

AGENDA ITEM # 1
December 10, 2013

1. APPROVAL OF MINUTES:

Regular meetings held October 22 and November 5, 2013.

4

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, OCTOBER 22, 2013 – 2:00 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

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

INVOCATION: Pastor Steve Nicholson, Faith Family Outreach Church, Indian Rocks Beach.

PLEDGE OF ALLEGIANCE: Commissioner Morroni.

PRESENTATIONS AND AWARDS: None.

CITIZENS TO BE HEARD

David Ballard Geddis, Jr., Palm Harbor, re reclaimed water variance violates 1st Amendment -*submitted document*
Tina Koufas-Eisbacher, Largo, re Responsible Breeding Imperative (RBI) Initiative
Suzanne House, Tampa, re Responsible Breeding Imperative - *submitted document*
Sanja Smajlovic, Clearwater, re euthanasia vs. killing in PCAS - *submitted document*
Toni Sturm, St. Petersburg, re Case BA-11-11-13
Melanie Dodson, St. Petersburg, re Macon mandates (breeding restrictions) - *submitted document*
Dusty Showers, Oldsmar, re from MSN to RBI (and why)
Andrea Wells, Clearwater, re “silent majority” re: RBI - *spoke on behalf of others in attendance; submitted document*
Andrea Barlow, Seminole, re pro RBI
Paul Solan, Seminole, re pro RBI
Lenore Faulkner, Madeira Beach, re education excellence, middle school
Greg Pound, Largo, re families and justice

In response to comments and concerns regarding mandatory spay/neuter (MSN) and RBI, Chairman Welch related that the County Commission and members of the community held a lengthy discussion on September 10, following which the Commission set a path forward; and that the Board’s direction does not include MSN/RBI, but does include a Trap/Neuter/Release (TNR) program.

October 22, 2013

Responding to queries by Chairman Welch, Administrator LaSala indicated that a working group has been assigned to design a TNR pilot program; that he will alert the Board once a proposal has been received; and that other proposed elements, such as variable fees, are currently under review and will be brought back to the Board along with the TNR proposal; whereupon, Commissioner Welch requested that Mr. LaSala attempt to obtain a timetable and share the information with the community.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 11 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 6, WHICH WAS PULLED FROM THE AGENDA AT THE REQUEST OF THE COUNTY ADMINISTRATOR, AND ITEMS NOS. 5b, 7, AND 9b, WHICH WERE CONSIDERED UNDER ITEM NO. 12

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

1 Minutes of regular meetings of September 10 and September 17, 2013 approved.

2 Reports received for filing:

- a. Reports of Expenses Incurred Under Incentives, Awards and Recruitment Ordinance No. 07-26 for the Quarters Ended March 31, 2011, June 30, 2011, September 30, 2011, December 31, 2011, and March 31, 2012.
- b. Pinellas County Quarterly Donation Listings of \$500 and Greater for the quarters ended December 31, 2012 and June 30, 2013.
- c. Quarterly Investment Reports for the Periods ended March 31, 2013 and June 30, 2013.
- d. Quarterly Report of Routine Dock Permits issued from July 1, 2013 to September 30, 2013.

3 Vouchers and Bills Paid:

Period September 8 through September 14, 2013

Payroll

ACH – \$3,019,845.15

Checks – \$41,711.57

Third Party ACH – \$14,500.15

Third Party Check – \$6,773.60

Accounts Payable

Checks – \$5,330,213.82

ACH Transfers – \$1,497,071.05

Wire Transfers – \$3,955,927.08

Period September 15 through September 21, 2013

Payroll – None

Accounts Payable

Checks – \$6,849,555.53

ACH Transfers – \$3,266,440.74

Wire Transfers – \$1,934,329.11

Period September 22 through September 28, 2013

Payroll

ACH – \$2,875,160.63

Checks – \$48,264.97

Third Party ACH – \$14,364.55

Third Party Check – \$2,547.89

Accounts Payable

Checks – \$6,225,524.61

ACH Transfers – \$5,747,773.22

Wire Transfers – \$1,208,181.19

4 Miscellaneous Items Received for Filing:

- a. City of Clearwater Notices of Public Hearings regarding an Intent to Consider a Development Agreement held October 3, 2013, and proposed Ordinance No. 8498-13 to be held December 5, 2013 amending the Community Development Code.
- b. City of Oldsmar Notice of Public Hearing regarding proposed Ordinance No. 2013-19 held October 15, 2013, voluntarily annexing certain property.
- c. Pinellas Suncoast Fire & Rescue Resolution No. 2013-06 adopted September 19, 2013, adopting the 2013/2014 budget, adopting rates of assessments, and establishing pay raises for administrative staff/personnel, together with a copy of the adopted budget.

5a Award of bid to Ajax Building Corporation for Airport Terminal Renovations – Phase II (Project No. 000315A, Bid No. 123-0412-CP) approved for an estimated total expenditure in the amount of \$4,189,700.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign the agreement and the Clerk to attest.

5b See Agenda Item No. 12.

6 Rejection of proposals for Multi-User Flight Information and Display System and Voice Paging System – Airport (RFP No. 123-0209-P). Item pulled from the agenda at the request of the County Administrator.

7 See Agenda Item No. 12.

8 Grant Application with the Southwest Florida Water Management District for the Lake Seminole Sediment Removal Phase II Project, previously approved by the County Administrator, ratified and confirmed (PID No. 000157A/922025); anticipated grant funding amount, \$3,078,000.00.

October 22, 2013

9a DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR –
RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Airport	Temporary Access Permits for the Transport Workers Union of America for September 12 and 19, 2013	N/A	9.10.13
Airport	Second Amendment to Permit for Commercial Ground Transportation - Taxicab with Florida Gulf Coast Transportation, LLC d/b/a Clearwater Yellow Cab for a Time Extension	\$12,000.00 Annual Revenue	9.5.13
Animal Services	Memorandum of Understanding with the Pinellas County Health Department for a Rabies Control Program	N/A	8.29.13
Community Development	Specific Performance Agreement with the Young Men's Christian Association of the Suncoast, Inc. for the Greater Ridgecrest Branch YMCA Facility	\$235,000.00 Community Development Block Grant Funds	10.4.13
Community Development	Satisfaction of Mortgage (1)	Lien has been paid in full	8.28.13
Community Development	Loan Modification Agreement (Time Extension)	N/A	8.27.13
Community Development	Satisfaction of Mortgage (1)	Lien has been paid in full	8.20.13
Convention and Visitors Bureau	(a) Elite Event Tourism Promotion Agreement with Clearwater Jazz Holiday Foundation, Inc. for the Clearwater Jazz Holiday Event	(a) \$100,000.00	9.30.13
	(b) Approval of Indemnification Provisions in the Registration for the Religious Conference Management Association, Inc. Trade Show on February 5- 6, 2014	(b) N/A	
	(c) Termination of Agreement with Visit Tampa Bay for Cooperative Sales in the Midwest Region of the U.S.	(c) N/A	
Convention and Visitors Bureau	Sixth Amendment to the Agreement with Visit Tampa Bay for a Cooperative Marketing Program in Brazil	\$45,410.00	9.25.13

October 22, 2013

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Convention and Visitors Bureau	Tourism Services Funding Agreements with Safety Harbor, Greater Seminole Area, Central Pinellas, Upper Tampa Bay Regional and Grater Palm Harbor Area Chambers of Commerce, Inc.	\$3,500.00 each	9.20.13
Convention and Visitors Bureau	Tourism Services Funding Agreements with Chambers of Commerce:		9.19.13
	Greater Clearwater	\$25,000.00	
	Tamp Bay Beaches, Clearwater Beach, Greater Tarpon Springs	\$15,000.00 each	
	Greater Dunedin and St. Petersburg Area	\$10,000.00 each	
Convention and Visitors Bureau	Marketing Agreement with Gabriel's Messenger Films, LLC for Promotion Related to "The Investigator" Film Project	\$10,000.00	9.17.13
Department of Environment and Infrastructure	Grant Application with the Southwest Florida Water Management District (SWFWMD) for:	SWFWMD Grant Funding, Equal County Match:	10.1.13
	(a) Lake Seminole Sediment Removal Phase II Project	(a) \$3,078,000.00 (ratified on 10.22.13 BCC agenda)	
	(b) Integrated Water Management Plan	(b) \$50,000.00	
	(c) Joe's Creek Watershed Improvements	(c) \$150,000.00	
	(d) Lake Tarpon Basin Improvements	(d) \$175,000.00	
Department of Environment and Infrastructure	(a) Community Rating System Annual Recertification with the Federal Emergency Management Agency	(a & b) N/A	9.25.13
	(b) FY 2015 Cooperative Funding Initiative Application Form to the SWFWMD for Antilles and Oakhurst Area Drainage Improvements		
Department of Environment and Infrastructure	Interlocal Agreements with Sixteen (16) Municipalities for Traffic Control Signals and Devices	\$825,000 Annual Revenue	9.17.13
Department of Environment and Infrastructure	Amendment No. 1 for Time Extension to the County Incentive Grant Program Agreement with the Florida Department of Transportation for the Design of an Advanced Traffic Management System/Intelligent Transportation System on S.R. 693/66 th Street from U.S. 19 to Gulf Boulevard	N/A	9.3.13

October 22, 2013

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Department of Environment and Infrastructure	Notice of Liens (74)	N/A	8.20.13
Department of Environment and Infrastructure	Release of Liens (9)	Liens have been paid in full	8.16.13
Department of Environment and Infrastructure	Notice of Liens (2)	N/A	8.14.13
Department of Environment and Infrastructure	Notice of Liens (47)	N/A	8.8.13
Department of Environment and Infrastructure	Notice of Liens (8)	N/A	8.7.13
Department of Environment and Infrastructure	Release of Liens (27)	Liens have been paid in full	8.6.13
Department of Environment and Infrastructure	Notice of Liens (8)	N/A	8.1.13
Health and Human Services	Hospitalist Provider Agreement, First and Final Option of Renewal and Amendment No. 1 with 24 On Physicians, P.C.	\$200,000.00 FY 2014 Fund Pool from Master Hospitalist Provider Agreement	10.1.13
Health and Human Services	Community Mental Health Substance Abuse Funding Agreement with Operation PAR, Inc. for the Adult Inpatient Detoxification Program	\$195,000.00	9.26.13
Health and Human Services	Community Mental Health Substance Abuse Funding Agreement with Suncoast Center, Inc. for the Forensic Focused Outreach Program	\$155,570.00	9.25.13

October 22, 2013

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Health and Human Services	Master Health Program Specialty Provider Agreements, Second and Final Option of Renewal with: (a) Coastal Cardiology Consultants d/b/a The Heart and Vascular Institute (b) Dharamraj, Inc. (c) Alexander Medical Group P.L.L.C. d/b/a Alexander Orthopaedic Associates (d) Pinellas Medical Associates, P.A. United Surgical Assistants, Inc.	Resolution 10-209 waived purchasing ordinance allowing HHS authority to negotiate specialty health care services. \$3,715,000.00 FY 2014 Master Agreement Pool	(a) 10.4.13 (b) 9.25.13 (c) 9.17.13 (d) 9.11.13
Health and Human Services	Radiology Provider Agreement with Radiology Associates of St. Petersburg, P.A.	\$200,000.00 FY 2014 Fund Pool from Master Radiology Provider Agreement	9.17.13
Health and Human Services	License Agreement with the Florida Department of Health for the Use of Office Space at Three Locations	\$26,492.60 per FY	9.3.13
Justice and Consumer Services	(a) Service Funding Agreement with Wayne A. Grosnick and Associates, P.A. d/b/a Solutions Behavioral Healthcare Consultants for Veterans Treatment Court (b) Service Funding Agreement with WestCare Gulfcoast-Florida, Inc. for the Veterans Treatment Court	(a) \$73,000.00 (b) \$163,324.00	10.4.13
Justice and Consumer Services	(a) Funding Agreement with WestCare Gulfcoast- Florida, Inc. for the Operation of Turning Point Inebriate Shelter (b) Service Funding Agreement with WestCare Gulfcoast-Florida, Inc. for the You Can! Grant Program for Adult Drug Court (c) Fixed Price Agreement with the University of South Florida Board of Trustees for the You Can! Grant Program for Adult Drug Court	(a) \$97,330.00 (b) \$237,166.20 (c) \$32,000.00	10.2.13
Justice and Consumer Services	(a) Traffic Law Enforcement Agreement with the Sheriff and Crescent Oaks Community Association, Inc. for Traffic Control (b) Traffic Law Enforcement Agreement with the Sheriff and Bayou Club Community Association, Inc. for Traffic Control	(a) \$6,000.00 Annual Revenue (b) \$7,000.00 Annual Revenue	10.1.13

October 22, 2013

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Justice and Consumer Services	(a) Approval of a Grant Application and Award from the U.S. Department of Justice for the Pinellas Women Emerge Program to Fund Residential Treatment for Female Offenders in collaboration with the Sixth Judicial Circuit Court of Florida and WestCare-Gulfcoast Florida	(a) \$200,000.00 Grant Revenue and \$50,319.00 match funds from Court resources and services from Westcare	9.30.13
	(b) Traffic Law Enforcement Agreement with the Sheriff and East Lake Woodlands Community Association, Inc. for Traffic Control	(b) \$18,000.00 Annual Revenue	
Justice and Consumer Services	(a) Service Funding Agreement with the Center for Rational Living for the You Can! Grant Program for Adult Drug Court	(a) \$83,448.00	9.26.13
	(b) Interlocal Agreement with the Statewide Guardian Ad Litem Office for Funding of Operational Functions	(b) \$35,000.00	
	(c) Legal Aid Services Agreement with Gulfcoast Legal Services, Inc. for Legal Aid Services to Indigent Residents	(c) \$357,467.00	
Justice and Consumer Services	Data Collaborative Services Agreement with the University of South Florida, Florida Mental Health Institute for Information Sharing Services	\$20,000.00	9.25.13
Justice and Consumer Services	Grant Award from the U.S. Department of Justice, National Institute of Justice for the Forensic Laboratory DNA Backlog Reduction Program	\$333,061.00 Annual Grant Revenue. No Match (ratified on 10.22.13 BCC agenda)	9.20.13
Justice and Consumer Services	Funding Agreements with Suncoast Center, Inc. d/b/a Help a Child for: (a) Sexual Assault Victim Examination Program (b) Medical Assessments of Children who are Alleged Victims of Abuse or Neglect	(a) \$164,000.00 (b) \$100,000.00	9.19.13
Justice and Consumer Services	Delegation of Financial Administration and Reporting for the Crime Stoppers Grant Award to Sheriff Gualtieri	N/A	9.17.13
Justice and Consumer Services	Grant Award from the U.S. Department of Justice for the Edward Byrne Memorial Justice Assistance Program	\$269,791.00 Grant Revenue, No Match (ratified on 10.8.13 BCC agenda)	9.16.13

October 22, 2013

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Justice and Consumer Services	Interlocal Agreements with the Pinellas County Public Defender for the: (a) Incompetent to Proceed Misdemeanants Program (b) Information Services Technology Position	(a) \$161,490.00 (b) \$45,530.00	9.16.13
Justice and Consumer Services	Grant Award from the U.S. Substance Abuse and Mental Health Services Administration for the Adult Drug Court "You Can!" Program	\$325,000.00 Annual Grant Revenue, No Match (ratified on 10.22.13 BCC agenda)	9.9.13
Justice and Consumer Services	Grant Award from the U.S. Substance Abuse and Mental Health Services Administration for the Veterans Treatment Court Program	\$325,000.00 Annual Grant Revenue, No Match (ratified on 10.22.13 BCC agenda)	9.9.13
Parks and Conservation Resources	Interim Award Agreement with the U.S. Environmental Protection Agency for the Particulate Matter Ambient Air Monitoring Program	\$21,505.00 Grant Revenue	9.25.13
Real Estate Management	Termination of Easements for Temporary Construction Easements in Connection with the Bryan Dairy Road Project	N/A	9.30.13
Real Estate Management	Florida Department of Environmental Protection State-Funded Low-Scored Site Initiative Contractor Selection Sheet for Sheriff's Flight Unit Facility and Indian Rocks Maintenance Yard	N/A	9.25.13
Real Estate Management	Assignment of Rights to Raytheon Company to Recover Sales and Use Tax Paid on Behalf of the Industrial Development Authority during the period: April 2009 to March 2012 April 2012 to June 2013	N/A	9.17.13 9.4.13
Real Estate Management	Right-of -Entry Agreement with the U.S. Dept. of the Army for Fort De Soto Park for an Environmental Investigation	N/A	8.29.13
Safety and Emergency Services	Agreement with Eckerd College, Inc. to Provide Maritime Basic Life Support First Responder Services	\$30,000.00 Annual Expenditure	9.30.13

October 22, 2013

- # 9b See Agenda Item No. 12.
- # 9c Quarterly Report on Administrative Budget Amendments for the period July 1, 2013 through September 30, 2013 was filed and made a part of the record.
- # 9d Quarterly Report on the Law Enforcement Trust Fund – Payments to the Sheriff for the period July 1, 2013 through September 30, 2013 was filed and made a part of the record.
- #10 Ratification and acceptance of grant awards (Health and Community Services):
 - a. Pinellas County Sheriff's Office grant award documents related to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Fiscal Year 2013-2014 Edward Byrne Memorial Justice Assistance Grant Program ratified and confirmed; grant amount, \$269,791.00.
 - b. Pinellas County Forensic Laboratory grant award documents related to the U.S. Department of Justice, National Institute of Justice, Fiscal Year 2013-2014 DNA Backlog Reduction Program ratified and confirmed; grant amount, \$333,061.00.
 - c. Grant award documents related to the Substance Abuse and Mental Health Services Administration Pinellas County You Can! Program for Fiscal Year 2013-2014 (year two) ratified and confirmed; grant amount, \$325,000.00.
 - d. Grant award documents related to the Substance Abuse and Mental Health Services Administration Pinellas County Veterans Treatment Court Program for Fiscal Year 2013-2014 ratified and confirmed; grant amount, \$325,000.00.
- #11 Sitting as the Pinellas County Emergency Medical Services Authority, the Board issued a Certificate of Public Convenience and Necessity to Safe Choice Transportation Services, LLC, to provide non-medical wheelchair transport, in accordance with Pinellas County Code Section 54.
- #12 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller):
 - # 5b Award of bid to MTM Contractors, Inc. for Sunset Point Road Safe Routes to School Sidewalk Improvement – Douglas Avenue to Kings Highway (Project No. 000327A/2268; Bid No. 123-0413-CP) approved for an estimated total

October 22, 2013

expenditure in the amount of \$389,527.45 on the basis of being the lowest responsive, responsible bid received meeting specifications; Chairman authorized to sign the agreement and the Clerk to attest.

Commissioner Seel pointed out that the project extends to Douglas Avenue, which falls 0.1 mile short of reaching the Pinellas Trail; that two large apartment complexes and several rental houses are located near the Trail; that many children are likely to walk or bicycle on the Trail to get to school; and that in order to truly provide a “safe route to school,” it would be desirable to extend the project limits the extra 0.1 mile.

Engineering and Technical Support Division Director Jorge Quintas indicated that the Florida Department of Transportation (FDOT) is providing funding for the project; that the area in question is not included in the project limits; that he would be willing to approach FDOT to propose an extension; and that, for purposes of timing and due to FDOT’s stringent design criteria, it may be prudent to pursue the matter as a County project. Discussion ensued, and Commissioner Seel stated that her preference would be to extend the project one-third mile to U.S. Alternate Highway 19, which could be cost prohibitive; and Commissioner Roche suggested that it may be appropriate to amend the current project, but not necessarily the funding request; whereupon, Mr. Quintas indicated that he will pursue the matter to determine available options.

Thereupon, Commissioner Seel moved, seconded by Commissioner Morroni and carried, that the item be approved with the understanding that staff will follow up with regard to extension of the project limits.

Vote - 7 – 0

- # 7 Amendment No. 5 to the Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for Bear Creek Channel Improvements (L379) (SWFWMD Agreement No. 06C00000024; County PID No. 000108A [922306]) approved extending the contract expiration date from December 31, 2013 to December 31, 2014 and modifying Exhibit B, Project Schedule, due to unanticipated construction delays; Chairman authorized to sign and the Clerk to attest.

Commissioner Seel noted that the project has been permitted since 2007, and acknowledging that there have been a lot of issues, requested an update as to the

October 22, 2013

project status and estimated completion date. Attorney Bennett related that the County is currently in litigation regarding the project; and that he will provide the members with individual briefings as to the status; whereupon, Engineering and Technical Support Division Director Jorge Quintas indicated that the current project is expected to be completed in the first quarter of 2014.

At the request of Commissioner Seel, Administrator LaSala agreed to schedule an overall update on the project as part of an upcoming County Commission meeting.

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

9b PROCUREMENT ITEMS APPROVED BY COUNTY ADMINISTRATOR
 FOR THE QUARTER ENDING SEPTEMBER 30, 2013 – RECEIVED FOR
 FILING (COUNTY ADMINISTRATOR/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.	112-0310-P (CLM)	First Amendment as First Term Extension	Administration of Housing Programs	Community Development (CD)	Clearwater Neighborhood Housing Services, Incorporated Homes for Independence, Inc. Tampa Bay Community Development Corporation The Local Community Housing Corporation	\$800,000.00 2-176	9/17/13	\$800,000.00 Annual
2.	101-0187-B (LN)	Increase in Funds for Blanket Purchase Agreement	Preventative Maintenance and Repair of Odor Control Units	Department of Environment & Infrastructure (DEI)	U.S. Peroxide, LLC	30,000.00	9/11/13	367,209.00 Total

October 22, 2013

<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>
3.	123-0504- PB (PF)	Purchase Authorization	Digital Aerial Imagery	Business Technology Services (BTS)	Aerial Cartographics of America, Inc.	208,979.00	9/11/13	208,979.00 Annual
4.	123-0081- PB (JJ)	Time Extension and Increase in Funds for Blanket Purchase Agreement	Purchase Authorization -- City Wide Street Sweeping Services	DEI	USA Services of Florida	150,000.00 2-164	9/11/13	266,000.00 Total
5.	112-0533- NC (RM)	Approval of Ranking of Firms and Final Negotiated Contract	Professional Engineering Services, Hercules Avenue/Greenbriar Boulevard (LAP)	DEI	Cumbey & Fair, Inc.	180,000.00	9/10/13	180,000.00 Total
6.	112-0262-P (CLM)	Second Amendment as First Term Extension	Administration of Housing Services	CD	Catholic Charities, Diocese of St. Petersburg, Inc. D/B/A Catholic Charities Clearwater Neighborhood Housing Services Incorporated Community Service Foundation, Inc. St. Petersburg Neighborhood Housing Services, Incorporated D/B/A Neighborhood Home Solutions Tampa Bay Community Development Corporation	175,000.00	9/9/13	175,000.00 Annual
7.	112-0515-S (RG)	Continued Purchase Authorization	Staffing Resources for Business Technology Services	BTS	Comsys Information Technology Services	11,500,000.00 2-185	9/9/13	11,500,000.00 Total

October 22, 2013

<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>
					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			
8.	101-0177-S (RG)	Final Release of Retainage and Accept as Complete	IT Consulting Services for Maximo Upgrade, Phase I	BTS	Starboard Consulting, LLC.	(5,000.00)	9/3/13	521,151.00 2-62(a)(3)
9.	123-0002-IP (SS)	Increase in Funds for Contract Purchase Agreement	Public Relations Services/Media Assistance – Convention and Visitors Bureau	Convention and Visitors Bureau (CVB)	Paradise Advertising & Marketing, Inc.	60,000.00	9/3/13	178,750.00 Total
10.	123-0404-N (PF)	Increase in Funds for Standard Purchase Order (SPO 411871)	Professional Services – Consulting Engagement	County Administrator	CPS Associates, Inc. (CPS)	39,100.00	9/3/13	96,050.00 Total

October 22, 2013

<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>
11.	089-0459-B (SS)	Corrective Contract (Incorrect amount for Extension period - increase from \$5,500 to \$55,000)	Laser Printing/Direct Mail/Clearinghouse Services for Emergency Medical Services	Public Safety Services (PSS)	Northeast II, Inc. D/B/A TC Delivers	49,500.00	8/29/13	355,000.00 Total 48 Mo
12.	123-0260-B (KF)	Corrective Contract (Insurance requirement waived – Pollution Insurance not needed)	Painting Services – Interior (Countywide)	Real Estate Management (REM)	Kimszal Contracting, Inc.	N/A	8/29/13	552,500.00 Total
13.	123-0319-B (KF)	First Amendment to Provide Inspections for STAR Center	Fire Protection Systems – Safety Testing, Inspection & Certification	Various	Piper Fire Protection, Inc.	120,354.00	8/29/13	361,062.00 Total
14.	090-0431-P (RG)	Increase in Funds for Blanket Purchase Agreement	Motorola Radio/Pager Repair and Ancillary Maintenance Services	PSS	Suncoast Communications and Electronics, Inc.	50,000.00	8/29/13	190,800.00 Total
15.	123-0463-S (KR)	Purchase Authorization	Electronic Payment Provider	Various	Banc of America Merchant Services, LLC	200,000.00	8/29/13	1,000,000.00 Total
16.	078-0393-P (CLM)	Third and Final Term Extension	Insurance- Group Long Term Disability/Short Term Disability	Human Resources (HR)	Standard Insurance Company	776,040.00 2-176	8/29/13	776,040.00 Annual
17.	089-0535-B (KF)	Second and Final Term Extension	Garbage and Trash Collection	Various	Waste Services, Inc.	669,836.04 2-176	8/28/13	669,836.04 Annual
18.	123-0319-B (KF)	Award of Bid	Fire Protection Systems - Safety Testing, Inspection & Certification	Various	Becker Communications Inc. DBA BCI Integrated Solutions	105,698.00	8/22/13	317,094.00 Total
19.	078-0289-P (SS)	Change Order No. 3 - Increase in Funds for Contract Purchase Agreement	Advertising and Promotional Services	CVB	Birdsall, Voss & Associates	610,750.00 2-184	8/22/13	9,035,622.00 Total
20.	090-0301-A (RM)	First Amendment – Name Change	Consultant Services for Utilities Debris Management Program	DEI	Dewberry Consultants, LLC	190,000.00	8/22/13	190,000.00 Total
21.	112-0042-B (LN)	First Term Extension	Guardrail Services and Materials (Co-op)	DEI	R.J.P. Enterprises, Inc.	150,000.00	8/22/13	150,000.00 Annual

October 22, 2013

<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>
22.	089-0268-B (SS)	Name Change and Time Extension and Increase in Funds for Blanket Purchase Agreement	Janitorial Services – Various Buildings	Various	Ask Solutions, Inc. D/B/A Ask Janitorial Professionals, Inc. American Facility Services, Inc. Dazser – TPA Corporation, D/B/A Jani-King of Tampa Bay Knight Facilities Management, Inc. 3 H Service Systems (OJS Systems, Inc.) Top Job Janitorial Services, Inc.	326,000.00 2-62(a)(2)	8/22/13	3,201,102.12 Total
23.	089-0074-P (SS)	Time Extension and Increase in Funds for Blanket Purchase Agreement	Janitorial Services – Utilities	DEI	Jani-King of Tampa Bay	30,000.00	8/22/13	228,000.00 Total
24.	123-0290-B (KF)	Award of Bid	Grounds Maintenance and Landscape Services	REM	Ameriscape USA, Inc. D/B/A Ameriscape Services	138,000.00	8/20/13	276,000.00 Total
25.	101-0028- CN (RM) and 101-0120- CN(RM)	First Amendment – Name Change Second Amendment - Name Change	Utilities Engineering Consulting Services Waste to Energy Consulting Services	DEI	From: Malcolm Pimie, Inc and Malcolm Pimie, Inc. The Water Division of Arcadis U.S., Inc. To: Arcadis U.S., Inc.	2,260,000.00 2-62(a)(2)	8/20/13	2,260,000.00 Total

October 22, 2013

<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>
26.	101-0084-B (KF)	Cancellation of Contract (New Contract to be released with revised specifications)	Maintenance – Landscape and Grounds (Facility Operations)	Parks and Conservation Resources (PCR)	Buccaneer Landscape Management	(217,601.40)	8/15/13	(217,601.40) Annual
27.	123-0496-E (DF)	Emergency Purchase	42 Inch Sanitary Sewer Lining Repair – South Cross Bayou Wastewater Treatment Plant	DEI	Layne Inliner, LLC	159,313.00	8/15/13	159,313.00 Total
28.	123-0296-N (PF)	Increase in Funds for Standard Purchase Order (SPO 410957)	Consulting Engagement	County Administrator	Leadership Research Institute Inc.	13,500.00	8/15/13	31,500.00 Total
29.	090-0292-P (SS)	Second Amendment as Time Extension and Increase to Contract Purchase Agreement	Benefits Consulting Services	HR	Buck Consultants, LLC D/B/A Buck Consultants	60,000.00	8/15/13	1,221,980.00 Total
30.	101-0312- CP (DF)	Construction Change Order No. 1 (FINAL)	Water Treatment Plant (PID No. 1903-SW)	DEI	Ortega Industrial Contractors	(96,880.17)	8/9/13	14,248,126.83 Total
31.	112-0075-B (KF)	Increase in Funds for Blanket Purchase Agreement	Fire Protection Systems Safety Testing, Inspection & Certification	REM, DEI, Airport	Commercial Fire and Communications Inc.	15,000.00	8/9/13	249,337.50
32.	123-0217- CP (DF)	Construction Change Order No. 1 (FINAL)	Runway (2) Maintenance Repairs – Airport (PID No. 000866A)	Airport	Kloote Contracting, Inc.	0.00	8/7/13	227,090.00
33.	101-0020-S (CM)	Continued Purchase Authorization	Exotic Vegetation Removal & Maintenance	PCR	Southeastern Chemtreat, Inc.	500,000.00 2-185	8/7/13	500,000.00
34.	034-0128-A (RM)	Fourth Amendment (To finalize design)	Agreement for Consultant Services for Design of Regional Stormwater Treatment Facilities for Lake Seminole Alum Injection Project No. 829	DEI	Environmental Research and Design, Inc.	0.00	8/7/13	623,334.00

October 22, 2013

<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>
35.	090-0348-CN (RM)	Fourth Amendment (Assignment of contract)	Assignment of Agreement for Roadways, Drainage, Structural, Civil and Traffic Engineering Consulting Services	DEI	From: Engineering and Applied Science, Inc To: Environmental Consulting and Technology, Inc.	0.00	8/7/13	0.00
36.	123-0182-M (JJ)	Increase in Funds for Blanket Purchase Agreement	Maintenance Of Chlorine Emergency Vapor Scrubber System and Sulfur Dioxide Emergency Vapor Scrubber System (EVSS)	DEI	Siemens Industry Inc.	50,000.00	8/7/13	222,560.00 Total
37.	123-0401-CP (DF)	Award of Bid	Roof Replacement – STAR Center Building 200 (Re-Bid) Project No. 000905A/704	REM	Roof USA, LLC	179,557.00	8/5/13	179,557.00 Total
38.	112-0200-B (KF)	Increase in Funds to Blanket Purchase Agreements (BPA) 407127 and 407296	Landscape Maintenance - Medians, Separators & Right of Way (Countywide)	PCR	NDL, LLC D/B/A Natural Landscaping	Increase to BPA 407127 60,813.35 Increase to BPA 407296 25,000.00	8/1/13	367,583.27 Total
39.	123-0429-Q (JJ)	Rejection of Quote (Over \$100,000 bid threshold)	Lift Station 069 Odor Control Replacement	DEI	Rowland, Inc.	0.00	8/1/13	0.00
40.	112-0264-P (KR)	Approval of Final Negotiated Contract	Services, Auto-Dialer Notification System	Various	Firstcall Network, Inc.	Pinellas County 64,100.00 Co-op 116,100.00	7/30/13	180,200.00 Annual
41.	123-0475-S (RG)	Purchase Authorization	Upgrade, Maintenance, and Support of Compellent Storage Area Networks	BTS	Extensys, Inc.	249,500.00	7/30/13	249,500.00 Annual
42.	112-0309-CP (DF)	Construction Change Order No. 2 (FINAL)	Pinellas Trail Rehabilitation – Phase II (Michigan Boulevard to Oceanview Avenue (PID No. 000328A & 000338A.2298)	PCR	The Lane Construction Corporation	(6,859.99) 2-62(a)(3)	7/22/13	563,364.71 Total

October 22, 2013

<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>
43.	090-0351-P (KR)	First Amendment, Name Change	Services, State Governmental Representation	County Attorney	From: Pennington, Moore, Wilkinson, Bell & Dunbar, P.A. To: Pennington, P.A.	0.00	7/22/13	100,000.00 Annual
44.	101-0353- CP (DF)	Change Order No. 2	Water and Reclaimed Water Main Installation and Repair FY 2011 – 2013 (PID 2068)	DEI	QRC, Inc.	703,181.25 2-176	7/16/13	703,181.25 Annual
45.	112-0273- CP (DF)	Construction Change Order No. 1 (FINAL)	Nursery Road SRTS Sidewalk Improvement Project – Keene Road to East Oakadia Drive (PID No. 000330A/2267)	DEI	Kamminga & Roodvoets, Inc	(66,154.79)	7/16/13	462,858.36 Total
46.	112-0031- PB (LN)	Continued Purchase Authorization	Water Treatment Chemicals – Polymers	DEI	BASF Corporation	700,000.00 2-164	7/16/13	700,000.00 Total
47.	123-0216-B (KF)	Corrective Contract (Expiration date from 7/6/2016 to 7/6/2015)	Sod Materials and Services (Co-op)	Various	Tom's Sod's Services, Inc. Wholesale Landscape Supply, Inc. D/B/A Big Earth Landscape Supply	0.00	7/16/13	317,980.00 Total
48.	123-0430-N (JJ)	Non-Competitive Purchase	Two Muffin Monster Sewage Grinders	DEI	JWC Environmental LLC	158,066.00	7/16/13	158,066.00 Total
49.	112-0075-B (KF)	Time Extension	Fire Protection Systems – Safety Testing, Inspection & Certification	Various	Commercial Fire & Communications Inc.	234,337.00	7/16/13	234,337.00 Total
50.	123-0446-E (JJ)	Emergency Purchase	Pipe Failure at Pump Station 016	DEI	QRC, Inc.	850,724.00 2-181	7/10/13	850,724.00 Total
51.	123-0022-N (SS)	First Term Extension	Marketing Representation – Mid- Atlantic Region	CVB	Danetown Meeting, LLC.	229,500.00	7/9/13	229,500.00 Annual

October 22, 2013

<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>
52.	078-0513-P (GG)	First Amendment (Extension per Office of County Attorney for expiration to co- term with bond counsel contract)	Disclosure Counsel Services	County Attorney	Nabors, Giblin & Nickerson, P.A.	15,000.00	7/8/13	135,000.00 Total
53.	123-0216-B (KF)	Award of Bid	Sod Materials and Services (Co-op)	DEI	Tom's Sod's Services, Inc.	Pinellas County 242,780.00	7/3/13	317,980.00 Total 24 Mo
					Wholesale Landscape Supply, Inc. D/B/A Big Earth Landscape Supply	(Co-op): 75,200.00		
54.	123-0028-B (KF)	Award of Bid	Pest Control: Aerial Mosquito Insecticide Application (Emergency Use)	DEI	Vector Disease Control International, LLC	250,000.00 2-176	7/3/13	250,000.00 Annual
55.	123-0033- CP (DF)	Construction Change Order No. 1 (FINAL)	Roof Overlayment (Re- bid Projects 2 & 3) – STAR Center (PID No. 001244A)	REM	Allied Roofing, Inc.	0.00	7/3/13	793,384.00 Total
					Anderson & Shah Roofing, Inc.			
56.	123-0435-S (PF)	Purchase Authorization	Telecommunications Infrastructure Project Services (TIPS)	Various	The State of Florida, Department of Management Services (DMS) (Several Firms)	315,000.00 2-185	7/3/13	315,000.00 Total 36 Mo
57.	123-0275-B (LN)	Award of Bid	Reef Construction Services - Solid Waste	DEI	Island Marine Group, LLC	125,000.00	7/2/13	125,000.00 Total
58.	112-0018- CP (DF)	Construction Change Order No. 1-Final	ATMS/ITS North Fiber Optic Loop Installation (PID No. 2093)	DEI	Highway Safety Devices, Inc.	(67,548.70)	7/2/13	622,158.70 Total
59.	101-0276- CP (DF)	Construction Change Order No. 1 (FINAL)	The Glades Drainage Improvement (PID No. 1615)	DEI	Ajax Paving Industries of Florida, Inc.	(190,365.55)	7/2/13	749,702.55 Total
60.	101-0291- CP (DF)	Construction Change Order No. 1 (FINAL)	2011- 2012 Countywide Pavement Preservation (PID No. 2281)	DEI	Ajax Paving Industries of Florida, Inc.	(291,345.64)	7/2/13	5,181,929.36 Total

October 22, 2013

<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>
61.	123-0146-B (LN)	Corrective Contract (Inclusion of Xylem Water Solutions USA, Inc)	Pumps, Parts and Repairs	DEI	John Mader Enterprises, Inc. Regional Engineering & Services, Inc. Tampa Armature Works, Inc. Xylem Water Solutions USA, Inc	0.00	7/2/13	850,000.00 Total
62.	112-0491-M (PF)	First Term Extension	Sole Source Purchase - Software Maintenance/Support: RescueNet	PSS	Zoll Data Systems, Inc.	130,000.00	7/2/13	130,000.00 Annual
63.	123-0004-B (SS)	Increase in Funds for Blanket Purchase Agreement	Promotional/Novelty Items	CVB	On Time Marketing Social Merch, LLC	60,000.00	7/2/13	260,000.00 Total
64.	078-0459-B (LN)	Increase in Funds for Blanket Purchase Agreement	Pumps, Parts and Repairs (Co-op)	DEI	Xylem Water Solutions USA, Inc.	50,000.00	7/2/13	1,102,000.00 Total
65.	123-0428-N (RG)	Non-Competitive Purchase	Renewal Maintenance and Support of IBM Maximo Licenses	BTS	International Business Machine (IBM) Corp.	168,299.74	7/2/13	168,299.74 Annual
66.	123-0434-S (RG)	Purchase Authorization	Supply and Installation of Cisco Equipment at the Public Safety Complex	PSS	Presidio Network Solutions	1,094,916.34 2-185	7/2/13	1,094,916.34 Total
67.	123-0433-S (RG)	Purchase Authorization	Supply and Installation of Furniture Consoles at the Public Safety Complex Dispatch Center	PSS	Evans Consoles, Inc.	1,143,614.71 2-185	7/2/13	1,143,614.71 Total
68.	123-0241- CP (DF)	Award of Bid	Roof Replacement – 440 Court Street (PID No. 000888A)	REM	Southern Roofing Company, Inc.	197,247.00	6/25/13	197,247.00 Total
69.	112-0247- CP (DF)	Construction Change Order No. 1 (FINAL)	Lake Seminole Alum Injection Sub-Basin 6 (PID No. 829)	DEI	Keystone Excavators, Inc.	(176,616.25)	6/25/13	538,583.75 Total

October 22, 2013

<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>
70.	112-0415-CP (DF)	Construction Change Order No. 1 (FINAL)	Park Boulevard Bridge Scour Repair (Re-bid) (PID No. 000463A)	DEI	M & J Construction Company of Pinellas County, Inc.	(25,291.71)	6/25/13	474,331.93 Total
71.	123-0262-B (SS)	Corrective Contract (Annual amount stated in memo (\$86,454) incorrect should be \$202,095)	Carpet Maintenance Cleaning Services – Various Buildings	REM	Geyen Group South, Inc.	202,095.00	6/25/13	404,190.00 Total
72.	112-0195-G (PF)	Increase in Funds for Contract Purchase Agreement	Training – High Performance Organization	Various	Commonwealth Centers for High Performance Organizations Inc.	300,000.00 2-184	6/25/13	218,000.00 Annual
73.	112-0456-B (SS)	Name Change	Veterinary Drugs & Supplies	Animal Services	From: Butler Animal Health Supply, LLC D/B/A Butler Schein Animal Health Supply To: Butler Animal Health Holding Company, LLC D/B/A Henry Schein Animal Health	0.00	6/25/13	103,975.81 Annual
74.	123-0407-N (RG)	Non-Competitive Purchase	Maintenance and Support of IBM Passport Advantage Licenses	BTS	International Business Machine (IBM) Corp.	111,932.94	6/25/13	111,932.94 Annual

TOTAL \$26,629,345.98

Commissioner Seel referred to Item No. 72 pertaining to the contract for High Performance Organization training, indicating that she had attended one day of a three-day training session; whereupon, she requested that County employees who have received the training provide the Board with an overview of the process, including what is being done, how it is being done, and how it will be incorporated into the County's "toolbox"; and Administrator LaSala agreed to schedule a presentation in the near future.

Responding to query by Chairman Welch regarding the strategic planning schedule, Administrator LaSala indicated that, while no date has been set, the next session will likely take place in early January 2014.

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

- #13 Airline Operating Agreement between Pinellas County Board of County Commissioners and Allegiant Air, LLC at the St. Petersburg-Clearwater International Airport approved for a five-year term (total projected direct revenue, \$5,381,500.00; indirect revenue, \$21,560,000.00 for the five-year term); Chairman authorized to sign and the Clerk to attest (Airport).

Airport Director Noah Lagos conducted a PowerPoint presentation titled *PIE-Allegiant Five Year Operating Agreement*, a copy of which has been filed and made a part of the record, and provided a brief overview indicating that Allegiant Air currently serves 99 cities, has 64 aircraft in its fleet consisting of MD-80s and 757s, and is adding 17 A-320 airbuses in 2013-2014 that can seat more passengers, fly farther distances including internationally, and take off and land on shorter runways; that Allegiant is the second highest per share of any publically traded airline on the stock exchange and has been profitable for the last 41 quarters; and that St. Petersburg-Clearwater International Airport (PIE) is number four on Allegiant's city list, subsequent to Las Vegas, Orlando/Sanford, and Phoenix Mesa.

Noting that Allegiant Air drives tourism, which is an important component of Florida's economic structure, Mr. Lagos indicated that 30 percent of the revenue Allegiant creates is through Allegiant Travel's hotel bookings; that approximately \$924 million a year of economic impact to the local community is derived from PIE, according to a Florida Department of Transportation study published in 2010; and that within the next few weeks PIE will reach 34 destinations overall, with 31 non-stop destinations on Allegiant Airlines, an increase over the 12 cities serviced in 2006.

Mr. Lagos discussed the past agreements between PIE and Allegiant Air pointing out that the first agreement was five-years long, and included:

- Waiving Allegiant's fees for the first two years based on the level of service.
- Direct marketing support by PIE subject to Allegiant meeting a "benchmark" of seats sold in the market.

October 22, 2013

- Waiving Allegiant's fees for aircraft that remain overnight (RON).
- Freezing Allegiant's airport fees for four years for the use of the PIE loading ramps.

Pointing out that the second two-year agreement expires in November 2013, Mr. Lagos indicated that the dynamics of the two-year agreement changed with the uncertainty of the economy; and that the two-year agreement's structure of fee-waivers is implemented into the new five-year contract, which includes:

- Waiver of fees for two years for every new city that does not compete with another airline at PIE, and one year for a new city that might compete with an existing airline destination.
- Direct marketing support of \$25,000.00 for each new city added, for a maximum of three cities in any fiscal year, which equates to \$75,000.00 for domestic and international destinations, not to exceed \$150,000.00 for the five-year agreement.
- Airport fees applicable to Allegiant aircraft that park overnight will cap at five aircraft with a potential of ten aircraft, as Allegiant has related that an economic asset has been brought to the community with its crew, pilots, flight attendants, and maintenance based in the Tampa Bay area.
- The new agreement commences on November 16, 2013 and extends through September 30, 2018.
- Terminal facility fees that Allegiant would incur pertaining to the public area and bag belt upkeep and maintenance, and passenger screening fees that are steadily increasing with airplane and curbside security. These two fees would escalate once each year, from years two through four, and remain fixed at the year four rate in year five.
- Payment of a pro-rata share of the exit gate staff, as federal Transportation Security Administration (TSA) will no longer secure passenger exit portals. This would be an additional cost to PIE of \$200,000.00 to \$225,000.00, and Allegiant Air comprises 92 percent of PIE traffic.

In response to queries by Chairman Welch regarding exit gate security, Mr. Lagos indicated that the national decision by TSA to no longer secure airport exit gates would go into effect January 1, 2014; and that commercial leaders and trade organizations representing all airlines in the United States are contesting the TSA rule.

October 22, 2013

Mr. Lagos related that airplane runway and landing fees would remain the same; that PIE encourages the use of its loading bridge at a fixed fee of 35 percent, as it is less expensive for the airline to use PIE's equipment, and federal funds pay for the loading bridge maintenance; and that terminal rent would remain constant, as the amount of terminal space Allegiant rents is minimal.

In response to query by Commissioner Roche regarding the terminal facility fee increase between Fiscal Year 2014 and Fiscal Year 2015, Mr. Lagos indicated that PIE's budget is based on 900,000 passengers, and predicts over 1.1 million passengers in Fiscal Year 2014 with Allegiant adding six new cities; that with capital improvements and the reduction in Federal Aviation Administration (FAA) grant funding, Allegiant agreed to the terminal facility increase; and that Allegiant has pledged a good-faith effort to increase passengers by four percent per year, or two cities every year after this season, as the low cost of fees to PIE per enplaned passenger would increase the overall revenue of Allegiant Air.

Noting that PIE has the lowest fees of any city that Allegiant serves and in response to queries by Chairman Welch and Commissioner Morroni, Mr. Lagos clarified that the PIE fees of \$1.52 per enplaned passenger is the entire calculation of the cost to the airline for airport fees, such as landing fees, rent, facility fees and security fees; and that Chicago to Tampa Bay is currently not served by Allegiant air; whereupon, Commissioner Long pointed out that Allegiant Air has a bargain with the PIE contract.

Responding to a request for clarification by Commissioner Roche, Mr. Lagos related that, although PIE has an extremely attractive fee schedule, PIE remains debt and mortgage free due to the pay-as-you-go policy for capital projects. He stated that PIE's unrestricted reserves are approximately \$14 million with an additional \$2.5 million in restricted reserves; that direct and indirect revenue from Allegiant Airlines should be approximately \$39 million, based on a five-year conservative projection; that paid parking and car rental fees are the greatest source of revenue for PIE; that PIE is frequently opening the remote parking lot with the large growth in out-bound traffic; and that the new airbus aircraft of Allegiant Air seats more passengers with more destinations and international capabilities, and PIE already has a large customs area previously used by Canadians; whereupon, Chairman Welch commended Mr. Lagos, noting that a million passengers is a large accomplishment for Pinellas County.

In response to queries by the members regarding Allegiant air destinations, similarity between Allegiant and PIE logos, and fuel usage, Mr. Lagos indicated that he is unsure

about Allegiant servicing Canada, as border cities such as Niagara offer lower passenger taxing rates than Canada; that he is unknowledgeable whether the similarity in logos contributes to Allegiant and PIE's success; and that Allegiant purchases over 100,000 gallons of fuel, which equates to approximately \$2,000.00 a month of extra income to PIE.

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

- #14 The Beckett Bridge Project Development and Environmental (PD&E) Study's Recommended Alternative of Replacement with a New Movable Bridge (PID No. 000109A/2161) accepted.

Administrator LaSala, with input by Jorge Quintas, Director of Engineering and Technical Support, Department of Environment and Infrastructure, indicated that today's agenda item is not the final action or bridge design, only an update on the alternatives; that the request is for direction from the Board to further review the recommended alternative and complete the initial step to move forward in accordance with the federal regulations towards a National Environmental Policy Act (NEPA) public hearing; that the process must be followed to maintain federal funding; that a separate website would address conditions of the federal requirements and various options with the associated costs in ample time for adequate review by the public prior to the NEPA hearing to be scheduled in February 2014; and that all of the information would be brought back before the Board for final approval of a project direction.

Noting that Pinellas County conducted the Project Development and Environment (PD&E) study through URS Corporation to evaluate whether the Beckett Bridge over Whitcomb Bayou in Tarpon Springs should be removed, rehabilitated, or replaced, Administrator LaSala indicated that this would be a \$36 million undertaking on a seriously compromised bridge; and that, although it is a historical element in the community and is eligible for listing in the National Register of Historic Places, the County-owned Beckett Bridge has speed and weight limits, structural weakness, and safety issues for the surrounding residents, and should be replaced.

Pointing out that the PD&E study began in January 2012, URS Corporation Consultants Jim Phillips and Anne Venables conducted a PowerPoint presentation, a copy of which has been filed and made a part of the record, and provided an overview of the NEPA-Federal Highway Administration (FHWA) process. Ms. Venables indicated that the

October 22, 2013

study balances the impact to the communities, alternatives to the historic bridge, and the public's need for safe and efficient transportation while engaging the broader public and federal agencies, including the State Historic Preservation Officer (SHPO).

Referring to a map, Ms. Venables pointed out the location of Beckett Bridge and provided historical background information, relating that the original timber bridge was constructed in 1924 and reconstructed as a concrete bridge in 1956; that the bridge has been repaired many times, and as recently as 2011; that the only original remaining parts are the bascule span, some of the machinery, and the piers, which are sinking; and that the bridge is one of the few remaining pre-1965 bridges of its type in Florida, and contributed to the westward expansion of the City of Tarpon Springs. She stated that the Beckett Bridge has an efficiency rating of 44.7, is 25 feet wide, and provides a vertical clearance of six feet.

Mr. Phillips explained the mechanics of a bascule bridge, relating that the Beckett Bridge mechanical and electrical systems are old and worn, and the bridge no longer opens smoothly; that the structure has deteriorated; that the weight capacity is inadequate for modern trucks and vehicles; and that the bridge is unsafe for bicycles and pedestrians, as it is too narrow and does not meet American Disability Act (ADA) requirements or current safety standards.

In response to queries by Chairman Welch regarding the safety and operation of the bridge, Mr. Phillips related that the bridge is safe, as it is routinely inspected; that it carries a load posting, as it is not designed for heavy trucks; that, for the moment, the bridge could remain open to light vehicles; that due to minimal requests, Pinellas County opens the bridge with a two-hour notice; and that there is concern that the bridge would someday be unable to be closed if opened.

Noting that the National Preservation Act of 1966 requires avoidance of adverse impacts to historic resources, solicitation of input from affected parties, and serious consideration of any concerns, Ms. Venables stated that the Culture Resources Committee was formed, which consisted of SHPO, FHWA, the United States Coast Guard, Florida Department of Transportation (FDOT), local governments, community representatives, and other stakeholders; that the Culture Resources Committee indicated that concerns include safe pedestrian facilities, vertical clearance for local sailboats, a minimal duration of the detour, and an aesthetic bridge that fits the historical character of the surrounding neighborhood.

Ms. Venables, with input by Mr. Phillips, related that some of the members of the Culture Resources Committee requested evaluation of two rehabilitative alternatives: (1) widen the existing bridge and provide sidewalks, and (2) reconfigure the existing bridge to add a sidewalk; and that both proved unfeasible, as the bascule pier would need to be replaced to widen the road. She stated that both fixed and moveable bridge replacements were evaluated; and that the evaluation indicated that a new movable bridge would be the best alternative, as a fixed bridge would not meet the historic character of the community, required a two-year detour, encompassed substantial rights-of-way impacts, and did not meet the needs of water navigation as determined by the Coast Guard.

Following discussion regarding the different bridges, the associated costs, and the County's budget, Chairman Welch noted that \$23.6 million would be the high-end cost of a new movable bridge; and Mr. Quintas pointed out that the County would be eligible for a federal grant; whereupon, Ms. Venables indicated that SHPO and FHWA support the opinion that a new movable bridge would be preferable to rehabilitation or a fixed bridge, although mitigation would be required prior to demolition of the existing bridge.

In response to queries by Commissioner Roche, Mr. Phillips, with input by Ms. Venables, confirmed that all analysis and evaluations are complete; and that the County retains all meeting notes and the final declarations of SHPO and FDOT in-house.

Responding to queries by Commissioners Roche and Latvala regarding the different bridge designs and the sidewalk on the southwest side of the bridge where there is only a 40-foot right-of-way, Mr. Phillips indicated that, as the bridge would last 75 to 125 years, a sidewalk would be built on the south side of the bridge, although it would not connect to the southwest side at this time; and that appropriate signage would be placed by the bridge alerting the wheelchair and disabled public to use the north sidewalk.

Noting that all information would be presented at the NEPA hearing to be scheduled in February 2014, Mr. Phillips explained the final process, indicating that the public would be allowed input at that time; that the hearing would be recorded, transcribed by a court reporter, and forwarded to the FHWA; and that, after evaluation of the public input, the matter would be brought before the Board for formal approval before finalizing and submitting to the FHWA for final project approval.

In response to queries by Commissioners Long and Justice regarding the bridge models, historic preservation of the current bridge, and its life expectancy, Mr. Phillips, with input by Ms. Venables, indicated that once the decision is made to replace the historic bridge, SHPO would have no input on the new bridge, and it would be the communities'

October 22, 2013

decision; and that the present bridge would not collapse, but its life expectancy is short, and replacement of parts for the bridge could take months.

During discussion and responding to queries and comments by Commissioners Latvala and Roche, Mr. Phillips, with input by Ms. Venables, related that other options were investigated to preserve the bridge, as there is concern its historic value; that the Beckett bridge is not a good candidate for restoration, due to its critical flaws; and that it is necessary to consider other forms of transportation for the future.

Responding to the Chairman's call for citizens wishing to be heard, Bill Vinson, Tarpon Springs, appeared and expressed his concern of the lack of notice and due process. Later in the meeting Attorney Bennett agreed to review Mr. Vinson's concerns regarding riparian rights.

Noting that additional notice to the public was unnecessary today, as all items on the BCC agenda allow the public to speak, Attorney Bennett, with input by Administrator LaSala, indicated that there would be plenty of public notice prior to the February public hearing; and that the Board is not being asked to make a decision today, only to accept the PD&E; whereupon, Chairman Welch directed that the public hearing be in the evening, and Commissioner Seel concurred.

In response to queries by Commissioner Latvala regarding the Board's authority, Attorney Bennett related that as the historic preservation and government agencies have a say in the decision, the decision of the Board would be constrained and must be within governmental standards; whereupon, Administrator LaSala indicated that the standards would be set by the Core of Engineers and the requirements of the DOT; and that the public hearing would be noticed for February, at which time the Board would revisit the options and take public comment, and discussion ensued.

Commissioner Latvala moved, seconded by Commissioner Seel and carried, to proceed forward to a formal public hearing, to be scheduled in February 2014, with all options and costs to be presented at that time.

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

In response to query by Commissioner Roche, Administrator LaSala confirmed that today's presentation would be repeated at the February hearing.

- #15 Final negotiated contract with Birdsall, Voss & Associates, Inc. for advertising and promotional services for the Convention and Visitors Bureau (Contract No. 123-0268-P) approved for a contract term of 36 months for a total estimated expenditure in the amount of \$36,000,000.00; the initial contract period will be effective October 1, 2013 through September 30, 2016, and may be extended for an additional 24 months with the prices, terms and conditions remaining the same, pending Board approval; Chairman authorized to sign and the Clerk to attest (Convention and Visitors Bureau).

Motion - Commissioner Latvala
Second - Commissioner Long

In response to query by Commissioner Seel, D.T. Minich, Executive Director, Convention and Visitors Bureau, related that Birdsall, Voss & Associates, Inc. has retained the advertising and promotional services contract for the Convention and Visitors Bureau for the last five years.

Vote - 7 – 0

- #16 Other Administrative Matters – None
- #17 County Attorney Miscellaneous – None
- #18 County Administrator Reports – Transit Issues

Attorney LaSala reported that he, the County Attorney, and their staff have been discussing how to address issues and questions regarding the transit referendum; and that during today's report, Attorney Bennett will address legal questions and he will address operational issues from the following perspectives:

- How does the Board make a fully informed decision, one that addresses the major concerns of the electorate, about whether to place the transit referendum on the ballot, and, when and if the referendum is approved, what support the Board and Pinellas County Government will provide the Pinellas Suncoast Transit Authority (PSTA).
- How the Board can best protect the interests of Pinellas County and the PSTA while maintaining the interrelationships of County Government and the cities that will be impacted by the rapid bus and other transit improvements.
- How to protect the interests of the corporation that is Pinellas County Government.

Noting that the Commission needs to finalize the transit surtax referendum by December 10 in order to set the referendum on the ballot for a vote on November 4, 2014, Chairman

October 22, 2013

Welch acknowledged that there are a number of issues that have not been addressed; and that all bases must be covered regarding the various agencies involved.

County Attorney James L. Bennett indicated that PSTA offered an interlocal agreement and proposed ballot language to the County last month; and that the Board would need to approve the legality of the title and ballot language without incurring liabilities, and answer four deceptively simple questions by December 10, including:

- When the tax would be initiated and collected.
- The amount of the tax.
- The duration of the tax.
- The disbursement of the tax, and the ability of the Board to expand or restrict fund usage.

Pointing out that there would be complex financial issues to address in the interlocal agreement, Attorney Bennett related that the County has engaged the firm of Nabors Giblin & Nickerson P.A. to represent the County in the negotiation process; and that a financial feasibility study has been initiated and, upon completion, would need to be reviewed by the financial accountant. He indicated that other issues would need to be addressed, such as jurisdiction, as PSTA has no authority outside of Pinellas County and is not a countywide entity; that the County would need to maintain control of the funding, as PSTA lacks statutory authority to share funding among multiple agencies to complete the necessary work; and that state and federal funding would need to be obtained for the Greenlight Pinellas plan that involves the rail.

Noting that some County Commission members are also PSTA Board members, Administrator LaSala indicated that many questions would be posed by the public regarding financial and funding issues, liability and risk management, and the fiduciary responsibilities of the Board; and that long range planning and acquisition of real property and rights-of-way would need to be addressed, along with coordination of the permitting processes between County and City governments.

In response to query by Chairman Welch, Attorney Bennett indicated that most issues would be handled through the interlocal agreement; that obligations and responsibilities would be plainly outlined in the agreement to foster a clear message to the public; and that a staff meeting will be conducted tomorrow with PSTA Chief Executive Officer Brad Miller and his legal counsel in anticipation of the upcoming workshop; whereupon,

October 22, 2013

Chairman Welch noted that these issues would be discussed at the workshop scheduled on October 29 and again on December 3, 2013, and discussion ensued.

Following discussion and in response to query by Commissioner Morroni, Chairman Welch confirmed that Mr. Miller would be in attendance at the October 29 workshop, along with the other involved agencies, including the Metropolitan Planning Organization and the Tampa Bay Area Regional Transportation Authority.

- #19 Appointment of Jen Carlisle and Wayne David Atherholt to the Tourist Development Council approved.

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

Later in the meeting, Ms. Harris indicated that Jen Carlisle and Wayne David Atherholt have been appointed by majority vote to the Tourist Development Council Board.

- #20 Appointment of Marcus Harrison and Karen L. Roth to the Pinellas Public Library Cooperative, Inc. Board of Directors for a three-year term approved.

Ballots were distributed, each member was asked to vote for two candidates, and the ballots were presented to the Chief Deputy Clerk for tabulation; whereupon, Ms. Harris related that there is a tie for second place between Karen L. Roth and Patricia Bell; and that a tiebreaker vote would be needed.

Later in the meeting, Ms. Harris indicated that Marcus Harrison and Karen L. Roth have been appointed by majority vote to the Pinellas Public Library Cooperative, Inc. Board of Directors.

- #21 Appointment of Tomas C. McKone, III, Holly Bird, Elliott W. Stern, and R. Terry Haas to the Palm Harbor Community Services Agency, Inc. (PHCSA) Board of Directors for a two-year term, effective November 1, 2013, approved.

Chairman Welch, with input by Administrator LaSala, indicated that, in accordance with County Code, this is a new nomination process; that each County Commissioner representing the three at large County Commission districts would nominate one director; and that Commissioner Latvala, who represents the Palm Harbor area, would nominate one director.

October 22, 2013

Thereupon, Marcus Harrison, Palm Harbor, expressed his concerns that all members will be replaced at the same time, and there is no provision to stagger appointments to ensure corporate knowledge is retained; whereupon, Roger Johnson, East Lake, stated that the candidates that have applied are knowledgeable of PHCSA functions, as they attend the PHCSA Board meetings regularly.

Commissioner Long moved, seconded by Commissioner Justice and carried, that Tomas C. McKone, III, be elected to the Board of Directors of the PHCSA

Vote - 7 – 0

Commissioner Roche moved, seconded by Commissioner Justice and carried, that Holly Bird be elected to the Board of Directors of the PHCSA.

Vote - 7 – 0

Commissioner Justice moved, seconded by Commissioner Roche and carried, that Elliott W. Stern be elected to the Board of Directors of the PHCSA.

Vote - 7 – 0

Commissioner Latvala moved, seconded by Commissioner Roche and carried, that R. Terry Haas be elected to the Board of Directors of the PHCSA.

Vote - 7 – 0

#22 County Commission Miscellaneous:

Commissioner Seel discussed the Florida Botanical Gardens Foundation Holiday Lights VIP preview.

* * * *

At this time, 5:25 P.M., the meeting was recessed and reconvened at 6:04 P.M. with all members present.

* * * *

SCHEDULED PUBLIC HEARINGS

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

- #23 Appeal of a Variance Denial submitted through Todd Pressman, Representative, to keep an existing access connection for a proposed Walgreens located at the southwest corner of Enterprise Road and McMullen Booth Road granted.

Administrator LaSala indicated that staff recommends denial of the variance appeal that would allow the existing commercial driveway to remain open post-development of the proposed Walgreens.

Referring to an aerial photograph and the zoning and land use map, Department of Environment and Infrastructure (DEI) Transportation and Stormwater Director Richard Coates pointed out the location of the subject property, noting that, although the property is located in the City of Safety Harbor, the roads are County roads; and that the review process followed policy direction provided by the Transportation Element of the Pinellas County Comprehensive Plan and the Pinellas County Land Development Code.

Mr. Coates indicated that the County has received and denied two written requests for variances that would allow the existing commercial driveway to remain open, as neither request demonstrated how the removal of this driveway would be an unnecessary hardship on the applicant due to an unusual circumstance peculiar to the property. He related that the first variance request was received from Robin Kendall, the engineer of record for EMK Consultants, on April 26, 2013, and denied in a letter to Mr. Kendall on May 21, 2013. He related that the second variance request was received at the Executive Director level from Todd Pressman, Pressman & Associates, on June 5, 2013, and denied in a letter to Mr. Pressman on July 12, 2013, noting that this request contained eight very specific hardships; and that the variance would have the driveway dead-end at the store frontage, which would eliminate direct access to the remainder of the shopping center, thereby servicing only Walgreens. He stated that Mr. Pressman was contacted by County staff on July 17, 2013, and informed that the County would allow a right-out-only driveway at the existing location, which option was rejected by Mr. Pressman; whereupon, Mr. Coates stated that granting the variance would violate the Pinellas County Land Development Code, Section 170-198, General Access Standards.

October 22, 2013

DEI Traffic Engineering Section Manager Thomas Washburn conducted a PowerPoint presentation titled *McMullen-Booth Road at Enterprise Road, Tuesday, October 22, 2013*, a copy of which has been filed and made a part of the record, and addressed the following:

1. History of no traffic accidents (2011, 2013, 2013)
2. Driveway configuration
3. Recently built tenant's reliance on the site
4. Utility, use, and functional application of the project site
5. Additional engineering and governmental reviews
6. Jurisdiction of the County
7. Reduction of trips and internal conflicts
8. Large center with reduced access point

During the PowerPoint presentation, Attorney Bennett stated that the Board should be guided by the question: "Does strict compliance impose an unnecessary hardship on the applicant due to unusual circumstances peculiar to the property?"

Mr. Washburn pointed out that his department has reviewed almost 700 right-of-way requests during the past year, none of which generated appeals, and referred to a list of other requests that required access modifications as part of the site plan or right-of-way use permit process; whereupon, he stated that this variance request was reviewed against the same Code requirements as the other 700 requests.

In summary, Mr. Coates reiterated that existing conditions do not meet County Access Management Code requirements; that staff from the Pinellas County Planning Department and the Metropolitan Planning Organization were consulted and agree with the DEI staff assessment; and that staff finds that leaving the driveway open is not a hardship.

In response to queries by Commissioner Roche, Mr. Coates discussed required distances from the intersections, and confirmed that the distance from the intersection at Enterprise Road meets the requirements and the one from McMullan Booth Road does not, and related concerns staff has with various proposals the applicant submitted for the right-turn lane.

Mr. Pressman displayed aerial photographs and a general plan of the area showing the driveway in relation to the Mobile station and the Checkers restaurant, which will be razed, the new Chase Bank and the proposed Walgreens, noting that the issue is the

driveway separation. He indicated that his team has determined that the existing driveway is safe and was permitted by the County in 1989; that the applicant made various suggestions to staff, all of which were rejected; and that what is being proposed now is a turn lane that would promote safety at the site; whereupon, he cautioned that depending upon the Board's decision, multimillion dollar lawsuits could happen due to breaches of contracts.

Mr. Pressman gave a PowerPoint presentation, which has been filed and made a part of the record, and indicated that he has several documents, reports, and correspondence to place into the record, and discussed six of the eight hardships the applicant is claiming:

1. Aggressive over-regulation on an existing driveway
2. Recent reliance
3. Loss of use, utility, function, and economic value with no other direct access
4. Loss of drive creates unique visual and physical separation hardship
5. Internal impact on entire center and tenants
6. Traffic blockage elsewhere gets worse

In response to queries by Commissioner Seel and a comment by Commissioner Justice regarding the multimillion dollar breach-of-contract lawsuits that might materialize as referenced by Mr. Pressman, Mr. Pressman and Robert Kendall, MK Consultants, confirmed that there is complete, open access for cars to move through the plaza; that the Checkers restaurant was closed about 18 months ago and the Mobile station this past year; and that the Chase Bank was designed with the proposed Walgreens in mind, and access to the driveway was taken into account; whereupon, Mr. Kendall discussed Federal Department of Transportation (FDOT) standards.

In response to queries and comments by Commissioner Roche, Mr. Pressman stated that there have been no incidents, or minimal accidents, without the turn lane; that the turn lane would not be the required length, but would be the length of the space available; and that the end result would be to either have his proposed turn lane or to not have one at all. In response to a follow-up question by Chairman Welch, Mr. Pressman indicated that the applicant's primary plan is the existing driveway, and FDOT approval is not needed, as it is a County road and completely under the County's jurisdiction; that even with the 50-foot change, it does meet FDOT standards; that the applicant's position is to fully use the existing driveway with the turn lane; and that the applicant would agree to move the turn lane slightly to the south if the County prefers; whereupon, Mr. Pressman referenced letters from the Association of Builders and Contractors, the Pinellas County Realtors

October 22, 2013

Association, and the Tampa Bay Chamber of Commerce that support his position that County staff engages in aggressive over-regulation, noting that he feels that staff is enforcing the ordinance “just because they can” and not applying the Code as originally designed or intended; and that the issue is countywide.

In summary, Mr. Pressman stated that the County’s one-size-fits-all process does not work; that staff has not stated that the driveway is unsafe; that the driveway has been in use since the early 1980s; and that allowing the variance would not be setting a precedent.

Thereupon, in response to Mr. Pressman’s request to place certain documents in the record, Attorney Bennett advised that there is a deadline of seven days prior to the hearing to submit documents, and if the deadline is not met, the Board must waive the seven-day requirement; whereupon, Commissioner Roche moved, seconded by Commissioner Seel and carried unanimously, that the waiver be granted.

Commissioner Latvala related that she has had discussions with Administrator LaSala regarding the need for staff to work with the development community in order to create jobs and to waive the rules when appropriate where safety is not affected; and that since the county is over developed, there will continue to be issues like the one before the Board today as it goes into a redevelopment phase; whereupon, Commissioner Long concurred, and cited the intersection of Starkey and Ulmerton as an example of not being able to access new development areas. Later in the meeting, Mr. Washburn displayed an aerial of the development at the Starkey and Ulmerton Road intersection referenced by Commissioner Long, and explained that the present ingress and egress to the Wawa store is temporary and will change when the new Walmart development goes in.

In response to query by Commissioner Justice as to whether the 460-foot measurement from the intersection used in this case is common throughout the county, Mr. Washburn explained that the distances vary according to whether the area is commercial or residential; and that the Scenic Corridor designation on this property played into staff’s decision.

Commissioner Roche indicated that he concurs with the premise put forward by Commissioner Latvala, but cautioned that the process in place is there for a reason; that staff should continue to enforce the ordinance; and that any challenges or appeals should be brought before the Board for a decision, as is happening today; and, during discussion, Commissioner Latvala indicated that she agreed with Commissioner Roche that there

should be limits, but reiterated that staff should work with the developers, whether it be a mega developer like Walgreens or a mom-and-pop operation; whereupon, Chairman Welch stated that staff should follow the code as it exists until granted flexibility; that he agrees with Commissioner Justice that had there been a flood of over-regulation, it would have been brought to the attention of the Commissioners; and that, as stated by Commissioner Roche, the Board should not overreact because of today's appeal.

In response to the Chairman's call for persons wishing to be heard, the following people being duly sworn, appeared and expressed their support.

Joe Ayob, City of Safety Harbor Mayor

➤ related that the project is important to the City and the intersection is in need of redevelopment.

Joseph Farrell, Tampa

In the context of upcoming land development changes, Administrator LaSala stated that the Board should use caution in making changes to the Rules for fear of causing unintended consequences. He stated that the reason the Board does not receive many complaints is because staff does exactly what the Rules allow; that they do exercise a certain amount of discretion within broad parameters; that they are working with development that occurred when there was much less traffic volume; that developers are sophisticated and have highly skilled planners, attorneys, and traffic engineers working for them; and that today's appeal is a rare occurrence and allows the Board to express its judgment; whereupon, he asked the County Attorney to speak to the contract issues raised by Mr. Pressman, noting that they can be misleading.

Attorney Bennett related that this is the first such appeal of a staff decision in the 26 years he has been with the County; and that the Board should base its decision on (1) the presence or absence of unusual circumstances peculiar to the property and (2) consistency with the Comprehensive Plan. He stated that the contract with Chase Bank is not a hardship of the land, but a self-created hardship, noting that anyone can draw up a contract to circumvent the County's regulations.

David Scott, Director, DEI, confirmed that the reason it is rare for the Board to hear complaints is that staff does consider all factors with regard to development; that several other developments have been appealed at his directorate level and decisions were made within his authority; and that this case involves a difference of opinion about the interpretation of the ordinance. He related that other redevelopment projects would probably result in appeals at the Executive Director level; and that a work session with the Board to review ordinances and land development codes is planned.

Reiterating that the Chase Bank did not alter how the property is accessed, Commissioner Seel related that she lived in the area for over 20 years and is very familiar with the intersection, and traffic can be expected to increase tremendously. She suggested that moving the driveway 50 feet to the south might be a safety feature if there were no right-hand turns on red; and commented that the number of accidents is not indicative of the safety of the intersection in this case.

Commissioner Justice stated that he could probably support Option No. 2 with the turn lane and the access 50 feet to the south; and after confirming that there are 18 million car trips per year at the intersection, commented that developers are not going to ignore 18 million car trips a year, so he does not put much credence in those who say that if Pinellas County does not give developers what they want, they will go to Hillsborough County instead. Commissioner Roche agreed, noting that redevelopment will not be seamless; that the Comprehensive Plan is being updated; and that staff has done a fine job, but the applicant has proven a hardship; whereupon, he moved, seconded by Commissioner Latvala, that the denial of the appeal be denied, thus approving the variance as submitted, and during discussion, referenced concerns relating to the stormwater runoff if the existing driveway is moved.

Thereupon, Commissioner Justice offered a substitute motion, seconded by Commissioner Seel, to accept the alternative plan presented by Mr. Pressman, with the driveway moved further south and a right-turn lane added, and Chairman Welch noted that the substitute motion overrides the original motion. Following input by Mr. Pressman, Commissioner Roche pointed out that staff had expressed concern that there would be encroachment if the driveway is moved back 50 feet and Mr. Pressman had expressed concern that moving the driveway would cause an issue with the southern entrance, as the roads would be too close together.

Administrator LaSala suggested that engineering decisions not be made at the dais, and recommended that the item be deferred and remanded back to staff, noting that the Board waived the seven-day deadline for the study, which staff had not seen, and staff needs to review the proposal, taking into account the Board's comments. Mr. Pressman stated that a deferral will not work; and pointed out that the proposal represents a compromise, the project has been on hold for months, and the Walgreens contract is in jeopardy.

Commissioner Seel asked that the substitute motion include direction and leeway for staff to change the size of the driveway during site planning. Mr. Pressman indicated that

there would be no site plan review for the project; whereupon, Commissioner Seel withdrew her suggestion. Chairman Welch called for the vote on the substitute motion, and following discussion, Commissioner Justice withdrew the substitute motion, as staff had not had a chance to review the alternate plan.

Thereupon, upon the Chairman's call for the vote on the original motion by Commissioner Roche that the denial of the appeal be denied and the variance approved as submitted, Commissioner Latvala confirmed her second, and the motion carried by a vote of five to two, with Chairman Welch and Commissioner Seel dissenting.

Motion	-	Commissioner Roche
Second	-	Commissioner Latvala
Vote	-	5 - 2, with Chairman Welch and Commissioner Seel dissenting.

- #24a Resolution No. 13-188 adopted approving the application of Loyal Order of Moose Palm Harbor Lodge 433 through Richard Marcel and Giacomo Licari, Representatives, for a change of zoning from R-4, One, Two, and Three Family Residential and C-2, General Retail Commercial and Limited Services, to P-1, General Professional Office (0.34 acre); Ordinance No. 13-28 adopted approving a change in land use designation from Residential/Office General (0.21 acre) and Residential Urban (0.13 acre) to Residential/Office General (0.34 acre), re approximately 0.34 acre located on the northwest corner of Alternate U.S. Highway 19 and Rebstock Boulevard, Palm Harbor (the proposed Future Land Use Map amendment only applies to the western portion of the parcel; the zoning amendment applies to the entire property) (Z/LU-22-9-13). The Local Planning Agency (LPA) recommends approval of the application based on the staff report. Public hearing was properly advertised. Affidavit of Publication has been received for filing. One letter in support of the application has been received.

Referring to an aerial photograph and the zoning and land use map, Planning Department Zoning Manager John F. Cueva pointed out the location of the subject property, described surrounding land uses, and provided historical background information, noting that the Board recently approved a similar request for onsite parking involving a veterinary clinic.

Mr. Cueva indicated that vehicles are currently parking in the public right-of-way, creating health and safety issues; that the concept plan in the Agenda packet has been revised to accommodate the resident to the west of the subject property and to allow relocation of the dumpster by the street; that with the revised concept plan, all parking

October 22, 2013

requirements are met; and that the approval of the application would permit on-site parking and mitigate the parking issues to bring the site into conformance with the zoning and land use designation.

Addressing the concerns of the citizens as heard at the LPA hearing, Mr. Cueva indicated that the applicant would need to obtain a Special Exception for outdoor events on the property, as the County would aggressively pursue any violations; whereupon, in response to queries by Chairman Welch, Mr. Cueva pointed out the location of the outdoor activities, and indicated that the applicant was not cited, as the event ended prior to the appearance of Code Enforcement; and that parking on the vacant lot south of the subject property is in violation of the Code.

In response to the Chairman's call for the applicant, Richard Marcel and John Holbach, New Port Richey, appeared and stated that they represent the applicant, and requested that the application be approved; whereupon, responding to queries by Chairman Welch, Mr. Marcel and Mr. Holbach indicated that they understood the issues, and agreed to prohibit outdoor events on the property.

Responding to the Chairman's call for citizens wishing to be heard, Patricia Maksymkow, Palm Harbor, expressed her concerns regarding the outdoor parties, property values, parking, sight restrictions, and safety; whereupon, Mr. Cueva related that approval of the request would alleviate parking concerns and sight-line restrictions; and strongly suggested that the applicant contact the property owner to the south to lease the vacant lot for over-flow parking.

Chris Gregory, Florida Department of Transportation (FDOT), indicated that the FDOT supports onsite parking for safety reasons.

Following discussion regarding the six-foot-high fence on the west property line and in response to queries by the members, Mr. Marcel indicated that code requirements would be met; and Mr. Cueva confirmed that only the parking lot would have to undergo the site-plan approval process.

Thereupon, Commissioner Latvala moved, seconded by Commissioner Long and carried, that the resolution and ordinance be adopted.

Vote - 7 - 0

#24b Resolution No. 13-189 adopted approving the application of Sunshine Property Partners through John C. Landon, P.E. and/or Lydia Johnson, Representatives, for a conditional

use permit to allow for additional property containing 0.72 acre to be added to previously approved conditional use permits (CU-2-6-07 and CU-1-12-07) for warehouse uses and medical manufacturing in conjunction with the medical manufacturing operation, re approximately 7.89 acres located on the south side of West Klosterman Road, 350 feet west of Alternate U.S. Highway 19, Palm Harbor (CU-23-9-13). Public hearing was properly advertised. Affidavit of Publication has been received for filing. No correspondence has been received. The Local Planning Agency recommended approval of the application based on the staff report, subject to the following conditions:

1. Full site plan review, to include a noise and lighting plan as determined appropriate by staff.
2. Days and hours of operation shall be Monday through Friday, 6:00 A.M. to 6:00 P.M. with the exception of the 0.72 acre being added to the conditional use, where days and hours of operation shall be Monday through Saturday, 4:00 A.M. to 12:00 midnight.
3. Manufacturing shall only be for medical manufacturing.
4. Opaque fence or wall is required along the west and south property lines abutting the residential zoning districts.
5. A six-foot-high chain link fence shall be placed along the north and east property lines, respectively.
6. The amended conditional use permit shall allow warehouse and medical manufacturing uses on the 0.72 acre parcel being added to the previously approved conditional use permit. The warehouse will serve the industrial use already approved in the 2007 conditional use cases.
7. Additional landscaping and buffering (including the preservation of existing trees and understory) that exceeds the minimum standards in the Pinellas County Land Development Code shall be required along the west and south property lines abutting residential zoning districts.
8. Any changes to the conditions listed shall require approval of the Board of County Commissioners.
9. In the event any of the above conditions are not met, the Board of County Commissioners may rescind the conditional use permit.

Responding to the Chairman's call for persons wishing to be heard, Chris Gregory, Clearwater, appeared and expressed his support of the application; whereupon, hearing no objections, Chairman Welch closed the public hearing.

October 22, 2013

Commissioner Morroni moved, seconded by Commissioner Long, that the resolution be approved, based on the staff report and subject to the nine conditions.

In response to queries by Commissioner Roche regarding the intent of the applicant, Planning Department Zoning Manager John F. Cueva related that the applicant is a medical manufacturer that is absorbing an additional three-quarters of an acre of the property to the north into the existing parcel previously approved by the Board; and that the warehouse could be expanded, as the requested property is currently vacant, although site plan review and approval would be required.

Vote - 7 - 0

#25 Meeting adjourned at 7:57 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk

14

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, NOVEMBER 5, 2013 – 9:32 A.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Not Present: Kenneth T. Welch, Chairman.

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: Reverend Bob Scott, Peace Memorial Presbyterian Church, Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Latvala.

PRESENTATIONS AND AWARDS:

On behalf of Florida Industrial Pretreatment Association President Athena Parslow, Vice-Chairman Seel presented the John Parnell Pretreatment Program Award to Matt Wotowiec, Department of Environment and Infrastructure, Water and Sewer Division.

SCHEDULED PUBLIC HEARINGS

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 – COUNTYWIDE PLANNING AUTHORITY (CPA)

1a Ordinance No. 13-29 adopted approving Case No. CW 13-12, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Urban to Residential/Office General, re 0.1 acre m.o.l., located on the northwest corner of Alternate U.S. Highway 19 and Magnolia Avenue (subthreshold amendment). Pinellas Planning Council recommended approval of the proposed amendment and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

November 5, 2013

- # 1b Ordinance No. 13-30 adopted approving Case No. CW 13-14, the proposal by the City of Safety Harbor to amend the Countywide Future Land Use Plan from Residential Low to Recreation/Open Space, re 7.6 acres m.o.l., located on the east side of Harborside Christian Church, 2200 Marshall Street (subthreshold amendment). Pinellas Planning Council recommended approval of the proposed amendment and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

- # 2 Ordinance No. 13-29 adopted approving Case No. CW 13-13, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low (up to five units per acre) to Institutional, re 3.3 acres m.o.l., located on the southeast corner of Nebraska Avenue and Riviere Road (regular amendment). Pinellas Planning Council recommended approval of the proposed amendment and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

CITIZENS TO BE HEARD

Lenore Faulkner, Madeira Beach, re middle school education excellence.
David Ballard Geddis Jr., Palm Harbor, re reclaimed water variance claims religion.
Greg Pound, Largo, re truth.

CONSENT AGENDA ITEMS NOS. 3 THROUGH 9 – APPROVED.

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

- # 3 Minutes of regular meeting of October 8, 2013 approved.

4 Reports received for filing:

- a. Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2013-30 dated October 17, 2013 – Follow-Up Audit of Pinellas County Economic Development Authority Industrial Revenue Bonds.
- b. Juvenile Welfare Board Fiscal Year 2013/2014 Budget at a Glance, along with the Monthly Financial and Investment Report for the Period Ending September 30, 2013.
- c. Dock Fee Report for the month of September 2013.

5 Vouchers and Bills Paid – None.

6 Miscellaneous items received for filing:

- a. City of Clearwater Notices of Public Hearings regarding Intent to Consider Development Agreements (2) held October 16, 2013 and proposed Ordinance No. 8498-13 amending the Community Development Code to be held December 5, 2013.
- b. Eastlake Oaks Community Development District minutes of the meetings held December 13, 2012, February 14, 2013, and April 11, 2013.

7a Award of Bid to Kamminga & Roodvoets, Inc. for Union Street Safe Routes to School (SRTS) Sidewalk Improvement Project – Betty Lane to Patricia Avenue (Project No. 000329A; Contract No. 123-0400-CP) approved for an estimated total expenditure in the amount of \$475,364.90 on the basis of being the lowest responsive, responsible bid received meeting specifications; funding provided by a Federal SRTS Grant and through the Penny for Pinellas; all work is expected to be fully completed within 270 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.

7b Award of Bid to Suncoast Development of Pinellas County, Inc. and QRC, Inc. for 2014-2016 Countywide Americans with Disabilities Act (ADA) Sidewalk, Drainage, and Roadway Improvements (Bid No. 123-0482-CP; Project No. 001648A) approved for an estimated total expenditure in the amounts of \$6,779,826.00 and \$320,174.00, respectively, on the basis of being the lowest responsive, responsible bids received meeting specifications; funding provided through the Penny for Pinellas; all work is expected to be fully completed within 730 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.

November 5, 2013

- # 8 Ranking of firms for Countywide Janitorial Services for Real Estate Management and the Department of Environment and Infrastructure (Contract No. 123-0084-P) as follows:

1. Varsity Contractors, Inc., d/b/a Varsity Facility Services
2. Dazser – TPA Corporation d/b/a Jani-King of Tampa Bay
3. Pro Clean Building Maintenance, Inc.
4. United States Services Industries, Inc. (USSI)
5. 3H Service System, Inc.
6. ABM Janitorial Services – Southeast, LLC
7. Atlanta Building Maintenance, Inc., d/b/a American Facility Services, Inc.
8. Clean Power, LLC
9. Knight Facilities Management, Inc.
10. ASK Solutions, Inc., d/b/a/ ASK Janitorial Professionals
11. Top Job Janitorial Services, Inc.

Staff authorized to negotiate with the number one ranked firm; estimated 24-month cost is \$4,281,373.44; final negotiated contract to be presented to the Board for consideration at a future date.

- # 9a Declaration of one County-owned escheat property as surplus (Sutton, W.D. of Lot 10, Block F, Fullers Garden HMS) and authorization to convey property to the City of St. Petersburg in accordance with Florida Statute 197.592(3) approved; Chairman authorized to execute and the Clerk to attest the County deed (Real Estate Management).
- # 9b Declaration of one County-owned escheat property as surplus (Ridgeway No. 2, Lot 16 and west 25 feet of vacated street on the east) and authorization to convey property to the City of St. Petersburg in accordance with Florida Statute 197.592(3) approved; Chairman authorized to execute and the Clerk to attest the County deed (Real Estate Management).
- #10 Items pulled for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller) – None.
- #11 Ranking of firms and authorization for staff to negotiate an agreement with the number one ranked firm, Ygrene Energy Fund Florida LLC, for a Property Assessment Clean Energy (PACE) program (Contract No. 123-0426-P) approved (County Administrator).

Attorney Bennett advised that the agenda item is associated with a Request for Proposal (RFP), and presented information regarding why vendors should not speak to the item during public comment; whereupon, in response to the Chairman's call for persons

November 5, 2013

wishing to be heard, Tom Mudano and Charles Puccini, Tarpon Springs, and Jay Neal, Fort Lauderdale, spoke in support of the item, and C.J. DeSantis, Orlando, and Amy Elliott, Dunedin, presented their concerns and comments.

During discussion and in response to queries by Ms. Elliott and Commissioner Morroni, Attorney Bennett clarified that while vendors are technically permitted to speak during public comment, their comments should be directed to the Purchasing Department or to the Office of the County Attorney in order not to be disqualified from the process; whereupon, Mr. Neal presented further information regarding residential properties that are financed with conforming versus non-conforming loans.

Administrator LaSala indicated that prior to the initiation of negotiations with the number one ranked firm, he wanted to obtain direction and guidance regarding the following two initiatives relating to the overall intent of the PACE program: (1) do the members want to utilize the PACE program countywide or limit it to the unincorporated area, and (2) do the members wish to implement the PACE program for both residential and commercial properties or limit the program to one or the other.

Commissioner Latvala related that even though homeowners who have loans through the Federal Home Loan Mortgage Corporation (Freddie Mac) or the Federal National Mortgage Association (Fannie Mae) may not qualify for the PACE program, she feels strongly that residential properties should be included and is in favor of the program being offered countywide; whereupon, in response to her queries and those of Commissioner Seel, Attorney Bennett, with input by Mr. Neal, indicated that state statute presently allows the use of PACE funds for wind mitigation but not for flood mitigation; that funds for flood mitigation should become available next year; and that flood mitigation generally entails raising a home several feet.

Commissioner Long related that while she agrees with Commissioner Latvala regarding the inclusion of residential properties and offering the program countywide, she has concerns that a lack of competition and a closed marketplace could lead to a single vendor dominating the market; and advocated that an open marketplace be considered; whereupon, responding to her queries regarding the possibility of a large cash investment by one of the speakers, Administrator LaSala clarified that while Mr. DeSantis may be very experienced and qualified to invest private funds, he is a businessman in the practice of making money and is not on a goodwill mission for the county.

November 5, 2013

Marianne Edmonds, Senior Managing Director, Public Resources Advisory Group, the County's financial advisor, discussed issues relating to a closed marketplace versus an open marketplace and funding availability, and related that each of the firms considered had indicated that they had the financial wherewithal to do the program; and that while she did not know of any program in Florida that was open, she also did not know of any program that operated in a robust fashion; whereupon, she discussed the potential for confusion if multiple vendors were to market to residential and commercial property owners, and expressed her concerns regarding the manner in which multiple programs would be placed on the ad valorem tax rolls, and discussion ensued.

In response to queries and comments by Commissioners Long and Latvala, Ms. Edmonds related that during her time as a technical advisor in the RFP process, she never heard anyone discuss having an open program; that an open program may not be desirable to vendors since it would dilute their market share; and that there are considerable costs associated with opening a business in a new county; whereupon, Commissioner Latvala related that when the PACE program begins to operate in a robust fashion, that would be the time to open it up to competition to benefit local county residents.

In response to queries by Commissioner Justice, Chief Assistant County Attorney Dennis Long, with input by Attorney Bennett, presented information regarding the negotiations involved in determining the length of a vendor contract, and discussed how the special assessment would be levied and placed on the property tax bill. Attorney Long indicated that the members have options regarding how the program is rolled-out; and that if they decide to offer the program countywide, they may wish to use an interlocal agreement in order to allow cities to participate in the program rather than adopt a countywide ordinance; whereupon, Commissioner Justice related that he is in favor of the program being offered countywide for both residential and commercial properties; and suggested that a short-term review process be included so that program success can be monitored, and Commissioner Seel agreed.

Commissioner Morroni related that while he is in favor of offering the PACE program to commercial properties, he is opposed to extending the program to residential properties at this time, and discussed the challenges faced by the local real estate market over the past several years, the issues related to PACE liens taking priority over actual mortgages, and the significant undertaking of educating 5,000 local real estate agents. He related that the agenda item is only to approve the ranking of firms; that time remains to work out the specifics; and that while he is in favor of inviting the cities to take part in a countywide PACE program, he does not want the program to be instituted by ordinance, and

November 5, 2013

Commissioner Roche agreed, relating that while he likes the concept of the PACE program, he has concerns regarding the lack of an open marketplace, the fragility of the real estate market, the potential for County liability, and the use of superior loans on property tax bills; and indicated that it is not the County's duty to guarantee payments for private industry through the tax bills; whereupon, Commissioner Latvala related that she is in favor of offering PACE to local homeowners; that it will help the residential real estate market; and that if flood mitigation becomes part of the program, homes will become safer and more attractive to future buyers, and Commissioner Morroni provided input.

In response to queries by Commissioner Long regarding the possibility of a short-term pilot program, Commissioner Latvala opined that while a term of six months would be inappropriate, she concurred with Commissioner Justice's suggestion that the program be revisited in a few years in order to gauge its success.

Administrator LaSala related that over the past two years his office has been conducting an in-depth analysis of the PACE program; and that he has alerted the Board about his concerns regarding Freddie Mac and Fannie Mae not purchasing any mortgage with a PACE loan attached, the potential for litigation if lenders try to place a PACE loan over a government-backed mortgage, the possibility of the program being limited to commercial and/or residential properties, and the role of the members in sponsoring a special taxing district; whereupon, the Administrator reminded the members that his office was directed to request proposals in a sealed competitive bid process; that the members retain the ability to revisit and evaluate the program; and that the selected company will be making a major capital investment in the county.

During discussion and in response to queries by Commissioner Seel, Attorney Bennett, with input by Administrator LaSala, indicated that because the special assessment would be Pinellas County Government's only involvement in the program, no liability issues would exist; and that in order to ensure local residents are aware that PACE is not a government-sponsored program, vendors will need to be educated so that the program is not misrepresented to clients, and Commissioner Seel agreed, noting that she does not want to see consumer protection issues arise; whereupon, Attorney Bennett and Administrator LaSala briefly discussed contractor hiring, interest rates, and private and tax exempt financing, and discussion ensued.

Commissioner Justice related that because many homeowners are "underwater" in their mortgage loans, they might only be able to obtain financing for home improvements

November 5, 2013

through the PACE program; whereupon, noting that many real estate agents actually support the program, Commissioner Justice moved, seconded by Commissioner Latvala, that the staff recommendation be approved; that the program be extended countywide; and that it be offered to both residential and commercial property owners.

In response to query by Commissioner Seel, Commissioner Justice related that because county staff would attend to the review process, he would not include it as part of his motion; whereupon, Commissioner Seel related that because she has concerns regarding potential liability issues relating to residential properties, she would not support the motion. Upon call for the vote, the motion failed by a vote of 4 to 2, with Commissioners Long, Morroni, Roche, and Seel casting the dissenting votes.

Thereupon, Commissioner Morroni moved, seconded by Commissioner Long, that the staff recommendation for the ranking of firms be approved; and that the program be extended countywide, limited to commercial clients, and include a review process.

Motion	-	Commissioner Morroni
Second	-	Commissioner Long

Commissioner Roche noted that problems that are part of the residential real estate market are also found in the commercial real estate market, and Commissioner Seel encouraged the members to read the most recent *Florida Trend* article about the PACE program; whereupon, upon call for the vote, the motion carried by a vote of 5 to 1, with Commissioner Roche casting the dissenting vote.

Vote	-	5 – 1 (Commissioner Roche dissenting)
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Following the vote and in response to queries by Commissioners Seel and Roche, Administrator LaSala related that although he could not provide an exact timeframe, staff will work in an expedient manner during the negotiation process; whereupon, Commissioner Morroni confirmed that his motion included the staff recommendation for the ranking of firms, for the program to be implemented countywide for commercial properties only, and for a review process.

- #12 Time extension and an increase in funds to the blanket purchase agreement with Premier Magnesia, LLC for Magnesium Hydroxide Suspension (Contract No. 089-0474-B) approved (second and final term extension expenditure approved through November 14, 2013, \$1,040,060.00; increase for two-year time extension, \$2,000,000.00; revised expenditure not to exceed through November 14, 2015, \$3,040,060.00) (Department of Environment and Infrastructure).

Motion - Commissioner Latvala
Second - Commissioner Roche

During discussion and in response to queries and comments by Commissioners Roche and Seel, Water and Sewer Division Director Robert M. Powell discussed the time extension and provided a financial breakdown of the overall expenditure; whereupon, Purchasing Director Joseph Lauro indicated that no state contract exists for Pinellas County to piggyback on; and that because the purchase price of the product is based on the distance it is shipped, Pinellas County is actually getting a better price than some other local agencies.

Vote - 6 – 0

#13 Other Administrative Matters:

Administrator LaSala announced that at the November 19 BCC meeting, staff will bring forward a public hearing agenda item related to the carry forward of unanticipated funds in the Fiscal Year 2014 budget related to the non-property tax enterprise funds; and that the carry forward is necessary because the delivery of vehicles and heavy equipment for the Department of Environment and Infrastructure has been delayed.

#14 County Attorney authorized to initiate litigation in the case of Pinellas County versus Verizon Florida LLC – Indemnification Matter.

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

#15 County Attorney Miscellaneous – None.

#16 County Administrator Report

Consultant Competitive Negotiation Act (CCNA) Evaluation Process Recommendations

Administrator LaSala indicated that the report and recommendations are the result of a meeting held with CCNA consultants as requested by the BCC, and part of a dialogue to discuss suggested revisions to the evaluation process as presented to the Board in early October. He indicated that based on consultant suggestions and previous concerns expressed by the members, his office is recommending a proposal brought forward earlier in the year that will address issues relating to equity and completeness in evaluating firms for contracts, and will focus on topics pertaining to amount of work, previous work, and

November 5, 2013

presence in the local community; whereupon, Vice-Chairman Seel noted that input was received from the development community.

In response to queries by Commissioner Roche, Purchasing Director Joseph Lauro referred to his memorandum dated November 5, 2013, titled *Report on Consultant Competitive Negotiation Act Evaluation Process*, a copy of which has been filed and made a part of the record, and referring to Exhibit A, Bullet Points Nos. 3 and 11, he related that the scoring process has been revised so that firms are not penalized for the amount of work they do for the County; and that because many firms indicated that they did not want a one-percent tie-breaker as part of the Request for Proposal (RFP) scoring process, that methodology was not pursued; whereupon, Mr. Lauro indicated that of the 85 firms invited to the meeting, approximately 30 firms attended and, referring to an attendance register, presented further information regarding the fairly large turnout.

Commissioner Latvala commented that while she was very supportive of involving the contractors in the evaluation process, the fact that a majority of those contractors dislike using a tie-breaker process does not sit well with her; and that while a contractor works to achieve the best price for services rendered, it is her job to obtain quality work at the lowest price on behalf of the taxpayers; whereupon, in response to her queries, Mr. Lauro and Administrator LaSala defined the consultant negotiation and contractor selection processes, and indicated that cost is not taken into account during consultant evaluations; that sealed bids are utilized for construction contracts and are not negotiated; and that to ensure only qualified and competent firms work on county projects, the Prequalification Committee rejects contractors not deemed to be responsible.

In response to queries and concerns expressed by Commissioner Long, Mr. Lauro, with input by Administrator LaSala, related that cure meetings, vendor suspensions, and contractor cancellations are methods that can be used to manage issues that develop between county staff and an outside firm; and that, conversely, if county staff is contributing to a problem, he will speak with the department director or even elevate the matter to the County Administrator; whereupon, Mr. Lauro related that the proposal is mainly to refine the evaluation process in order to address member and consultant concerns.

Upon confirming the full intent of the recommendation, Commissioner Roche moved, seconded by Commissioner Justice and carried; that the item be approved.

Motion	-	Commissioner Roche
Second	-	Commissioner Justice
Vote	-	6 – 0

- #17 Appointments and reappointments to the Pinellas County Economic Development Council, as outlined in the agenda memorandum dated November 5, 2013, which has been filed and made a part of the record, approved.

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

#18 County Commission Miscellaneous:

- a. Commissioner Long requested member input regarding acceptable Rules of Decorum at BCC meetings.

Attorney Bennett discussed a traditional public forum versus a limited public forum, and advised that even though First Amendment rights need to be considered, a limited public forum is acceptable for BCC meetings; that he has prepared a draft ordinance regarding the rules which govern public meetings; and that even though the ordinance will not address issues of civility, the Chairman has the authority to control disruptive comments, and Commissioners Long and Latvala provided input; whereupon, Vice-Chairman Seel indicated that scheduling a work session in order to discuss the issue in more detail would be appropriate, and in response to her queries, Attorney Bennett agreed to provide the draft ordinance to the members prior to the work session.

- b. Commissioner Justice attended luncheon at Lealman Family Center to raise money for youth summer programs.

- c. Commissioner Latvala received approval from the Board to run for Chairman of the Gulf Coast Consortium.

d. Commissioner Roche

requested member consensus regarding two options for additional protections relating to the Cross Bar/Al Bar Ranch property; whereupon, Attorney Bennett provided detailed information regarding the proposed options, relating that the first option would be an amendment to the Pinellas County Charter and the second option would include an amendment to the Pinellas County Ordinance pertaining to Preserve properties.

Commissioner Latvala related that she is opposed to providing protection to the Cross Bar/Al Bar Ranch property through the County Charter or by County Ordinance; that Pasco County should retain control of the land as it is under their jurisdiction; that if Pasco County were to purchase the land, access to the well fields would be governed by interlocal agreement; that Tampa Bay Water (TBW) has written a white paper stipulating that Pinellas County would retain control of the well fields should TBW ever dissolve; and that further discussion needs to take place, and Vice-Chairman Seel provided input; whereupon, Commissioner Roche clarified that his proposal has nothing to do with Tampa Bay Water; that Pinellas County cannot develop the land since Pasco County actually controls the use of the land; and that he wants to protect the land for future generations.

Administrator LaSala suggested that a work session be scheduled for February 2014, and Vice-Chairman Seel concurred; whereupon, in response to queries by Commissioner Justice, Administrator LaSala agreed to provide information regarding how funds received through a potential sale of the property could be used, and Commissioner Latvala provided input.

November 5, 2013

In response to further queries and comments by the members, Administrator LaSala reported that the cost of an appraisal would be tens of thousands of dollars; that his office can arrange for the entire Pasco County Commission to attend a BCC meeting in order to offer new information to the members; and that he would try to obtain a more precise cost of obtaining an appraisal.

e. Vice-Chairman Seel reminded everyone to vote.

#19 Meeting adjourned at 11:32 A.M.

Vice-Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk