

AGENDA ITEM # 3
August 5, 2014

3. APPROVAL OF MINUTES:

Regular meeting held June 24, 2014.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, JUNE 24, 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 Trudy Futch, Board Reporter, Deputy Clerk.

INVOCATION: Pastor Joe Glymph, Prince of Peace Lutheran Church, Largo.

PLEDGE OF ALLEGIANCE: Commissioner Long.

PRESENTATIONS AND AWARDS:

Mosquito Control Awareness Proclamation presented to the Department of Environment and Infrastructure Transportation and Stormwater Section Manager Kelli Levy, Mosquito Control Program Coordinator Brian Lawton, Assistant District Operations Manager Glen-Paul Edson, and Pinellas County Entomology Technician Jason Stuck. Mr. Edson provided information regarding the new mosquito virus.

* * * *

At this time, 2:14 P.M., Commissioner Morroni left the meeting.

* * * *

CITIZENS TO BE HEARD

JoAn Totty, Palm Harbor, re dog leash

David Ballard Geddis, Jr., Palm Harbor, constitution of resolve is usurpation*

Greg Pound, Largo, re truth*

Lenore Faulkner, Madeira Beach, re middle school/excellence*

*Heard following Agenda Item No. 24

June 24, 2014

CONSENT AGENDA ITEMS NOS. 1 THROUGH 10 – APPROVED.

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

1 Minutes of regular meeting of May 20, 2014 approved.

2 Report Received for Filing:

Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2014-17 dated May 28, 2014 – Follow-Up Audit of the Examination of Justice and Consumer Services Internal Controls Over DAVE Information.

3 Vouchers and Bills Paid:

Period May 4 through May 10, 2014

Payroll

ACH – \$2,986,447.05

Checks – \$58,912.68

Third Party ACH – \$12,360.39

Third Party Check – \$2,596.33

Accounts Payable

Checks – \$6,393,017.93

ACH Transfers – \$11,438,955.53

Wire Transfers – \$606,603.20

Period May 11 through May 17, 2014

Payroll – None

Accounts Payable

Checks – \$5,784,254.76

ACH Transfers – \$4,015,908.06

Wire Transfers – \$225,416.63

June 24, 2014

4 Miscellaneous Items Received for Filing:

- a. City of Clearwater Public Hearing Notices of Corrected Meeting Dates for Annexation, Land Use Plan, and Zoning Atlas amendments regarding proposed Ordinances Nos. 8558-14 through 8560-14 and 8564-14 through 8566-14, together with Notices of Intent to Consider a Development Agreement regarding proposed Resolutions Nos. 14-14 and 14-19; public hearings held June 4, 2014.
- b. City of Clearwater Ordinances Nos. 8541-14 and 8544-14 adopted April 3, 2014, annexing certain properties.
- c. City of Oldsmar Ordinance No 2014-05 adopted May 20, 2014, annexing certain property.
- d. City of Pinellas Park Notice of Public Hearing to be held June 26, 2014, regarding proposed Ordinance No. 3886 voluntarily annexing certain property.
- e. Tierra Verde Community Association, Inc. Resolution No. 2014-03 adopted May 12, 2014, regarding the County providing extra manpower for the Tierra Verde Fire Station.
- f. Eastlake Oaks Community Development District minutes of the meetings held December 12, 2013 and February 13, 2014.

5 WorkNet Pinellas, Inc. d/b/a CareerSource Pinellas Program Year 2014-2015 Budget approved pursuant to the Interlocal Agreement between CareerSource and Pinellas County.

6 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.	Business Technology Services	Amendment No. 3 to Enterprise License Agreement with Environmental Systems Research Institute, Inc. for community analyst annual subscriptions	N/A	04.25.14
2.	Convention and Visitors Bureau	Florida Sports Foundation Grant Application with St. Pete-Clearwater Sports Commission for NSA B Girl Fastpitch World Series and 2014 American Baseball Championships	\$10,000.00 each grant revenue	06.06.14
3.	Convention and Visitors Bureau	Sponsorship Agreement with AOS Group LP d/b/a AVP Pro Volleyball Tour for the 2014 AVP St. Petersburg Open	\$30,000.00	05.19.14

June 24, 2014

	<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
4.	Economic Development	Agreement with the University of South Florida for 2014 Small Business Development Center grant support	\$153,359.00 revenue	05.08.14
5.	Economic Development	Defense Infrastructure Grant Agreement with Enterprise Florida, Inc. for walkway construction at the Coast Guard Air Station	\$200,000.00 grant revenue, no County match	04.01.14
6.	Environment and Infrastructure	Modification to Consent Order with the Florida Department of Environmental Protection at Solid Waste Operations Waste to Energy Facility - OCG File No. 12-1610	N/A	05.28.14
7.	Environment and Infrastructure	Joint Project Agreement with the City of Madeira Beach for pipeline relocation and service connections for road and drainage improvements to Normandy Road	\$43,550.00	05.05.14
8.	Environment and Infrastructure	Temporary Alcohol Waiver for the 13 th Annual Palm Harbor Parrot Head Party sponsored by the Downtown Palm Harbor Merchants Association, Inc.	N/A	05.02.14
9.	Environment and Infrastructure	Notice of Liens (4)	N/A	04.17.14
10.	Environment and Infrastructure	Release of Liens (22)	Liens are paid in full	04.08.14
11.	Environment and Infrastructure	Notice of Liens (42)	N/A	04.07.14
12.	Environment and Infrastructure	Notice of Liens (2)	N/A	04.02.14
13.	Environment and Infrastructure	Release of Liens (21)	Liens are paid in full	04.01.14
		Notice of Liens (8)	N/A	
14.	Health and Community Services	Specific Performance Agreement with the City of Oldsmar for Community Development Block Grant (CDBG) Program funds	\$87,500.00 CDBG funds	05.30.14
15.	Health and Community Services	Purchase Agreement for State Tax Credits with MSC Management, Inc. for the sale of Brownfield Program Tax Credit Certificate #289	\$152,067.06 CDBG program income	05.08.14

June 24, 2014

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
16. Health and Community Services	Radiology Provider Agreement with Sunshine Radiology, LLC	Master Radiology Provider Agreement approved by County Administrator 9.17.2012, \$200,000.00 Annual Fund Pool	05.02.14
17. Health and Community Services	Amendment No. 1 to the contract with the State of Florida Department of Health for the operation of the Pinellas County Health Department FY 13-14	N/A	04.21.14
18. Justice and Consumer Services	(a) Designation of Authority to Director of Justice and Consumer Services to submit online grant application to U.S. Department of Justice for reentry collaborative programs	(a) \$750,000.00 grant revenue for three (3) years	05.30.14
	(b) Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program Final Financial Report	(b) N/A	
19. Parks and Conservation Resources	Grant Agreement with Tampa Bay Estuary Program for Weedon Island Preserve educational programming	\$3,384.00 grant revenue, no County match	05.27.14
20. Parks and Conservation Resources	Grant Agreement with Florida Department of Environmental Protection Office of Greenways and Trails for repair of the Pinellas Trail	\$75,000.00 grant revenue \$75,000.00 County match	04.09.14
21. Planning and Development Services	Interlocal Agreement with Tampa Bay Regional Planning Council for updating Pinellas County Local Mitigation Strategy	\$35,000.00	05.21.14
22. Real Estate Management	First Amendment to Interlocal Agreement with the City of St. Pete Beach for adjustment of monitoring and maintenance times of beach parking lot	N/A	06.05.14
23. Real Estate Management	First Amendment to Interlocal Agreement with the Town of Redington Shores for adjustment of monitoring and maintenance times of beach parking lot	N/A	06.04.14
24. Real Estate Management	First Amendment to Interlocal Agreement with the City of Indian Rocks Beach for adjustment of monitoring and maintenance times of beach parking lot	N/A	06.03.14

June 24, 2014

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
25. Real Estate Management	License Agreement with Thomas Montgomery for residence in Sand Key Park	\$319.07 monthly revenue	05.19.14
26. Real Estate Management	Termination of easements in favor of the Donald E. Bleakley Irrevocable Trust	N/A	05.13.14
27. Real Estate Management	(a) Seventh Amendment to Lease with MG Tower, LLC for office space for Community Development at 600 Cleveland Street, Clearwater	(a) \$182,976.84 annually	05.08.14
	(b) Indemnification provisions for two Facility Encroachment Agreements with CSXT in preparation for the ATMS Project	(b) N/A	
28. Real Estate Management	Sovereignty Submerged Lands Easement with the State of Florida Board of Trustees of the Internal Improvement Trust Fund for subaqueous cable system retroactive to 11.21.13	\$606.00 fee	04.24.14
29. Safety and Emergency Services	Lease Agreement with the City of St. Petersburg for fire-fighting apparatus	N/A	05.14.14

7 Authorization granted for the Chairman to execute an application for federal funding assistance to the Federal Aviation Administration (FAA) in the amount of \$13,395,810.00 for Taxiway Rehabilitation Phase One – Construction and Construction Phase Services for the St. Pete-Clearwater International Airport; Chairman authorized to execute and the Clerk to attest after receipt of the grant application from the FAA and after written approval as to form by the Office of the County Attorney.

8a Award of bid to Ajax Paving Industries of Florida, LLC, for Taxiway Rehabilitation Phase One (Project No. 000026A; Bid No. 134-0253-CP) approved on the basis of being the lowest responsive, responsible bid received meeting specifications (estimated total expenditure, \$15,356,888.00); all work is expected to be completed within 405 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.

June 24, 2014

- # 8b Award of bid to Seacoast, Inc. for Park Boulevard Drawbridge Rehabilitation (Project No. 001142A; Bid No. 134-0300-CP) approved on the basis of being the lowest responsive, responsible bid received meeting specifications (estimated total expenditure, \$834,685.25); all work is expected to be completed within 120 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.
- # 8c Award of bid to QRC, Inc. for Forest Lakes Boulevard Underdrain Phase One (Project No. 000116A; Bid No. 134-0268-CP) approved on the basis of being the lowest responsive, responsible bid received meeting specifications (estimated total expenditure, \$989,361.50); all work is expected to be completed within 365 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.
- # 9 Ratification of Third Amendment as an Emergency Time Extension for Pharmacy Services (estimated annual expenditure, \$4,800,000.00) and Name Change to Winn-Dixie Stores, Inc. (Contract No. 089-0197-P).
- #10 Award of bid to IBM Corporation (Group I) and Dataskill, Inc. (Group II) for maintenance and support of IBM Maximo and IBM Passport Advantage software licenses (Bid No. 134-0288-B) approved, as outlined in the agenda memorandum dated June 24, 2014, on the basis of being the lowest responsive, responsible bid received meeting specifications (estimated expenditure not to exceed, \$315,266.67).
- #11 Items pulled for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller) – None.
- #12 Ranking of firms and final negotiated agreement with the highest ranked firm, Republic Parking System, Inc., for concession services and management and operations of paid parking at St. Pete-Clearwater International Airport (Contract No. 134-0063-P) approved. Agreement shall be for a term of five years commencing on July 1, 2014 and ending on June 30, 2019, and contains one additional five-year renewal option (estimated 60-month revenue, \$10,000,000.00); Chairman authorized to sign the agreement and the Clerk to attest.

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

June 24, 2014

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At this time, 2:20 P.M., Commissioner Morroni returned to the meeting.

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- #13 Final negotiated agreement with Atkins North America, Inc. for Consultant Services pertaining to Airport improvement projects – St. Pete-Clearwater International Airport (Contract No. 112-0413-CN) approved in an amount not to exceed \$384,085.00. Chairman authorized to sign the agreement and the Clerk to attest.

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

- #14 Resolution No. 14-48 adopted relating to the provision of Surface Water Management Services; estimating the cost of Surface Water Management Services provided by the County's Surface Water Utility; establishing the method of charging the cost of Surface Water Management Services against the real property that will be benefited and served thereby; directing the Surface Water Utility Coordinator to prepare or direct the preparation of an updated Surface Water Roll based upon the methodology set forth therein; establishing a public hearing for the proposed Surface Water Service Assessments and Surface Water fees and directing the provision of notice in connection therewith; and providing an effective date (County will collect \$19.5 million from the Assessments for Fiscal Year 2014-2015, which may be adjusted).

Mr. Woodard related that the Fiscal Year 2014-2015 Surface Water Service Assessment Rates remain unchanged from the current year; and that at the September 11, 2014 public hearing, the Board will adopt the final rate for the surface water assessment.

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch

Commissioner Roche expressed his concerns regarding the structure of the Equivalent Residential Unit (ERU) method of surface water assessment and questioned why the revenue is proposed to increase from \$17.9 to \$19.5 million if the current rate is not changing. In response to his queries, Mr. Woodard, with input by Lynette Katare, Budget Manager, Office of Management and Budget, indicated that the surface water assessment is based on the projected amount of stormwater runoff generated by a parcel's impervious surface; that there were imperfections in the data regarding commercial parking lots and

June 24, 2014

pool cage enclosures causing the current year assessment to be lower; and that because staff has amended the data to reflect the corrected information, the Fiscal Year 2014-2015 assessment has increased.

Commissioner Roche related that the assessment is a substantial tax; and opined that because a flat-rate structure is more equitable than a tiered-rate structure, now is an opportune time to eliminate the current structure in favor of a flat rate; whereupon, he discussed the potential challenges associated with calculating impervious surface areas and the impacts of the County Code requiring commercial properties to install parking lots and then assessing those properties a stormwater fee.

Mr. Woodard indicated that the Equivalent Residential Unit is a standard used throughout the United States with respect to setting stormwater utility fees and is well tested by virtue of science as well as legal challenges; and that the County has determined that the median single-family residence in the Surface Water Service Area includes 2,339 square feet of impervious surface, the value of one Equivalent Residential Unit; whereupon, he indicated that while County Code addresses parking-area square-footage for commercial properties, it also deals with stormwater runoff and drainage issues; and that commercial property owners will likely seek tax credits for onsite mitigation efforts.

In response to further queries by Commissioner Roche, Kelli H. Levy, Section Manager, Watershed Management, Department of Environment and Infrastructure (DEI), presented general, financial, and statistical information regarding the Equivalent Residential Unit rate structure, relating that it is used by all stormwater utilities throughout the County; that each stormwater utility develops an Equivalent Residential Unit specific to its particular assessment area; and that after reviewing the potential effects of establishing a flat residential rate, it was determined that while only about 18,000 properties would realize a fee reduction, approximately 111,000 properties would realize a fee increase; whereupon, Attorney Bennett indicated that case law has determined that the Equivalent Residential Unit is an appropriate way to support assessment fees; and that a different rate structure can only be established if it is defensible, and discussion ensued.

Commissioner Morroni discussed the minimal number of commercial property owners who had applied for mitigation credits during the year, and reported that he had recently met with David Scott, Executive Director, DEI, and Ms. Levy regarding the flat-rate and tiered-rate structures. Commissioner Morroni related that even though he has received constituent complaints regarding the tiered rate, the flat rate would further increase fees to approximately 111,000 property owners; and that he is amenable to reviewing alternative methods of calculating assessments which are fair and do not increase fees;

June 24, 2014

whereupon, Attorney Bennett related that he is not aware of any other method; and reiterated that the courts have stated that the Equivalent Residential Unit is an appropriate way to support assessment fees.

Commissioner Latvala briefly discussed the significant fines that can be imposed by the federal government for noncompliance with water quality regulations, and related that funding obtained from the surface water assessment will be used to address local water quality issues and to maintain compliance with federal regulations; whereupon, Ms. Levy reported that 74 percent of Pinellas County surface waters do not meet state standards for water quality, and discussed the most effective way of meeting those standards, relating that by preventing pollution from entering local streams, lakes, and bays and by allowing sea grasses to flourish, those bodies of water will naturally restore themselves without the need for large capital projects.

Ms. Levy discussed permit compliance, relating that even though the permit that Mr. Woodard recently signed with the Department of Environmental Protection provides a mechanism for the agency to assess fines for noncompliance, Pinellas County would rather be proactive in taking care of its communities and the environment; whereupon, she presented information regarding various challenges facing the County, including deteriorating infrastructure, environmental considerations, and flood insurance costs, and discussed the benefits of a surface water program, and Chairman Seel provided input, relating that the cities are well ahead of the County with respect to stormwater management; that she has toured facilities that are in imminent need of replacement; and that she strongly supports adoption of the surface water rate.

During further discussion, Commissioner Roche stated that even after spending hundreds of millions of dollars, Pinellas County and the 15 municipalities have yet to meet water quality standards; and that the County will not meet the newly-enacted standards no matter how much money is spent on the issue. In response to his queries, Ms. Levy and Ms. Katare presented further information regarding the proposed surface water assessment increase and discussed levels of service, program development, and future projections, and indicated that program revenues and expenditures are aligned; that the assessment will only fund operational activities, not capital projects; and that 50 percent of current fiscal year revenue has been spent.

Commissioner Welch expressed support for the item, and requested an electronic copy of the documents utilized at the meeting attended by Commissioner Morroni; whereupon, the Chairman called for the vote.

Vote - 6 – 1 (Commissioner Roche dissenting)

- #15 Resolution No. 14-49 adopted reallocating Reserve for Future Years in the Seminole Fire District's Fiscal Year 2014 budget.

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

- #16 Fiscal Year 2014 Board Budget Amendment No. 8 was filed and made a part of the record; amendment realigns appropriation from the Fleet Vehicle Replacement–Reserves Program to the Fleet Vehicle Replacement–Fleet Asset Management Program.

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

- #17 Resolution No. 14-50 adopted supporting the creation of the Tampa Bay Advanced Manufacturing Skills Initiative, including an Industry Certification Training Center in Pinellas County, and committing matching seed funds not to exceed \$400,000.00 for the administration and operation of the program; funding budgeted at \$200,000.00 per year for Fiscal Years 2016 and 2017.

Motion	-	Commissioner Long
Second	-	Commissioner Roche

Chairman Seel indicated that during a previous presentation, in-kind services had been presented as a way of reducing Pinellas County's financial commitment to the program; and that she wanted the Interlocal Agreement between Pasco, Pinellas, and Hernando Counties to reflect that intent; whereupon, Commissioner Latvala related that the Interlocal Agreement will need to be signed by the Governing Board by July 15; that the agreement will then be immediately forwarded to the Governor's Office in order for the appropriated dollars to be disbursed; and that the seed funding will likely be received in mid-August. She related that the first official meeting of the Governing Board will likely occur on July 16; that enthusiasm and excitement abound regarding moving forward; and that Pasco County Commissioner Kathryn Starkey has been speaking with individuals in Washington, DC regarding obtaining federal dollars for the program.

Commenting that there is no commitment beyond the initial two years, Commissioners Welch and Roche expressed support for the initiative, and in response to their queries, Commissioner Latvala related that Hillsborough County has chosen not to participate; and that the Museum of Science and Industry (MOSI) has received a grant, will establish an onsite training center, and will serve in an advisory role; whereupon, Commissioner

June 24, 2014

Roche discussed program benefits and the financial safeguards associated with the initiative, and Commissioner Latvala provided input.

Vote - 7 – 0

- #18 Lease agreement between Pinellas County and Palm Harbor Community Services Agency (PHCSA) for the White Chapel/Harbor Hall Property approved. Lease agreement is for a period of five years, commencing June 24, 2014, with the option to automatically renew for three additional five-year terms; lease rental rate is one dollar per year. Estimated costs for repairs to the subject property are \$50,000.00 and will be derived from Real Estate Management's Fiscal Year 2014 Operating Budget. Chairman authorized to sign and the Clerk to attest.

Motion - Commissioner Latvala

Second - Commissioner Welch

During discussion and in response to queries by Commissioner Latvala, Mr. Woodard presented background information regarding the White Chapel/Harbor Hall Property and explained why the lease agreement between Pinellas County and the Palm Harbor Community Services Agency differs from other lease agreements entered into by the County; whereupon, he indicated that Pinellas County will be responsible for maintaining the exteriors of the buildings; that PHCSA will be responsible for maintaining the interiors of the buildings; and that PHCSA will manage and maintain an event calendar for activities and special events requesting use of the White Chapel/Harbor Hall and onsite parking.

In response to queries by Chairman Seel, Mr. Woodard discussed deferred maintenance issues that were discovered when the property passed from the previous tenant to Pinellas County, and indicated that repair costs are estimated at \$50,000.00; and that subsequent to those repairs, PHCSA will assume responsibility for ongoing interior maintenance.

Responding to the Chairman's call for persons wishing to be heard, JoAn Totty, Palm Harbor, offered comments and presented her concerns, provided historical background information, and discussed the possibility of naming rights; whereupon, following brief discussion, Chairman Seel related that staff would review the name change issue.

Vote - 7 – 0

- #19 Other Administrative Matters – None.

- #20 Settlement approved in the case of Karen Murphy versus Pinellas County, Hillsborough Circuit Civil Case No. 13-CA-010091, Division H – Inverse Condemnation, in accordance with the confidential memorandum from County Attorney James L. Bennett dated June 24, 2014.

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

#21a County Attorney Miscellaneous:

County Attorney authorized to initiate litigation in the case of Florida Association of Counties et al., Petitioner versus State Of Florida, Department of Juvenile Justice – Respondent Case No. 14-2801RP – Rule Challenge.

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

#21b County Attorney Miscellaneous:

Offer of settlement rejected in the case of Stephen W. Bloom, Jr. versus Pinellas County, Circuit Civil Case No. 13-011274-CI-21 – Allegations of Negligence Resulting in Personal Injuries, in accordance with the confidential memorandum from County Attorney James L. Bennett dated June 24, 2014.

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

- #22 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the 2014 Advanced Life Support (ALS) First Responder Agreement between the Authority and the City of St. Petersburg, and authorized the Chairman to execute the agreement. Agreement is for a three-year term to commence October 1, 2014 and may be extended for an additional two-year period following the initial term, provided that the parties mutually agree in writing to such extension which is subject to Authority and City Council approval prior to July 1, 2017; estimated Fiscal Year 2014-2015 expenditure is \$12,435,195.00.

Motion	-	Commissioner Welch
Second	-	Commissioner Long

June 24, 2014

Commissioner Roche expressed support for the agreement, and in response to his queries regarding the remaining 17 cities and fire districts, Mr. Woodard indicated that staff has forwarded a proposal to the other districts based on the St. Petersburg agreement; that a meeting has been scheduled for June 26 to engage in further discussion and resolve differences; and that he is optimistic that an agreement will be reached with each of the partners.

In response to comments and queries by Commissioner Welch, Interim Chief of Staff and Executive Director of Safety and Emergency Services Bruce Moeller agreed to provide the members with an updated forecast, including preliminary financial projections and other information based on the agreements; whereupon, he presented background information and a timeframe regarding EMS Priority Dispatch Phase III, indicating that informal discussions have taken place with the cities and agencies; and that operational issues relating to Priority Dispatch will be addressed subsequent to the agreements being completed.

Commissioner Welch thanked management and staff for their leadership and hard work, especially Mr. Woodard for the collaborative approach he takes on issues, and expressed his optimism for the future, and Commissioner Long agreed, relating that open and respectful communication along with realistic expectations have contributed to a win-win situation for both parties; and that because the issue is large and has many components, she looks forward to ongoing robust conversations, and Commissioners Latvala and Roche agreed.

Vote - 7 – 0

- #23 Acting as the Emergency Medical Services (EMS) Authority, the Board appointed Dr. Rajneesh Mathur to the EMS Medical Control Board, filling the Emergency Physician Trauma Center position vacated by Dr. Jeremy Ingram.

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

- #24 County Administrator Reports – None.

#25 County Commission Miscellaneous:

The members expressed condolences to the Caddell family on the passing of County Judge Patrick K. Caddell.

- a. Commissioner Welch related that he had attended Fire Ops 101 training.
- b. Commissioner Morroni related that he had attended Fire Ops 101 training.
- c. Commissioner Latvala provided information regarding a recent meeting of the Prescription Drug Task Force, indicating that the moratorium will continue; and that some future program changes may need to occur; whereupon, Attorney Bennett briefly discussed the approaching medical marijuana referendum. He reported that, together with the Task Force, his office will initiate discussions with the Zoning Division regarding zoning issues and the location of Pain Management Clinics.

In response to queries by Commissioner Welch, Attorney Bennett related that even though Pinellas County does not have countywide authority with respect to zoning for the potential medical marijuana matter, it does have control over consumer protection issues and can establish a lead for the cities to follow; whereupon, Commissioner Welch related that state funding would be helpful, and Commissioner Roche provided input.

- d. Commissioner Long related that she had toured Tampa Bay Water.

reported that Commissioner Morroni was nominated and elected to serve on the Florida Association of Counties Board.

wished citizens a happy Fourth of July.
- e. Commissioner Justice reported that he had toured the Lealman Community with members of staff.

June 24, 2014

f. Commissioner Roche related that he had attended Fire Ops 101 training.

During discussion regarding the difficulties associated with waiving fees for veterans at Pinellas County beach parks on Independence Day, Commissioner Roche moved, seconded by Commissioner Long, that the fees be waived for all local residents this Fourth of July.

In response to queries by Commissioner Welch, Mr. Woodard provided financial information regarding daily parking revenues at beach parks on the Fourth of July. Commissioner Welch related that while he would be more comfortable if the request had been publicly noticed as an agenda item, he would support the motion, but related that he wanted financial impact numbers and a policy in place going forward. Commissioner Long agreed, and brief discussion ensued; whereupon, upon call for the vote, the motion carried unanimously.

g. Chairman Seel

expressed condolences to the Ciecieznski family on the passing of Pinellas County Public Information Specialist Len Ciecieznski.

read a thank you note from a graduate of Pinellas Citizens University.

congratulated Commissioner Latvala on receiving the Marlene Young Award.

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At this time, 3:31 P.M., the meeting was recessed and reconvened at 6:00 P.M. with all members present.

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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

- #26 Resolution No. 14-51 adopted granting the petition of William D. Boller and Connie P. Boller to vacate a portion of a twenty-five-foot wide drainage and utility easement within Lot 3, Block 1, Crossing at the Narrows Subdivision (Quasi-Judicial Hearing). Authority granted for the Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

In response to query by Commissioner Roche, Real Estate Management Director Paul S. Sacco clarified that the proposed easement vacation area refers to the nine-foot portion identified on the plat.

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

- #27a Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 14-52 adopted approving the issuance of Pinellas County Industrial Development Authority Industrial Development Revenue Bonds, Series 2014, in an aggregate principal amount of not-to-exceed \$6,000,000.00 for Hydro-Dyne Engineering, Inc. and Squared Martello, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. No correspondence has been received. No citizens appeared to be heard (Companion to Item No. 27b).

Motion	-	Commissioner Morroni
Second	-	Commissioner Roche

In response to queries by Chairman Seel, Managing Assistant County Attorney Don S. Crowell advised that Items Nos. 27a and 27b be acted upon separately.

Vote	-	7 – 0
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- #27b Sitting as the Pinellas County Industrial Development Authority, d/b/a the Pinellas County Economic Development Authority, the Board adopted Resolution No. 14-53 approving the issuance of Industrial Development Revenue Bonds, in one or more series, in an aggregate principal amount not-to-exceed \$6,000,000.00 for Hydro-Dyne Engineering, Inc. and Squared Martello, and approving the project; authorizing the issuance and sale of the bonds for the purpose of providing funds to make a loan to Hydro-Dyne Engineering, Inc. and Squared Martello LLC to finance the acquisition, renovation, and equipping of a manufacturing project and to pay the costs of issuing the bonds; approving the form of and authorizing the execution and delivery of a loan agreement, a Memorandum of Agreement, an Assignment of Loan Agreement, Promissory Note and other collateral and a Bond Purchase Agreement; awarding the sale of the bonds by a negotiated sale to Branch Banking and Trust Company; approving the form of the bonds; authorizing officials of the issuer to take certain action in connection with the issuance of the bonds; and making certain other covenants and agreements in connection with the issuance of the bonds. No correspondence has been received. No citizens appeared to be heard (Companion to Item No. 27a).

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

- #28 Resolution No. 14-54 adopted approving the Pinellas County Consortium's Fiscal Year 2014-2015 Consolidated Annual Action Plan and authorizing submittal to the U.S. Department of Housing and Urban Development (HUD); authorizing the execution of federal application forms and certifications, and specific performance, land use restriction and developer agreements necessary to carry out community development activities; authorizing the Chairman to serve as the Environmental Officer for multifamily projects; authorizing the Health and Community Services Executive Director, or designee, to execute security instruments and sign and submit reports and other administrative documents as necessary; and authorizing Health and Community Services to hold a Needs Assessment/Performance Review Public Hearing in the first quarter of 2015 on behalf of the Board. No correspondence has been received. No citizens appeared to be heard.

In response to queries by Commissioner Roche, Director of Community Revitalization Cheryl Reed indicated that all costs listed in the Consolidated Plan and Action Plan are offset by grant revenues, which will be expended in accordance with the Plan; and that those revenues and costs will balance.

June 24, 2014

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

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Deviating from the agenda, Chairman Seel indicated that Item No. 30 would be addressed at this time, and no objections were noted.

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SCHEDULED PUBLIC HEARING – COUNTYWIDE PLANNING AUTHORITY

- #30 First public hearing held regarding a proposed ordinance amending the Countywide Rules regarding the 60-day review period, legal advertising, and public notice requirements. Pinellas Planning Council (PPC) recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

In response to comments and queries by Commissioner Roche, Attorney Bennett confirmed that even though the item was advertised as a 60-day review period, the recommendation and action relate to a 90-day review period; whereupon, Commissioner Justice moved, seconded by Commissioner Long and carried unanimously, that the item be approved subject to a second public hearing to be held on July 15, 2014.

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

SCHEDULED PUBLIC HEARINGS – BCC (CONTINUED)

- #29 Ordinance No. 14-30 adopted amending the Pinellas County Code by adding Article XIII establishing a Municipal Services Taxing Unit (MSTU) to provide recreation services in the area comprising the East Lake Tarpon Special Fire Control District. Eleven letters and three petitions with 538 signatures in favor of and 10 letters in opposition to the proposed ordinance have been received.

Responding to the Chairman's call for persons wishing to be heard, the following individuals presented their comments and concerns and responded to queries by the members:

June 24, 2014

Rick Watson, Palm Harbor – Support*
Rob Posavec, Palm Harbor – Support*
Tim Lima, Palm Harbor – Support
Gene Davis, Palm Harbor – Support
Doug Graham, Palm Harbor – Support
Ann Duncan, Tarpon Springs – Support
Mitch Wright, Palm Harbor – Support
Kristyn Whetstone Wadsworth, Tarpon Springs – Support
Preston Pierce, Palm Harbor – Support
Lorri Kidder, Palm Harbor – Support
Mark Bruseski, Palm Harbor – Support
Brian Bender, Pinellas Park – Support
John Duncan, Tarpon Springs – Support
Geoffrey McLaughlin, Palm Harbor – Support
Scott Papes, Tarpon Springs – Support
Adam Gorecki, Tarpon Springs – Support
Richard Gomez, Spring Hill – Support
Roger G. Johnson, East Lake – Oppose
Robin Borland, Palm Harbor – Support

** Spoke on behalf of others in attendance*

East Lake Youth Sports Association (ELYSA) board members Rick Watson and Rob Posavec referred to a PowerPoint presentation titled “*ELYSA*” *Presentation to the Pinellas County Commissioners – June 24, 2014*, a copy of which has been filed and made a part of the record, and gave a brief history of the Association and its facilities, indicating that the land was a gift from the County in 1982; that baseball, football, and soccer fields were built; that a shortage of field space and parking problems created the need for expansion; and that in the fall of 2012, the East Lake Meadows Complex was opened with two soccer fields built on 100 acres of land purchased by the County and set aside for recreation.

Mr. Watson indicated that the Association is requesting that the County Commission impose a tax of one quarter mill for recreation, similar to the way the East Lake Library, Palm Harbor Library, and Palm Harbor Recreation have been funded.

Referring to the basis of the request, Mr. Posavec related that the Association receives no public funding or grants for operating costs, but relies solely on fees parents pay to enroll their children in sports programs; that East Lake participant fees are consistently higher than those imposed by neighboring sports organizations; that annual operating costs amount to approximately \$300,000.00; that a quarter-mill levy would cover operating costs and allow participation fees to be reduced; and that any surplus would be used to address the Association’s capital needs, the second major reason for the request.

June 24, 2014

Referring to a series of photographs, Mr. Posavec noted that the original sports complex is over thirty years old and in need of numerous repairs and upgrades; whereupon, he related that there is a need for expansion; that there is plenty of room on the 100-acre site; and that the most immediate need is for fields to accommodate the growing sport of lacrosse.

Mr. Watson related that the East Lake Youth Sports Association envisions the organization becoming part of the Palm Harbor Community Services Association (PHCSA), along with the East Lake Library, Palm Harbor Library, and Palm Harbor Recreation, with the existing ELYSA Advisory Board reporting to a new Executive Director; whereupon, he discussed the many benefits of youth sports, and restated his request that the members impose a tax of one quarter mill for recreation.

During discussion and in response to comments and queries by Commissioners Long and Justice regarding fee and tax revenues and the governance structure, Mr. Posavec discussed the ELYSA 2015 Operational Budget Pro Forma. He related that even though four sports organizations exist, the pro forma only pertains to ELYSA, which would be the only tax-supported entity; and that because the remaining organizations would not be directly tax supported, they would still require fee revenue; whereupon, he discussed the governance structure, relating that ELYSA would serve in an advisory capacity to the Palm Harbor Community Services Association and would have an Executive Director similar to the East Lake Library, Palm Harbor Library, and Palm Harbor Recreation.

In response to further queries by Commissioner Justice, Attorney Bennett related that because the sports organizations are independent and not constrained by governmental issues with regard to charging fees, they can set different rates for county residents and non-residents.

Mr. Watson discussed the approximately \$700,000.00 capital expenditure related to lacrosse, indicating that it is the fastest growing youth sport in the nation; and that there is a large demand for the sport in the East Lake community; whereupon, Commissioner Justice remarked that some county residents would say that soccer is currently the biggest sport; and Chairman Seel related that the Tourist Development Council has identified lacrosse as a need.

June 24, 2014

In response to queries by Commissioner Roche, Mr. Posavec presented information regarding how the sport of lacrosse will be organized with respect to the building and maintenance of the playing fields and how the program will be run. Mr. Posavec discussed how the baseball, football, and soccer teams would charge their own fees for uniforms and other necessary equipment, relating that the fees the sports teams currently pay to ELYSA to maintain the fields would cease and be replaced with tax revenue; whereupon, he discussed the \$50,000.00 administrative charge for the Executive Director position, indicating that the dollar figure is only an estimate.

Commissioner Roche discussed the 27 acres that had been deeded to ELYSA to create the playing fields at their present complex, and questioned whether the organization would be willing to deed back the property to Pinellas County for the potential creation of a stormwater conveyance to alleviate flooding problems in the area. Messrs. Posavec and Watson related that because ELYSA cannot go without playing fields, new fields would need to be created before the organization would be willing to relinquish the current site; that it would be very expensive to establish new fields at the East Lake Meadows Complex; and that it would cost considerably more than the \$550,000.00 of anticipated tax revenue, and discussion ensued.

In response to queries by Chairman Seel, Mr. Woodard indicated that while a study is underway regarding the future of the property, no position has been taken on what path to take; and restated that relocating the fields would cost far more than \$550,000.00.

Commissioner Welch referred to a chart titled *Participant Fee Comparison – 2014* and questioned whether there is comparative data for soccer. Mr. Posavec, with input by Mr. Watson, explained that although it is difficult to provide precise data regarding East Lake soccer fees, \$200.00 per participant would be realistic. Responding to queries by Commissioner Long, Mr. Posavec related that even though the Palm Harbor and East Lake communities are running soccer programs together, and sharing costs to some extent, those programs are essentially separate, and discussed the differences between recreational and competitive soccer programs; whereupon, Mr. Watson discussed the number of Pasco County youth who participate in Pinellas County sports programs, relating that the number is minimal.

June 24, 2014

In response to comments and queries by Commissioner Roche, Preston Pierce, President, East Lake Little League, stated that if his league no longer has to pay the approximately \$4,400.00 a month to ELYSA to support the playing fields, those dollars could be used to reduce registration fees for children who want to play baseball in East Lake; and that the fees could be reduced to approximately \$175.00 to \$185.00 per child, which is comparable to teams in Tarpon Springs and Oldsmar; whereupon, he discussed the process by which Little League combines and creates teams comprised of youth from both Pasco and Pinellas Counties, and Chairman Seel provided input.

Responding to further queries by Commissioner Roche, Geoffrey McLaughlin, Treasurer, West Florida Flames, East Lake Soccer, presented additional information regarding the decrease in soccer fees if the levy is passed, indicating that soccer has three seasons of play throughout the year; and that while recreational soccer programs are relatively inexpensive, competitive soccer programs are more expensive and require a higher level of commitment.

In response to comments and queries by Commissioners Justice and Roche, Robin Borland, President, East Lake Lacrosse, indicated that her organization paid ELYSA approximately \$4,000.00 over a two-month period to support the playing fields; that returning and new players are charged fees of \$210.00 and \$350.00, respectively; and that those fees help to offset field costs and pay for uniforms; whereupon, Mr. McLaughlin discussed the challenges associated with "startup sports," and discussion ensued.

Noting the presence of the many well-behaved young people in the audience, Chairman Seel remarked that youth recreation seems be working in the East Lake community; whereupon, she closed the public hearing.

Commissioner Latvala provided historical background information regarding a quarter-mill MSTU levy enacted during 2002 or 2003 to provide grant dollars for the funding of recreational activities throughout the unincorporated area, and indicated that due to a challenging economy, the proceeds from that assessment were diverted to general revenue; that now is the time to recommit to youth sports in the East Lake community and other areas in unincorporated Pinellas County; that she prefers the MSTU special taxing district model as opposed to providing grants; and that she supports the ordinance; whereupon, she moved, seconded by Commissioner Long, that the item be approved.

Motion	-	Commissioner Latvala
Second	-	Commissioner Long

June 24, 2014

Commissioner Long discussed the benefits of youth sports, pointing out that such sports not only benefit the individuals who participate, but also offer tangible and intangible benefits to the local community, and questioned how other unincorporated areas within Pinellas County can be afforded a means of funding their sports programs; whereupon, Chairman Seel presented additional background information regarding the millage previously discussed by Commissioner Latvala, relating that it was used to fund paved roads and provide recreational grant dollars; and that she wanted to schedule a work session to discuss how to provide for youth sports across the unincorporated area.

Commissioner Roche indicated that he is not aware of any special taxing district being created without a ballot going before the voters; that creating such a district with only a vote of the Board is setting a precedent; that the members will no longer be in a position to refuse other communities who wish to enact a similar special taxing district; that he would be more comfortable reactivating the former quarter-mill MSTU levy; that he considers that preferable to creating a new special taxing district; and that he only brings up such points to put the matter squarely on the table.

Commissioner Morroni related that he is gratified to see so many residents attending the public hearing and expressing their desires for the East Lake community; and that while initially undecided regarding the item and still concerned about the issue of precedent, he realizes the need to invest in the community and its young people; whereupon, he expressed his support for the item.

Chairman Seel expressed her support for the item, and related that the funding will allow ELYSA to cover its capital expenses; whereupon, she discussed an email received from a constituent with respect to adult athletics, relating that it is something to think about for the future.

Commissioner Welch related that he is in full agreement with what the East Lake community is trying to accomplish; and that while he was initially undecided regarding his support for the item, he also agrees that athletic programs can make a difference in the community; whereupon, he expressed his concerns that a holistic, countywide approach is not being taken; that other communities such as Lealman have similar needs; that he would be in favor of reactivating the former MSTU assessment; and that while he will support the item, his support is contingent upon the members moving forward and finding ways to serve the entire unincorporated area with regard to youth sports, and Chairman Seel requested that Mr. Woodard schedule a work session regarding the matter.

June 24, 2014

In response to queries by Commissioner Justice, Mr. Woodard discussed the timetable by which the governance and structure would be implemented, and indicated that it would follow a path similar to when the PHCSA governance structure provided for the inclusion of the East Lake Library representatives.

In response to queries by Commissioner Long, Mr. Woodard related that while sufficient time likely exists to create a Municipal Service Taxing Unit for the unincorporated area, the maximum rate for Truth in Millage (TRIM) purposes must be set during the early part of August; and that even if the members do not enact a millage increase for the MSTU for Fiscal Year 2015, funds could be made available through the present MSTU reserve for contingencies, which is fairly healthy; whereupon, Commissioner Roche suggested that because there are strong reserves and a holistic approach is needed, now would be an opportune time to move in that direction; and Chairman Seel opined that ELYSA should have governance over its own funding.

During discussion and in response to comments and queries by Commissioner Morroni, Brian Bender, a student at St. Petersburg College, discussed the average home prices in the East Lake community versus the rest of Pinellas County, indicating that the average East Lake homeowner would pay approximately \$65.00 a year to fund ELYSA.

Commissioner Latvala commented that it appears all of the members are in favor of the model as it has been presented, and called for a vote; whereupon, Commissioner Roche questioned whether a logical argument exists for not placing the item on the ballot for a citizen vote, similar to how all other special taxing districts have been created. Responding to his query, Chairman Seel related that the rest of the Board does not appear to be moving in that direction; and that he will be able to make an alternate motion if the present motion fails.

Brief discussion ensued, and in response to queries by Commissioner Welch, Attorney Bennett advised that while sufficient time remains to place the question on the November ballot, the respective tax could not be raised until the following year; whereupon, the Chairman called for the vote.

Vote - 7 – 0

June 24, 2014

#31 Meeting adjourned at 7:49 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk