hubbard Construction Company d/b/a Tampa Pavement Constructors	N/A	2/18/2013	N/A
26.	123-0060-B (CLM)	Rejection of Bids	Computer Hardware – Hewlett Packard Servers	BTS	N/A	N/A	2/18/2013	N/A
27.	078-0117-P (LN)	Name Change	Landfill Operation – Bridgeway Acres	DEI	From: Veolia ES Solid Waste Southeast, Inc. To: Advanced Disposal Services Solid Waste Southeast, Inc.	N/A	2/12/2013	80,000,000.00 Total
28.	045-695-A (RM)	Fourth Amendment	Agreement for Consulting Services for the Pinellas County Stormwater Program Governance Study	DEI	CDM Smith, Inc.	96,740.00	2/8/2013	241,740.00 Total
29.	089-0423-P (CLM)	First Term Extension	Electro-Cardiograph Monitor/Defibrillators and Services	PSS	Philips Electronics North America Corp (Philips)	200,000.00	2/2/2013	200,000.00 Annual
30.	067-0295-P (KR)	Sixth Term Extension	Emergency Base Camp Services	Emergency Management	OK's Cascade, Inc.	N/A	1/23/2013	N/A
31.	101-0342-CP (DF)	Construction Change Order No. 1 (Final)	Sand Filter Upgrades William E. Dunn Water Reclamation Facility (WRF) (Rebid 2) (PID No. 2037)	DEI	Wharton-Smith, Inc.	(60,094.75)	1/17/2013	829,905.25 Total
32.	089-0371-M (CLM)	Second Amendment and First and Final Term Extension	Services: Maintenance 9-1-1 Emergency Telephone/Recording Equipment	Emergency Management	Verizon Select Services, Inc.	1,283,294.64 2-62(a)(2) 2-176	1/15/2013	1,283,294.64 21-Month
33.	112-0024-CP (DF)	Change Order No. 1 (Final)	ARRF Facility Gate Control, Roadway and Drainage Improvements	Airport	Ajax Paving Industries of Florida, LLC	(77.05)	1/14/2013	177,497.95 Total

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	<u>Contract No.</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Value</u> <u>County Code</u>	<u>Award Date</u>	<u>Contract Annual/Total Value</u>
34.	090-0092-R (KR)	First and Final Term Extension	Auction Services – Includes Collection, Transport and Storage (Co-op)	Various	Tampa Machinery Auction, Inc.	300,000.00 Annual Revenue Pinellas County 1,741,000.00 Annual Revenue Co-op	1/11/2013	2,041,000.00 Annual Revenue
35.	101-0329-CP (DF)	Change Order No. 1 (Final)	Terminal Roofing Area 20 (PID No. 2289)	Airport	Sutter Roofing	N/A	1/10/2013	123,750.00 Total
36.	090-0348-CN (RM)	Corrective Contract	Roadways, Drainage, Structural, Civil and Traffic Engineering Consulting Services	DEI	Atkins North America, Inc. Ayres Associates, Inc. Bayside Engineering, Inc. Cumbey and Fair, Inc. Dyer, Riddle, Mills & Precourt, Inc. E.C. Driver & Associates Engineering & Applied Science, Inc. Faller, Davis & Associates, Inc. Florida Design Consultants, Inc. George F. Young, Inc. H.W. Lochner, Inc. Halcrow, Inc. Hamilton Engineering & Surveying, Inc.	N/A	1/10/2013	N/A

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<u>Contract No.</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Value County Code</u>	<u>Award Date</u>	<u>Contract Annual/Total Value</u>
090-0348-CN (RM) Continued				HDR Engineering, Inc.			
				HNTB Corporation			
				ICON Consultant Group, Inc.			
				Jones Edmunds & Associates, Inc.			
				KCI Technologies, Inc.			
				King Engineering Associates, Inc.			
				Kissinger Campo and Associates Corporation			
				Lockwood Andrews and Newman, Inc.			
				Reynolds, Smith, and Hills, Inc.			
				TBE Group, Inc. d/b/a Cardno TBE			
				The Heimburg Group, Inc.			
				URS Corporation Southern d/b/a URS			
				Volkert, Inc.			
				Wade Trim, Inc.			

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	<u>Contract No.</u>	<u>Action</u>	<u>Commodity</u>	<u>Department</u>	<u>Vendor</u>	<u>CA Approval Value County Code</u>	<u>Award Date</u>	<u>Contract Annual/Total Value</u>
37.	112-0117-B (LN)	Time Extension and Increase in Funds for Blanket Purchase Agreement	Asphalt Materials (Co-op)	DEI	Ajax Paving Industries of Florida, LLC Suncoast Paving, Inc. The Lane Construction Corporation	10,000.00	1/10/2013	231,900.00 Total
38.	090-0320-P (AM)	Approval of First and Final Term Extension	Behavioral Health Care for Pinellas County HHS Services	Health and Human Services	Directions for Mental Health, Inc.	1,000,000.00 2-176	1/8/2013	1,000,000.00 Annual
39.	978-0274-S (KR)	Continued Purchase Authorization	State of Florida Purchasing Card Services	Various	FIA Cards Services	N/A	1/8/2013	N/A
40.	089-0281-S (PF)	Continued Purchase Authorization	Telecommunications Infrastructure Cabling and Connectivity (TIPS)	Various	State of Florida Department of Management Services	157,500.00	1/8/2013	157,500.00 Total
41.	101-0118-PB (CM)	Extension of Contract and Increase in Funds for Blanket Purchase Agreement	Electrical	Various	Graybar Electric Company, Inc.	33,300.00	1/8/2013	433,300.00 26-Month
42.	112-0196-B (KF)	Increase in Funds for Blanket Purchase Agreement	Herbicides, Insecticides and Other Related Products (Co-op)	Various	Crop Production Services Inc.	50,000.00	1/8/2013	356,000.00 Total
43.	067-0490-P (AM)	Third and Final Term Extension	Managed Behavioral Services	Human Resources	MHNET Specialty Services, LLC	150,000.00	1/8/2013	150,000.00 Annual
44.	056-0759-B (LN)	Time Extension and Increase in Funds	Services, Household Chemical Waste Collection	DEI	EQ Florida, Inc.	50,000.00	1/8/2013	618,629.86 Total

Total: \$5,052,586.67

#16a See Agenda Item No. 18.

#16b See Agenda Item No. 18.

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- #17a Notice of new lawsuit and defense of the same by the County Attorney in the case of Beaver K. Gamble v. Pinellas County Utilities, et al. and Pinellas County Board of Commissioners – Federal Case No. 8:13-cv-00696-MSS-TGW – Motion to Equal Pay Act Lawsuit.
- #17b Notice of new lawsuit and defense of the same by the County Attorney in the case of MaryAnn Stegmaier v. City of Clearwater and Board of County Commissioners of Pinellas County, et al. – Circuit Civil Case No. 13-2739-CI-020 – Allegations of Negligence Resulting in Personal Injury.
- #18 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court).
- #10 Award of bid to Allied Universal Corporation for Sodium Hydroxide 50% Solution (Bid No. 123-0099-B) approved for an estimated 24-month expenditure not to exceed \$555,685.90 on the basis of being the most responsive, responsible bid received meeting specifications. Bid is for a 24-month contract with an option for a 24-month extension. Option for extension shall be exercised only if all prices, terms, and conditions remain the same, pending availability of funds and approval by the County Administrator.

In response to queries by Commissioner Roche, Purchasing Director Joseph Lauro, with input by Administrator LaSala, discussed the award of bid recommendation, and indicated that even though a local firm, Univar USA, Inc., submitted an approximately \$130,000.00 lower bid meeting specifications, it did not bid on the entire contract; and that because Allied Universal Corporation offers the lowest aggregate price on the entire contract, it is being recommended for the award of bid.

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

- #11 First Amendment to the contract with Daktronics, Inc., for Intelligent Transportation Systems Traffic Equipment approved (Contract No. 101-0337-B) (original approved 36-month expenditure not to exceed \$725,650.00).

In response to queries by Commissioner Roche, Richard Coates, Transportation and Stormwater Division, indicated that the cost for the 12-inch character-size

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Dramatic Message Sign (DMS) is approximately \$31,000.00; that the cost for the 15-inch character-size DMS is approximately \$59,000.00; and that sufficient funds are available via the contract and the master purchase agreement to purchase five of the requisite 15-inch signs, but the specific item is not in the current contract.

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

- #12 Resolution No. 13-29 adopted supplementing the Fiscal Year 2013 General Fund Budget to appropriate unanticipated receipts for a particular purpose (unanticipated grant revenues to the Parks and Conservation Resources Department in the amount of \$113,760.00 and a transfer of \$5,220.00 from the Trust and Agency Account to the General Fund.)

Commissioner Seel discussed the Communities Putting Prevention to Work Grant, and commented that she would have preferred a different approach to spending the grant dollars, and Commissioner Roche provided input.

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

- #16a Award of bid to Allied Roofing, Inc., for Roof Replacement – Criminal Justice Center (Rebid) (Bid No. 123-0162-CP; Project No. 000002A) approved for an estimated total expenditure in the amount of \$1,379,000.00 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 the agreement and the Clerk to attest.

and

- #16b Award of bid to Dynatherm Resources, Inc., for Air Handler(s), Replacement Roof Top – Detention Central (Bid No. 123-0155-B; Project No. 001401A) approved for an estimated total expenditure in the amount of \$329,724.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 84 consecutive calendar days.

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In response to queries by Commissioner Roche, Director of Real Estate Management Paul S. Sacco clarified that the \$225 million expense is covered under the master plan; whereupon, Commissioner Roche moved, seconded by Commissioner Latvala and carried, that Agenda Items Nos. 16a and 16b be approved.

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

* * * *

At this time, 1:19 P.M., the meeting was recessed and reconvened at 1:47 P.M. with all members present with the exception of Commissioner Long.

* * * *

- #19 Change Order No. 1 (Final) to the contract with Pepper Contracting Services, Inc. (PID No. 400029A/2132; Contract No. 112-0345-CP) approved for terminal apron hardstand expansion, Phase 1 (increase due to Change Order No. 1 [Final], \$15,776.65; revised contract total amount, \$954,858.97) (72 consecutive calendar days time extension; work has been completed as revised contract term completion date was January 31, 2013); Chairman authorized to sign the Change Order and the Clerk to attest (Airport).

Motion	Commissioner Roche
Second	Commissioner Latvala
Vote	6 – 0

- #20 Reappointment of Robert C. Decker to the Pinellas County Public Employee Relations Commission (PERC) approved (four-year term) (County Administrator).

Motion	Commissioner Morroni
Second	Commissioner Latvala
Vote	6 – 0

- #21 Fiscal Year 2013 Board Budget Amendment No. 3 was filed and made a part of the record (Management and Budget).

Motion	Commissioner Latvala
Second	Commissioner Seel
Vote	6 – 0

- #22 Purchase authorization for electronic patient care reporting laptop computers, Phase II, from Insight Public Sector Sled (Contract No. 123-0195-PB) approved (pricing, terms,

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and conditions are per Contract No. 120471 from City of Tucson, Arizona, sponsored cooperatively by the National Intergovernmental Purchasing Alliance Company [National IPA]; estimated total expenditure for Fiscal Year 2013, \$372,077.30) (Department of Public Safety Services/Purchasing).

Motion	Commissioner Seel
Second	Commissioner Latvala

In response to query by Commissioner Roche, Purchasing Director Joe Lauro indicated that the information that was whited out on the Contract Review Transmittal slip was because the analyst originally filled the form out incorrectly.

Vote	6 – 0
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At this time, 1:49 P.M., Commissioner Long returned to the meeting.

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#23 Other Administrative Matters:

a. Reliable Septic Update

Environmental Division Manager Peter Hessling reported that since the zoning issue was approved on January 29, there have been 21 complaints received from ten separate complainants; and that staff has verified six days of the complaints. He related that other events occurring since the meeting include:

- On February 28, Reliable submitted an odor control plan.
- On March 6, the County issued a Notice of Violation to Reliable for confirmed odors at the plant, primarily in February, which carried proposed penalties of \$1,500.00.
- On March 5, the County received a draft facility management plan submitted by Reliable and its consultants, to which the County provided a lengthy response on March 19.
- A meeting was scheduled with Reliable, its consultants, and the County last Friday to discuss the company's plans and a proposal to move forward with the resolution of staffs' Notice of Violation; the meeting was re-scheduled by Reliable to next week.

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Commissioner Roche noted that Reliable has not complied with past or present violations; and that in consideration of the surrounding residents, he would support an action to bring final resolution to this issue.

In response to queries by Chairman Welch regarding the County's current options and Reliable's promise to take care of the odor issues, Attorney Bennett related that although Reliable Septic is still in the court system for the temporary injunction regarding the zoning issue that the Board resolved in Reliable's favor on January 29 by granting the zoning approval, the County would have to establish a new motion for injunction under the failure to do a site plan.

Building and Development Review Manager Al Navaroli indicated that Reliable Septic alluded to a financial hardship and has not submitted the fee for the site plan, taken care of staff's additional requirements to the site plan, or submitted a plan for the containment of a spill inside the building. In response to Chairman Welch's statement that Reliable promised to have the odor issued resolved within six weeks upon approval of the zoning, Attorney Bennett stated that the County does not give conditional zoning; whereupon, Administrator LaSala stated, confirmed by Attorney Bennett, that there is no evidence that the promise of a date certain was a condition of the zoning approval as it was not included in the motion.

In response to query by Chairman Welch and Commissioner Justice regarding how to solve the odor problem, Attorney Bennett, with input by Mr. Hessling, stated that he would contact Reliable and proceed with the violation fining process through a consent order outlining corrective measures, specific timelines, and payment penalties, and then proceed with more formal litigation; and that, traditionally, the Board does not litigate for past sins once the zoning has been approved; whereupon, Chairman Welch confirmed with the members that they were in agreement with the plan. Mr. LaSala indicated that the Board may need to amend the permitting procedure in order to close the gap on regulatory aspects; that the State Department of Environmental Protection need not be involved as this is a local determination; and that the Board will be updated about Reliable's reaction to staff's directives.

b. Ajax Paving Update

Mr. Hessling reported that staff has notified Ajax Paving that it will not be permitted to crush concrete or rock on site unless it comes before the Board through a public hearing to amend the allowed property uses; that staff is still receiving citizen complaints about Ajax even though there are multiple other sources in the area that could be causing the dust; that Ajax, along with other businesses in the industrial area, continues to operate in compliance with the air permits; and that the ambient air quality monitoring data indicates that the area measures well below the Federal Health Standard.

In response to query by Chairman Welch as to whether the dust issues have been resolved to Ms. Bobowski's satisfaction, Mr. Hessling reported that staff has answered Ms. Bobowski's questions; and that the dust and odor from the asphalt plant are well within acceptable limits per the permit and per the regulations, nevertheless, the neighbors are not satisfied. Commissioner Seel requested that Ajax Paving's grandfathered rights be clearly delineated, and Commissioner Roche concurred. Commissioner Roche expressed concern with the air quality monitoring equipment being placed on Ulmerton Road rather than in the neighborhood, and indicated that he recently visited Ms. Bobowski's neighborhood, and the dust problem is real and significant and not common to the amount of dust found throughout the county; whereupon, Mr. Hessling stated that a monitor on the property would be an unacceptable measurement site as the proximity to the building, the bushes and the berm would impede normal air flow.

#24 County Attorney authorized to initiate litigation in the Case of Pinellas County v. Florida Gulf Coast Center for Fishing Foundation, Inc.

Attorney Bennett indicated that in January 2012, the Board entered into a lease agreement with Florida Gulf Coast Center for Fishing Foundation, Inc.; that the lessee has failed to pay its rent since October 2012, with the exception of rent for the month of December 2012; and that the County has provided the lessee two separate notices of default, as well as an offer to mediate the matter conditioned upon payment of rents owed. He indicated that the lessee has refused to pay back-owed rents, and, as of today, owes rent in the sum of \$34,065.93; whereupon, Attorney Bennett recommended that the Board authorize the County Attorney's Office to initiate litigation to pursue all of its available legal remedies.

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In response to the Chairman's call for public comment, Jim Simons, Seminole, appeared before the Board; whereupon, in response to query by Chairman Welch, Attorney Bennett confirmed that it would be appropriate for Mr. Simons to speak to the issue, but negotiation would not be appropriate.

Mr. Simons discussed the purpose of the foundation, noting that it is youth oriented and has 4,000 children in fishing clubs in Pinellas County schools. He displayed photographs of the museum and pointed out concerns he has with the facility. He stated that he has had problems with County Administration, and the two sides are at an impasse; whereupon, he requested that mediation occur before litigation is initiated.

Attorney Bennett related that conversations have been occurring with the tenant; and that litigation and mediation are not mutually exclusive, as the court will probably order mediation; whereupon, Administrator LaSala indicated that all attempts to resolve differences and address concerns have been unsuccessful; and that the County has offered to go into mediation once the tenant pays the past-due rent, and the tenant has refused, which leaves no alternative other than to recommend this course of action.

Commissioner Seel indicated that she would support mediation at this point, noting that she can understand both sides; whereupon, she moved, seconded by Commissioner Roche, that the County go into mediation before litigation is pursued, and discussion ensued.

Chairman Welch stated that he would not support the motion because of his fear that it would set a precedent for similar issues; and Commissioner Latvala concurred, adding that since she does not have all the facts or know all the circumstances, she must rely on the judgment of staff.

Administrator LaSala reiterated that he and other members of his staff have met with the tenant; that the County has spent a substantial sum of money in an attempt to address the grievances, but cooperation has been a one-way street; that there is a lack of good-faith effort at this point; and that the recommendation is a prudent one in order to secure some movement and progress. Commissioner Seel respectfully disagreed, stating that mediation is the best independent solution to try to resolve the differences of opinion. She suggested that the item be tabled while the Commissioners become conversant with both sides of the issue; whereupon, Mr. Bennett indicated that a mediator would only bring the sides together, not give an opinion as to which side is right; that there is no indication that the tenant would bear half the cost of the mediation; that delay is

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beneficial to the tenant, as he will continue to occupy the facilities without paying rent during any delay attendant to a mediation; and that if the County has the authority to litigate, such problems could be cut off should they surface.

Commissioner Seel indicated that her motion remains on the floor, and the seconder concurred, noting that he, too, would be open to tabling the item. Chairman Welch reiterated his concerns regarding setting a precedent; and upon call for the vote, the motion failed 3 to 4, with Commissioners Latvala, Morroni, Justice and Welch dissenting.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Morroni and carried, that the item be approved as per staff recommendation.

Motion	Commissioner Latvala
Second	Commissioner Morroni
Vote	5 – 2 (Commissioners Seel and Roche dissenting)

- #25 Authorization granted for the County Attorney to proceed with a Petition to Grant Ownership of Seized Neglected or Cruelly Treated Animals in the Case of Pinellas County, on Behalf of Pinellas County Animal Services v. Larae Bryant (County Civil Case No. 13-2243CO-042).

Motion	Commissioner Seel
Second	Commissioner Latvala
Vote	7 – 0

- #26 *Addressed following Item No. 1 (Companion Item).*

- #27 County Attorney Miscellaneous – None.

- #28 Acting as the Emergency Medical Services Authority, the Board approved the appointments to the Pinellas County Emergency Medical Services (EMS) Advisory Council for two-year terms, as delineated in the Board Memorandum dated April 9, 2013.

Motion	Commissioner Latvala
Second	Commissioner Roche
Vote	7 – 0

- #29 Resolution No. 13-32 adopted providing for Electronic Filing of Campaign Finance Reports for County and Special District Candidates, Political Committees, County

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Executive Committees, and other people or entities required to file such reports with the Supervisor of Elections (Supervisor of Elections).

In response to queries by Commissioner Justice, Deputy Supervisor of Elections Julie Marcus indicated that the resolution is not to allow, but to require electronic filing of finance reports; that the Supervisor of Elections already requires candidates, committees, and political parties to file electronically; that instead of filing a summary sheet with original signatures, candidates and chairs would receive a unique pin number to use, and all documents would be filed electronically; and that the County computers in the Supervisor of Elections offices may be used by those people who do not have computer or internet access.

Commissioner Roche expressed his concerns regarding the authenticity and reliability of an electronic signature versus an original signature; whereupon, Managing Assistant County Attorney Jewel White, with input by Attorney Bennett, related that Florida Statutes have recognized electronic signatures; that many documents are electronically filed; that the resolution provides for the issuance of an electronic receipt to be issued to the registered owner of the pin upon electronic filing; and that it is the responsibility of the filer to protect the login, password and pin information.

Motion	Commissioner Long
Second	Commissioner Morroni
Vote	7 – 0

#30 County Administrator Reports – None.

Administrator LaSala related that, for a collective overview, a workshop regarding land use planning and related processes and procedures would be scheduled on the same day as the land development regulations.

#31 Appointment of J. Brad Houser to the WorkNet Pinellas Board of Directors (term: April 10, 2013 through June 30, 2015) approved.

Motion	Commissioner Morroni
Second	Commissioner Latvala
Vote	7 – 0

#32 Appointment of Michael Foley, alternate member, to the Board of Adjustment approved.

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Ballots were distributed, each member was asked to vote for one candidate, and the ballots were presented to Chief Deputy Clerk Claretha N. Harris for tabulation.

Later in the meeting, Chairman Welch indicated that Michael Foley had been appointed by majority vote to the Board of Adjustment.

#33 County Commission Miscellaneous

a. Commissioner Roche reported on his recent tour of the Florida Holocaust Museum.

noted that the Cleveland Metropolitan Planning Organization presentation on Bus Rapid Transit Operation is comparable to Pinellas County's Transit Tax Initiative; and suggested that it would be appropriate for viewing by Pinellas County citizens. Following discussion, Chairman Welch, with input by Commissioner Seel, related that the presentation is located on Pinellas County's streaming video and suggested presenting the video to the Pinellas Suncoast Transit Authority (PSTA).

b. Commissioner Latvala announced that at the recent Florida Association of Counties (FAC) conference and RESTORE Act meeting a Memorandum of Understanding was signed with the Governor's Office for the Governor to appoint six ex officio members with environmental expertise to the Committee rather than six voting members and the Chairman, which he had proposed.

c. Commissioner Justice expressed appreciation to Attorney Bennett and his staff, especially Attorney White, for responding to questions and clarifying issues regarding the FAC workshop on ethics, public records, and the Sunshine law.

d. Commissioner Long reported on her recent FAC workshop conversation with the Legislative Delegation, noting that she had

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requested that they do the County no harm.

e. Chairman Welch

questioned the necessity for the Internet Café ordinance, as a ban on Internet Cafés is currently before the Governor. Attorney Bennett related that he will continue to track the progress of the proposed law, but he does not think the County needs to proceed with the ordinance.

indicated that Tampa and St. Petersburg have moved forward with synthetic drug ordinances and queried as to whether the County needs to adopt its own for the unincorporated area; whereupon, Attorney Bennett related that the legislature is updating the list of modified designer drugs; and that he will monitor the list to see if there is a gap between the legislation and what Tampa and St. Petersburg are regulating.

related that Sheriff Gualtieri is looking into background checks on private gun sales and will update the Board accordingly; whereupon, Attorney Bennett indicated that the Federal case was dismissed, but defense is continuing in Federal and State Court as it applies to gun shows.

commended the Communications Department on their work relative to the eTownHall meeting to be held at St. Petersburg College, Seminole Campus, Digitorium, on April 10, 2013.

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#34 Meeting adjourned at 2:53 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk