

AGENDA ITEM # 1
June 24, 2014

1. APPROVAL OF MINUTES:

Regular meeting held May 20, 2014.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, MAY 20, 2014 – 2:04 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Others Present: James L. Bennett, County Attorney; Mark S. Woodard, Interim County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Arlene L. Smitke and Laura M. Todd, Board Reporters, Deputy Clerks.

INVOCATION: Pastor Emeritus Everett Farris, Crosspointe Church, Pinellas Park.

PLEDGE OF ALLEGIANCE: Commissioner Welch.

MOMENT OF SILENCE FOR SCHOOL CROSSING GUARD AND RETIRED POLICE OFFICER DOUG CAREY.

PRESENTATIONS AND AWARDS:

1. Presentation of the 2014 Civility Month Proclamation to Clearwater Bar Association Immediate Past President Myriam Irizarry.
2. Presentation of the 2014 National Public Works Week Proclamation to Department of Environment and Infrastructure (DEI) Executive Director David Scott.
3. Presentation of American Public Works Association Awards: Professional of the Year Award to Kelli Levy, DEI, and Technical and Management Innovation Award to Kenneth Jacobs, DEI.
4. Presentation of the 2014 Safe Boating Week Proclamation to Gene Keller, Jack Lee, Franco Ripple, and David Perillo, United States Coast Guard Auxiliary, Flotilla 72.
5. Presentation by Mitzi Gordon, Executive Director, Creative Pinellas

Ms. Gordon conducted a PowerPoint presentation titled *Creative Pinellas*, a copy of which has been filed and made a part of the record, and provided an update on the status of the organization. Responding to comments and queries by the members, she discussed website restructuring, indicating that three separate Arts websites are being integrated in order to increase traffic and exposure; and that the present URLs have been configured to seamlessly access the new website. Ms. Gordon discussed State of the Arts license plate

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fundraising, promotions through the Tax Collector's Office, and initiatives to solicit sponsors to underwrite program costs; whereupon, Terry Haas, Treasurer, Creative Pinellas, provided a brief financial summary, and in response to queries by the members, indicated that virtually all revenue is derived through the license plate initiative; that receipts average \$2,200.00 a month; that Creative Pinellas is a 501(c)4 organization; and that equity investments have been experiencing good returns.

In response to queries by Commissioner Welch, Ms. Gordon discussed unmet needs within the Arts community, indicating that a large urban county presents challenges in connecting artists with resources, venues, programs, and other artists; and that a significant amount of attention is focused on the City of St. Petersburg; whereupon, Commissioner Welch requested that a workshop be held to provide an Arts overview of the county and include background information with respect to cultural development. Discussion ensued regarding local budget reductions for the Arts, lack of state funding, and the use of Tourist Development Council (TDC) dollars to fund promotional activities at the national level, and Chairman Seel clarified that TDC funding can only be used for marketing purposes.

Commissioner Latvala provided historical background information regarding Creative Pinellas, indicating that the goal was to save tax dollars by reducing expenses associated with employee salaries and benefits; whereupon, Commissioner Justice related that after speaking with members of the Arts community, he is concerned that individuals have been turned down for grant funding because there is no local Arts Commissioner, and following discussion, Ms. Gordon related that she would address the issue.

Thereupon, Mr. Woodard indicated that the upcoming May 22 Work Session will center around Board priorities and the June 10 Work Session will focus on available options for funding those items, and Chairman Seel indicated that she would attempt to arrange a workshop prior to June 10 and invite Convention and Visitor's Bureau Director D.T. Minich to provide in-depth and historical information.

6. Presentation by Matt Jordan, Tampa Bay Water General Manager

Mr. Jordan conducted a PowerPoint presentation titled *Update of Regional Water Supply*, a copy of which has been filed and made a part of the record, and provided an update on the status of Tampa Bay Water.

In response to queries by Commissioner Welch, Mr. Jordan discussed long-term goals for Tampa Bay Water. He indicated that the Board recently approved a Long-Term Master Water Plan; that the demand for water in Hillsborough, Pasco, and Pinellas Counties is expected to remain fairly constant for approximately the next 15 years; that Tampa Bay Water is evaluating several projects for the future; and that he sees no large capital projects on the horizon, with the exception of the renovation of the C.W. Bill Young Regional Reservoir which was originally approved for construction in 2001; whereupon, he indicated that Tampa Bay Water has three sources of water from which to draw; that groundwater, surface water, and desalination plant sources are utilized; and that drawing on the water supply is based on the most effective use to meet projected water needs taking into account demand, cost, and the environment, and Commissioner Latvala provided input, emphasizing that a scientific model is used to determine the water resources from which to draw.

In response to queries by the members, Mr. Jordan indicated that Tampa Bay Water pumps responsibly and monitors wells consistently to ensure that saltwater intrusion does not occur; that the legal issues connected to the reservoir have been resolved; that Tampa Bay Water provides tours of its facilities; that six member governments are part of Tampa Bay Water through an interlocal agreement; and that it would be a decision of the Board to add new members. Mr. Jordan related that the upcoming budget for Tampa Bay Water is \$169 million; that it has total reserves of approximately \$300 million, with most being restricted reserves; that rates have not increased for the past three years and likely will not increase in the upcoming year; and that he can provide a breakdown by member government with respect to regional demands for water; whereupon, Commissioner Morroni indicated that he is pleased that Tampa Bay Water has been able to maintain the same rate level for the last four years.

In response to queries by Commissioner Welch, Mr. Jordan referred to a graph and discussed previous rate increases associated with the building of infrastructure to reduce groundwater pumping, and indicated that while there are no large projects on the horizon, there are ongoing costs associated with electricity, chemicals, and payroll that need to be monitored in order to mitigate potential rate increases. Mr. Jordan indicated that demand for water can be affected by municipalities initiating their own water resources; that WY stands for Water Year; and that Tampa Bay Water operates on a fiscal year calendar; whereupon, Commissioner Welch stated that Tampa Bay Water is a regional success story.

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CITIZENS TO BE HEARD

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Chairman Seel indicated that Citizens to be Heard would be moved to the end of the agenda, and no objections were noted.

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CONSENT AGENDA ITEMS NOS. 1 THROUGH 10 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 6 AND 8b, WHICH WERE CONSIDERED UNDER ITEM NO. 11.

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

1 Minutes of regular meeting of April 15, 2014 approved.

2 Reports Received for Filing:

- a. Pinellas County Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2013.
- b. Continuing Bond Disclosure Report dated April 30, 2014 pursuant to Rule 15c2-12 of the Securities and Exchange Commission for:
\$86,580,000.00 Sewer Revenue Bonds, Series 2003.
\$25,205,000.00 Sewer Revenue Refunding Bonds, Series 2006.
\$59,510,000.00 Sewer Revenue Refunding Bonds, Series 2012.
- c. Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2014-13 dated May 7, 2014 – Audit of Health and Community Services' Community Help and Electronic Data Application System (CHEDAS).
- d. Juvenile Welfare Board Monthly Financial and Investment Report dated March 31, 2013.

3 Vouchers and Bills Paid:

Period February 23 through March 1, 2014

Payroll

ACH – \$2,936,311.16

Checks – \$66,478.60

Third Party ACH – \$11,834.23

Third Party Checks – \$2,493.66

Accounts Payable

Checks – \$6,685,050.56

ACH Transfers – \$16,890,373.07

Wire Transfers – \$600,548.68

Period March 2 through March 8, 2014

Payroll – None.

Accounts Payable

Checks – \$16,444,510.64

ACH Transfers – \$48,177,690.73

Wire Transfers – \$475,114.23

Period March 9 through March 15, 2014

Payroll

ACH – \$2,965,223.23

Checks – \$67,929.19

Third Party ACH – \$12,378.21

Third Party Checks – \$2,794.90

Accounts Payable

Checks – \$13,028,266.37

ACH Transfers – \$2,283,411.49

Wire Transfers – \$728,254.35

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Period March 16 through March 22, 2014

Payroll – None.

Accounts Payable

Checks – \$4,676,574.04

ACH Transfers – \$2,252,848.14

Wire Transfers – \$2,041,291.95

Period March 23 through March 29, 2014

Payroll

ACH – \$3,049,680.39

Checks – \$41,133.92

Third Party ACH – \$12,609.61

Third Party Checks – \$2,794.88

Accounts Payable

Checks – \$11,232,189.68

ACH Transfers – \$8,090,706.26

Wire Transfers – \$564,508.65

Period March 30 through April 5, 2014

Payroll – None.

Accounts Payable

Checks – \$6,096,694.74

ACH Transfers – \$32,520,311.43

Wire Transfers – \$3,482,064.39

Period April 6 through April 12, 2014

Payroll

ACH – \$2,961,129.00

Checks – \$59,246.25

Third Party ACH – \$12,291.82

Third Party Checks – \$2,770.59

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Accounts Payable

Checks – \$5,498,531.75

ACH Transfers – \$961,038.96

Wire Transfers – \$1,131,517.91

4 Miscellaneous Items Received for Filing:

- a. Correspondence from Florida Department of Revenue certifying Pinellas County as having sufficient taxable sales to qualify as a High Tourism Impact County.
- b. Correspondence from Florida Department of Economic Opportunity regarding registration of Gulf Consortium as an Independent Special District.
- c. Public Official Bond, Oath, and Power of Attorney for Pinellas Suncoast Fire and Rescue District Commissioner David D. Gardella.
- d. City of Oldsmar Notice of Public Hearing to be held May 20, 2014, regarding proposed Ordinance 2014-05 annexing certain property.
- e. City of Safety Harbor Ordinance No. 2014-06 adopted April 21, 2014, annexing certain property.
- f. City of Seminole Notice of Public Hearings regarding proposed Ordinances Nos. 02-2014, 04-2014, and 05-2014 to be held May 27, 2014, voluntarily annexing certain property.

5a Bid of Cone & Graham, Inc. rejected for being non-responsive for not meeting prequalification requirements. Award of Bid to Florida Dredge and Dock, LLC for Honeymoon Island Beach Restoration Project, Phase II (Project No. 000150A; Bid No. 134-0147-CP) approved for an estimated total expenditure in the amount of \$4,613,479.33 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be fully completed within 425 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.

5b Award of Bid to Layne Inliner, LLC for Stormwater Pipeline Repair, including Cured In Place Pipelining (Project No. 002064A; Bid No. 134-0177-CP) approved for an estimated total expenditure in the amount of \$1,386,337.61 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be

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fully completed within 730 consecutive calendar days; contract has provision for one 365 consecutive calendar day extension to be exercised only if all prices, terms, and conditions remain the same and approval is granted by the County Administrator; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.

6 See Item No. 11.

7a 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>
1.	Airport	Temporary Access Permit with Clearwater Aviation, Inc. for Airport office space	\$2,484.48 Monthly Revenue	4.07.14
2.	Airport	Public Transportation Supplemental Joint Participation Agreement No. 1 with State of Florida Department of Transportation (FDOT) for airfield taxiway improvements	\$165,000.00 FDOT Funding, Equal County Match	4.01.14
3.	Convention and Visitors Bureau	Event Contract with Imex America Ltd. with indemnification provisions for Imex America	\$34,200.00	4.29.14
4.	County Attorney	Stipulated Order Taxing Fees and Costs in the case of Pinellas County v. Canavan, et al., Circuit Civil No. 09-002464-CI-7, William and Petera Semple	\$120,800.00	4.23.14
5.	County Attorney	(a) Event Agreement with USA Diving for the East National Championships	(a) \$1,000.00 Revenue	4.17.14
		(b) Addendum III to Event Agreement with USA Diving indemnifying the County, City of Largo, and West Florida Lightning Aquatics, Inc. (WFLA)	(b) N/A	
		(c) Contract with WFLA for Use of City of Largo Southwest Recreation Complex Pool Facility	(c) N/A	
6.	County Attorney	Stipulated Final Judgment in the case of Pinellas County v. Vaughn, et al., Circuit Civil No.09-004870-CI-21, C. Wayne and Ferrell S. Vaughn	\$45,000.00	4.08.14
7.	Emergency Management	Federally-Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for planning, training, and exercises	\$17,750.00 Grant Revenue, No County Match	2.11.14

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	<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
8.	Environment and Infrastructure	Release of Partial Cash Completion Surety for right-of-way for Elan at Gateway Project	N/A	4.25.14
		Release of Cash Surety for completion of right-of-way work in Grand Cypress on Lake Tarpon Subdivision	N/A	
9.	Environment and Infrastructure	Interlocal Service Agreements with the Lealman Special Fire Control District and the Palm Harbor Special Fire Control and Rescue District for traffic control signs and related devices	\$12,789.00 Annual Revenue	4.10.14
10.	Environment and Infrastructure	Amendment No. 2 to Grant Agreement with Florida Department of Environmental Protection (FDEP) for Seminole regional alum treatment facilities	(\$300,000.00) Grant Revenue	4.07.14
11.	Environment and Infrastructure	Release of Liens (45)	Liens are paid in full	3.17.14
12.	Environment and Infrastructure	Notice of Liens (30)	N/A	3.11.14
13.	Environment and Infrastructure	Notice of Liens (2)	N/A	3.04.14
14.	Environment and Infrastructure	Notice of Liens (9)	N/A	2.28.14
15.	Environment and Infrastructure	Release of Liens (53)	Liens are paid in full	2.27.14
16.	Health and Community Services	Amendment No. 1 to Community Home Care Medical Services Agreement with Baycare Home Care, Inc. for clarification of contract language	N/A	4.29.14
17.	Health and Community Services	Special Magistrate Service Agreement with Herbert E. Langford, Jr. for magistrate services	\$100,000.00 (24 months)	4.17.14

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	<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
18.	Health and Community Services	Anesthesiology Provider Agreement with North Pinellas Anesthesia Associates, P.A.	Master Anesthesiology Agreement approved by the Board on 9.18.12 \$350,000.00 Total Amount Expense for all Providers	4.11.14
19.	Health and Community Services	Health Program Specialty Provider Agreement with Christos Politis, M.D., P.A., d/b/a St. Pete Urology	Resolution 10-209 waived purchasing ordinance allowing HHS authority to negotiate specialty health care services. \$3,715,000.00 FY 2014 Master Agreement Pool	4.03.14
20.	Health and Community Services	Satisfaction of Mortgage (1)	Lien is paid in full	3.25.14
21.	Health and Community Services	Satisfaction of Mortgage (1)	Lien is paid in full	3.24.14
22.	Health and Community Services	Satisfaction of Mortgages (3)	Liens are paid in full	2.27.14
23.	Health and Community Services	Release of Liens (2)	Liens are paid in full	2.20.14
24.	Health and Community Services	Release of Lien (1)	Lien is paid in full	2.19.14
25.	Justice and Consumer Services	Substance Abuse and Mental Health Services Administration Grant Application for the Pinellas County Behavioral Health Treatment Court Collaborative	\$348,142.00 Grant Revenue, No County Match	4.17.14

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	<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
26.	Justice and Consumer Services	Data Collaborative Agreement for State/County Mental Health, Substance Use and Human Service Planning and HIPAA Business Association Agreements with the Sheriff's Office, Juvenile Welfare Board of Pinellas County, Department of Children and Families Suncoast Region, Office of State Attorney Sixth Judicial Circuit of Florida and the University of South Florida Board of Trustees	N/A	4.11.14
27.	Parks and Conservation Resources	Letter to Southwest Florida Water Management District requesting time extension for Fort De Soto Ecological Enhancement/Recirculation PH2 grant	N/A	4.21.14
28.	Parks and Conservation Resources	Amendment No. 4 to the contract with Orange County for lab analysis of volatile organic compounds for additional 12 months of service	\$18,090.00 Annual Revenue	4.01.14
29.	Real Estate Management	License Agreement with City of Clearwater for temporary parking spaces	N/A	3.10.14
30.	Safety and Emergency Services	Apparatus Lease Termination Agreement with the City of Pinellas Park for fire apparatus	N/A	3.06.14
# 7b	Quarterly Report of Claim Settlements for January 1 through March 31, 2014 for claims requiring the mutual consent of the County Attorney and Risk Management in the settlement range of \$25,001.00 to \$50,000.00 received for filing – no claims paid (Risk Management/County Attorney).			
# 8a	Resolution No. 14-34 adopted supplementing the Fiscal Year 2014 General Fund Budget to appropriate earmarked receipts for a particular purpose (grant revenues in the amount of \$192,630.00 to the Pinellas County Sheriff's Office) (Management and Budget).			
# 8b	See Item No. 11.			
# 9	Notice of new lawsuit and defense of the same by the County Attorney in the case of Reliable Septic & Sewer, Inc. and M&D Grease Disposal, Inc. versus Pinellas County – Circuit Civil Case No. 14-002723-CI-13 – Allegations of antitrust, harassment, negligence, and slander.			
#10	Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the renewal of Certificates of Public Convenience and Necessity for providers of			

non-medical wheelchair transport, as follows, in accordance with Section 54, Pinellas County Code:

Care Ride, L.L.C.

Comfort Coach Wheelchair Transportation, Inc.

Greater Tampa Bay Transportation, L.L.C., d/b/a Express Medical Transporters (EMT)

Lifefleet Southeast, Inc., d/b/a American Medical Response (AMR)

Mac J Transport, Inc.

MedFleet, Inc.

Safe Choice Transportation Services, L.L.C

Tender Touch Transport Service, L.L.C.

The Crisis Center of Tampa Bay, Inc., d/b/a TransCare Medical Transportation Services

Trinity Mobility, Inc., d/b/a A Trinity Wheelchair Transportation

Wheelchair/Stretcher Limo, Inc.

Wheelchair Transport Service, Inc.

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

6 Ranking of firms approved; staff authorized to proceed with Phase Two of the competitive process with the two highest ranked firms for operation of the Waste to Energy Facility (Contract No. 134-0171-P) as follows:

1. Covanta Projects, Inc.
2. Wheelabrator Technologies, Inc.
3. Deltaway CNIM Operation Services Pinellas, LLC
4. GCS Energy Recovery of Pinellas

Commissioner Roche requested that the agenda item be modified and all four firms be allowed to bid on the contract. He stated that former County Administrator Robert S. LaSala had assured the members that they would have the option of choosing between the top-ranked firm and the current provider; that such information has proven to be untrue; that the members have been misled; that the process actually eliminates the current provider; that he now questions the integrity of the entire process; and that because the Waste to Energy Facility is the largest capital investment in Pinellas County, the topic warrants a full discussion and complete disclosure of all four providers; whereupon, Chairman Seel requested that staff provide an overview of the item and highlight recent process changes.

Mr. Woodard discussed the procurement process, relating that it was open and competitive; that the ranking of firms was completed by an independent group of evaluators; that Phase One of the process focused on qualifications and experience; that Phase Two, if approved, will allow staff to engage in concurrent negotiations with the two top-ranked firms; and that following those negotiations, staff will return and present a price based upon the lowest proposal; whereupon, Interim Assistant County Administrator Joseph Lauro related that even though the qualifications were watered down and set low to allow all firms the opportunity to submit a bid, minimum standards are necessary in order to protect a valuable County asset; and that while GCS Energy Recovery of Pinellas has very limited experience, the main reason the firm received a low score was that it had submitted its application as a joint venture that had not been fully developed at the time of the submittal.

In response to queries by Commissioner Morroni, Mr. Lauro presented further information regarding the consequences of a joint venture application not being properly submitted, and indicated that GCS had not provided its financials when it assumed the contract; and Attorney Bennett indicated that a parent guarantee was received from Veolia, which backfilled an otherwise weak financial portfolio.

During discussion and in response to queries by Commissioner Welch, Mr. Lauro related that the Evaluation Criteria Tabulation Sheet was sent to the members as an email on May 19; and that a clearer breakout of the scoring process now exists. Solid Waste Division Director Robert Hauser related that GCS submitted its qualifications as a joint venture with a firm named Abengoa; and that Abengoa will provide financial assistance to GCS; whereupon, he related that while the third-ranked firm, Deltaway CNIM Operation Services Pinellas, LLC, has been in business for many years, it primarily provides management services and does not actually operate facilities.

In response to queries by Chairman Seel and Commissioners Long and Roche, Mr. Hauser related that the Waste to Energy Facility is valued at approximately \$800 million for insurance purposes; that the expected revenue from the capacity payments through the end of 2024 is approximately \$600 million; and that the contract can be worth as much as \$35 million a year to the operator; whereupon, he presented additional information regarding Deltaway CNIM Operation Services Pinellas, LLC, indicating that the firm also applied as a joint venture; and that its operations are mainly in Europe.

Commissioner Roche related that he is having a hard time understanding the low score the current provider received for experience since the firm is already operating the facility, and as of two months ago, staff was reporting that operations were running smoothly. He restated that he went along with the overall bid process believing that the Board would have the option of staying with the current provider; whereupon, he suggested that all four companies be allowed to submit a pricing bid.

Commissioner Justice remarked that while he had been hopeful that GCS would have done well in the overall evaluation, the company received far fewer points than the other firms, and in response to his queries, Mr. Hauser discussed the number of points a firm could have received regarding the financial aspect of the evaluation, relating that GCS received zero financial points out of 100.

In response to queries by Commissioner Long, Mr. Hauser provided a timeline of facility improvements since operations began in 1983, relating that the facility is now over 30 years old and needs to operate for another 10 years to fulfill the Power Purchase Agreement with Duke Energy; whereupon, he related that because there were concerns about the deterioration of the facility due to a lack of maintenance and repair, Pinellas County and GCS entered into a Separation Agreement under which GCS would continue to operate the plant until December 31, 2014, during which time the County would put the contract out to bid.

In response to further queries by Commissioner Long, Mr. Hauser discussed the expected life of the facility, relating that even though ongoing investments and continued upgrades can keep the facility running well into the future, it will likely become technologically obsolete much sooner; whereupon, he addressed her concerns regarding the possibility of the facility becoming antiquated with the advent of new technologies, discussed objectives for the ongoing operation of the plant, and indicated that capacity payments and electricity revenues received from Duke Energy generate approximately \$42 million a year and \$12 million a year for the County, respectively; and that the capacity payments increase on a contractual basis by six percent a year; and Chairman Seel noted that a one-page fact sheet about the facility would be helpful for the members going forward.

Commissioner Morroni related that Deltaway has little experience running plants comparable to the Waste to Energy Facility; and that GCS was given a sizeable punch list of items to complete in a relatively short period of time; and opined that

hands-on experience is more important than management experience overseas. Mr. Hauser restated that the rationale for putting the contract out to bid was the concern regarding deterioration taking place at the plant and a lack of financial resources on the part of the operator to properly care for the facility; whereupon, he indicated that the County agreed to cover GCS's operating costs to maintain plant production numbers and comply with environmental regulations, and Chairman Seel provided input.

Mr. Woodard presented further information regarding the procurement process, indicating that it was open and competitive; that Covanta Projects, Inc. and Wheelabrator Technologies, Inc., are multinational firms with vast experience and resources, both technically and financially; and that staff has come forward with a recommendation that it be allowed to enter into negotiations with those two top-ranked firms and subsequently return with a contract for consideration by the members.

Commissioner Roche related that GCS has completed the punch list; that the emissions problems have been resolved; that the contract revenue generation with Duke Energy has been maintained; and that because he is concerned the overall process has been tainted, he will abstain from any vote that does not include all four contractors being allowed to bid; whereupon, Mr. Woodard related that if the County were to deviate from what was written in the Request for Qualifications, Covanta and Wheelabrator would likely initiate a bid protest.

Chairman Seel requested that when the negotiated contracts are presented to the Board during the second step of the bid process, staff conduct a presentation so the members can thoroughly vet matters such as qualifications and pricing; and that in order to compare the costs of the current operation versus what those costs might be under the bidding process, she would like some sort of apples-to-apples comparison, and Mr. Hauser and Commissioner Roche provided input.

In response to queries by Commissioner Welch, Attorney Bennett indicated that the Separation Agreement was approved by the members in December 2013; and Mr. Woodard clarified that his comments on the Purchasing Department Contract Review Transmittal should have specified the first and second ranked firms; whereupon, Commissioner Welch related that he does not have the expertise to overrule the analysis of staff that GCS is not in a fiscal position to support the operation moving forward; and that he would have to see something concrete and

compelling for him to consider overriding the entire process and the Separation Agreement voted on by the members, and discussion ensued.

Commissioner Roche restated that the members have the ability to reject the recommendation of staff and modify the item; and Commissioner Latvala stated that the process was followed; that no one misrepresented the process; that the companies were ranked by a team of professionals; that the members have the ability to overturn staff's recommendation and vote for the fourth-ranked firm if they desire; that the Separation Agreement was agreed to by both parties; and that she supports the process moving forward and is in favor of negotiating with the two top-ranked firms; whereupon, she discussed why a firm would choose to structure itself as an LLC, relating that it is not due to a lack of experience, but to financially protect itself, and Attorney Bennett provided input.

In response to queries by Commissioner Long, Attorney Bennett presented additional information regarding the terms of the Separation Agreement and the potential for the two top-ranked firms to submit a bid protest if the County were to deviate from what was written in the Request for Qualifications.

Chairman Seel related that the Request for Qualifications process was conducted in an open and fair manner and she supports moving forward, and restated her request that when the negotiated contracts are presented to the Board, pricing submittal information be included so the Board can compare costs; whereupon, following brief discussion, Commissioner Justice moved, seconded by Commissioner Welch, that the item be approved. Upon call for the vote, the motion carried 6 to 0, with Commissioner Roche abstaining, and in accordance with the provisions of the Standards of Conduct Law, he submitted a Memorandum of Voting Conflict, which has been filed and made a part of the record.

Motion	-	Commissioner Justice
Second	-	Commissioner Welch
Vote	-	6 – 0 (Commissioner Roche abstaining)

- # 8b Resolution No. 14-35 adopted supplementing the Fiscal Year 2014 Community Development Grant Fund to appropriate earmarked receipts for a particular purpose (grant revenues in the amount of \$505,430.00 to Health and Community Services for the Neighborhood Stabilization Program 3 Grant) (Management and Budget).

Commissioner Justice noted that the approximately \$500,000.00 in neighborhood stabilization grant funding will go toward affordable housing in Central Lealman.

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

- #12 Final negotiated agreement with Infax, Inc. for Multi-User Flight Information Display System and Voice Paging System for the St. Pete-Clearwater International Airport (Contract No. 123-0209-P) approved for a total expenditure of \$757,630.76; all work is expected to be fully completed within 240 calendar days. Chairman authorized to sign the agreement and the Clerk to attest after execution by the contractor.

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

- #13 Pinellas County Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States (RESTORE) Act goals and priorities, and project selection and ranking process, as recommended by staff and the RESTORE Act Working Group, approved.

Environmental Services Director Andy Squires referred to a PowerPoint presentation titled *Pinellas County RESTORE Act – Direct Component (POT #1) Multiyear Implementation Plan Development – May 20, 2014*, a copy of which has been filed and made a part of the record, and provided a brief overview of the process to date and proposed milestones going forward; whereupon, continuing the presentation, Tampa Bay Estuary Program Environmental Science and Policy Manager Lindsay Cross discussed the Working Group recommendations pertaining to project goals and priorities and the project selection and ranking process.

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At this time, 4:27 P.M., Commissioner Morroni left the meeting.

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

Following the vote, Commissioner Justice thanked Lindsay Cross, Holly Greening, and the entire staff of the Tampa Bay Estuary Program for their efforts in relation to the RESTORE Act process.

- #14 Agreement with the State of Florida, Department of State, Division of Historical Resources for implementation of the Florida Certified Local Government Program in Pinellas County approved; Chairman authorized to execute the agreement.

Motion - Commissioner Latvala
Second - Commissioner Welch

Chairman Seel clarified that the Certified Local Government Agreement only applies to unincorporated Pinellas County, and noted that Commissioner Justice had taken the lead for the Board; whereupon, Commissioner Justice thanked staff for their time and hard work in making the program a reality, and noted that it will allow Pinellas County to become eligible for grant money and will make it easier to successfully preserve history in the County. Responding to query by Commissioner Roche, Chairman Seel, with input by Planning Division Director Gordon Beardslee, clarified that the agreement is with the Division of Historical Resources at the Florida Department of State.

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At this time, 4:30 P.M., Commissioner Morroni returned to the meeting.

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Vote - 6 – 1 (Commissioner Roche dissenting)

- #15 Resolutions Nos. 14-36 (340 Beach Drive Northeast, known as Birchwood Inn), 14-37 (2741 2nd Avenue North), and 14-38 (236 17th Avenue Southeast, the Robert Lavery House) adopted granting ad valorem tax exemptions for historic properties located in the City of St. Petersburg; Chairman authorized to sign the Historic Preservation Property Tax Exemption Covenants for the subject properties.

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

- #16 Interlocal agreement with the City of St. Petersburg for the Southside St. Petersburg Community Redevelopment Area (CRA) approved as outlined in the agenda

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memorandum dated May 20, 2014, a copy of which has been filed and made a part of the record; Chairman authorized to sign the agreement and the Clerk to attest.

Motion	-	Commissioner Welch
Second	-	Commissioner Latvala

Commissioner Welch related that staff in St. Petersburg has done a fine job; and that he likes the Citizens Advisory Council approach, noting that it ensures grass roots input; whereupon, in response to query by Chairman Seel, Mr. Woodard, with input by Planning Division Director Gordon Beardslee, indicated that the statute allows a 40-year CRA, although the Board historically has designated CRAs for 30 years.

Vote	-	7 – 0
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Commissioner Welch indicated that the Southside St. Petersburg CRA is a good example of the “25=1” concept; that the plan would impact poverty in South St. Petersburg; and that Representative Darryl Rouson and others spearheaded the allocation of \$1.6 million in the state budget, which is before the Governor. He requested that the Board send a letter to the Governor supporting the funding; whereupon, he moved, seconded by Commissioner Morroni, that a letter from the Board in support of the funding be sent to the Governor.

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

- #17 Fiscal Year 2014 Board Budget Amendment No. 5 approved realigning funds from the General Government Non-Program cost center to the Public Defender Technology cost center within the General Fund (Management and Budget).

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

- #18 Facility Encroachment Agreements Nos. CSX755797 and CSX700138 with CSX Transportation, Inc. approved for the Park Boulevard and U.S. Highway 19 Advanced Traffic Management System project (PID No. 000175A); Chairman authorized to execute the agreements and the Clerk to attest (Real Estate Management).

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

- #19a Resolution No. 14-39 adopted authorizing the expenditure of public funds for interview and travel expenses in an amount not to exceed \$20,000.00 related to the position of County Administrator (Management and Budget).

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

- #20 Resolution No. 14-40 adopted allowing members of the County Attorney's Office and other Pinellas County staff to participate in various pro bono services for indigent residents of Pinellas County and to utilize the supplies, equipment, and services of the office of the County Attorney's staff.

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

- #21 Authorization granted to advertise a public hearing to be held on June 3, 2014 at 9:30 A.M. regarding a proposed ordinance amending Section 2-88 of the Pinellas County Code regarding regulation of former appointed County officials and employees.

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

- #22 Approval granted for Interim County Administrator to execute the Joint Motion to Reopen Case and Joint Motion for Partial Dissolution in the case of United States of America versus Pinellas County, et al., Middle District Case No. 80-cv-849.

Motion	-	Commissioner Roche
Second	-	Commissioner Long

Responding to query by Commissioner Welch, Human Rights Director Paul Valenti indicated that the Department of Justice (DOJ) initiated the County being released from the Consent Decree; that the Sheriff's Office is not included in the release, noting that the Sheriff will enter into a separate release with DOJ; and that the release would include all agencies and departments under the Unified Personnel System; whereupon, Commissioner Welch indicated that he is pleased to see how much progress has been made over the last 30 years.

Vote	-	7 – 0
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- #23 Settlement approved in the case of Donna K. Baldwin versus Pinellas County, Hillsborough Circuit Civil Case No. 11-CA-000075, Division H – Inverse

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Condemnation, in accordance with the confidential memorandum from County Attorney James L. Bennett dated May 20, 2014.

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

#24 County Attorney Miscellaneous:

Consent for Bryant Miller Olive to engage in dual legal representation granted in accordance with the memorandum from County Attorney James L. Bennett dated May 20, 2014.

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

#25 County Administrator Report:

Mr. Woodard related that Stormwater employees Mary Barnwell and Janet Beall, while inspecting a mitigation pond off of Sunset Road, rendered assistance to a traffic accident victim and her service dog yesterday, noting that in recognition of National Public Works Week, he wanted the Commissioners to know the good work County employees do every day for the citizens and visitors of the County; whereupon, Chairman Seel commented that County employees go above and beyond each and every day; and that the kindness is very much appreciated.

#26 County Commission Miscellaneous:

- a. Commissioner Roche re Alternate 19 traffic issues.
- b. Commissioner Seel will take Alternate 19 traffic issue to next Metropolitan Planning Organization meeting.
- c. Commissioner Justice congratulated Keith Overton at Tradewinds Resort for launch of new venture with the Guy Harvey Outpost.

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- d. Commissioner Long is halfway through Florida Association of Counties certification program.
- attended the international Town Hall Meeting in Tampa in conjunction with Pinellas County Economic Development.
- related that Rhonda Abbott is the Chief Executive Officer for the Pinellas County Homeless Leadership Board.
- e. Commissioner Latvala announced she would be leaving today's meeting to help present the Greenlight Pinellas proposal in Tarpon Springs.
- f. Commissioner Morroni thanked Environment and Infrastructure Director David Scott and staff for work done at St. Jerome Catholic Church.
- g. Commissioner Welch re electronics and chemical mobile collection events in municipalities.

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At this time, 4:56 P.M., Citizen's to Be Heard was addressed.

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CITIZENS TO BE HEARD

David Ballard Geddis, Jr., Palm Harbor, re reclaimed water violates 13th amendment.
Greg Pound, Largo, re truth.
Lenore Faulkner, Madeira Beach, re middle school excellence.

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At this time, 5:06 P.M., the meeting was recessed and reconvened at 6:04 P.M. with all members present except Commissioner Latvala.

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PRESENTATION:

Youth Advisory Council (YAC) Graduation Certificates presented to:

Abigail Creighton, YAC Chair

Michael Schuller

Jared LeVine

Jenna DeMott

Elhansville "El" Hector (name read but not present)

Rebecca Cleppe

Santiago Stelios Benitez

Cassadi Kulak

Robert Wesely Rose (name read but not present)

Brianna Jones

Kadie Francis

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

- #27 Ordinance No. 14-25 adopted amending Chapter 146 of the Pinellas County Land Development Code, the Historic Preservation Provisions. The Local Planning Agency recommended approval of the ordinance based on the staff report. No correspondence has been received. No citizens appeared to be heard (Companion Agenda Item No. 28).

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

- #28 Resolution No. 14-41 adopted designating the Fort De Soto Batteries and Military Post as a landmark and landmark site, pursuant to Section 146-6 of the Pinellas County Code. The Historic Preservation Board recommended approval of the resolution based on the staff report. No correspondence has been received. No citizens appeared to be heard (Companion Agenda Item No. 27).

Motion	-	Commissioner Long
Second	-	Commissioner Roche

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Commissioner Justice thanked Department of Environment and Infrastructure staff and the Historic Preservation Board for their hard work in bringing the designation forward, and related that several years ago, the Preservation Board produced a list of targeted priority properties to be designated landmark and landmark sites in Pinellas County, noting that the County should “walk the walk” by designating County properties; whereupon, Fort De Soto Park Supervisor Jim Wilson concurred, and stated that the original national registry only covered the batteries; and that this designation will cover the entire installation.

Vote - 6 – 0

#29 Meeting adjourned at 6:16 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk