

AGENDA ITEM # 1
September 11, 2014

1. APPROVAL OF MINUTES:

Regular meeting held August 5, 2014.

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, AUGUST 5, 2014 – 9:33 A.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 Michael P. Schmidt, Board Reporter, Deputy Clerk.

INVOCATION: Pastor Matthew Trill, New Testament Baptist Church, Largo.

PLEDGE OF ALLEGIANCE: Commissioner Morroni.

PRESENTATIONS AND AWARDS:

Presentation of Smokey Bear/Florida Forest Service Proclamation to Forest Area Supervisor Pat Keogh and Senior Ranger John DeWolfe, Florida Division of Forestry.

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 HEARING – BOARD OF COUNTY COMMISSIONERS

1 Resolution No. 14-58 adopted granting the petition of JP Morgan Chase Bank as Successor Trustee of the Lake Ridge Trust to vacate Lots 10, 11, and 12 and the easements therein, and a portion of Tract A, Bison Creek Estates, Phase 1 (Quasi-Judicial Hearing). Authority granted for the Clerk to record the resolution. Letters of no objection received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff recommended the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch

In response to query by Commissioner Welch, Real Estate Management Director Paul S. Sacco referred to a subdivision plat, and clarified that the proposed easement vacation area refers to Lots 10, 11, and 12; and that the Tract A portion is a right-of-way zone and part of Buffalo Run.

Vote	-	7 – 0
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SCHEDULED PUBLIC HEARING – COUNTYWIDE PLANNING AUTHORITY

- # 2 Sitting as the Countywide Planning Authority, the Board adopted Ordinance No. 14-34 approving Case No. CW 14-19, the proposal by the City of Largo to amend the Countywide Future Land Use Plan from Residential Urban to Industrial Limited, re 0.9 acre m.o.l., located at 15150 62nd Street, Largo (subthreshold amendment). Pinellas Planning Council recommended approval of the proposed amendment and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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.

* * * *

CONSENT AGENDA ITEMS NOS. 3 THROUGH 14 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 7, 8a, 8b, 8c AND 9, WHICH WERE CONSIDERED UNDER ITEM NO. 15.

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

- # 3 Minutes of regular meeting of June 24, 2014 approved.

- # 4 Reports Received for Filing:

- a. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2014-19 dated June 27, 2014 – Follow-Up Audit of Department of Environment and Infrastructure General Maintenance Division Contract with Ferguson Waterworks.
- b. City of South Pasadena Comprehensive Annual Financial Report for the year ended September 30, 2013.

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- c. Dock Fee Report for the month of June 2014.
- d. Quarterly report of Routine Dock and Dredge/Fill Permits issued from April 1 to June 30, 2014.

5 Vouchers and Bills Paid:

Period June 1 through June 7, 2014

Payroll

ACH – \$3,008,369.22

Checks – \$69,846.66

Third Party ACH – \$12,619.48

Third Party Check – \$3,018.42

Accounts Payable

Checks – \$5,517,163.83

ACH Transfers – \$3,313,765.57

Wire Transfers – \$589,196.17

Period June 8 through June 14, 2014

Payroll – None

Accounts Payable

Checks – \$7,151,471.15

ACH Transfers – \$2,477,280.13

Wire Transfers – \$856,835.39

Period June 15 through June 21, 2014

Payroll

ACH – \$3,275,092.68

Checks – \$54,122.95

Third Party ACH – \$12,116.13

Third Party Check – \$2,750.40

Accounts Payable

Checks – \$7,660,135.28

ACH Transfers – \$2,491,915.92

Wire Transfers – \$1,981,309.88

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Period June 22 through June 28, 2014

Payroll – None

Accounts Payable

Checks – \$7,141,454.64

ACH Transfers – \$14,165,969.16

Wire Transfers – \$225,946.65

Period June 29 through July 5, 2014

Payroll

ACH – \$3,009,385.17

Checks – \$35,773.25

Third Party ACH – \$12,097.36

Third Party Check – \$2,741.22

Accounts Payable

Checks – \$12,228,645.33

ACH Transfers – \$26,642,941.21

Wire Transfers – \$881,584.43

6 Miscellaneous items received for filing:

- a. City of St. Petersburg Notice of Public Hearing on Blight Study for the proposed Southside St. Petersburg Community Redevelopment to be held July 10, 2014.
- b. City of Clearwater Ordinances Nos. 8558-14 and 8564-14 adopted June 4, 2014, annexing certain property.
- c. City of Clearwater Notices of Public Hearings regarding proposed Ordinances Nos. 8570-14, 8573-14, and 8574-14 amending the Community Development Code, Land Use Plan, and the Zoning Atlas; public hearings to be held August 7 and September 4, 2014.
- d. City of Dunedin Notice of Public Hearing regarding proposed Ordinance No. 14-16 to be held September 25, 2014, annexing certain property.
- e. City of Oldsmar Notice of Public Hearing to be held July 15, 2014, regarding proposed Ordinance No. 2014-07 annexing certain property.

- # 7 See Item No. 15.
- # 8a See Item No. 15.
- # 8b See Item No. 15.
- # 8c See Item No. 15.
- # 9 See Item No. 15.
- #10 Quarterly Report of Claim Settlements for April 1 through June 30, 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 (total claims paid, \$38,500.00) received for filing.
- #11 Approval and acceptance of grant award from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$325,000.00 for year two of the Pinellas County Veterans Treatment Court Program for the period of August 1, 2014 to July 31, 2015.
- #12 Notice of new lawsuit and defense of the same by the County Attorney in the case of Ellen Kirschner versus Pinellas County – Circuit Civil Case No. 14-004849-CI-11 – Inverse Condemnation.
- #13 Notice of new lawsuit and defense of the same by Christopher S. Morin, Esquire, in the case of Sandra Pratt versus County of Pinellas, Florida – Circuit Civil Case No. 14-004637-CI-13 – Allegations of Negligence Resulting in Personal Injury.
- #14 Sitting as the governing body of the Lealman Solid Waste Collection and Disposal District, the Board adopted the non-ad valorem assessment roll for the period of January 1 through December 31, 2014; Chairman or her designee authorized to certify the roll to the Tax Collector prior to September 15, 2014.
- #15 Items pulled for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court and Comptroller):

#7 Plats, Guaranties, Sureties, and Agreements:

Cove at East Lake Woodlands – plat accepted and approved for recording; private street sign installation guarantee and sidewalk guarantee from Tri County Development, Inc. accepted for recording.

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In response to query by Commissioner Roche, Mr. Woodard indicated that he will follow up with the Board on the issue of access through another gated community.

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

- #8a Award of bid to Star Cleaning USA, Inc. for Mechanical Street Sweeping Services (Contract No. 134-0287-B) approved on the basis of being the lowest responsive, responsible bid received meeting specifications (estimated total expenditure not to exceed \$1,063,128.26); 36-month contract to commence on October 1, 2014. Unit prices are adjustable at twelve months after commencement date and thereafter for the life of the contract as set forth in the agenda memorandum dated August 5, 2014. Contract provides for one 24-month extension to be exercised only if all terms and conditions remain the same and approval is granted by the County Administrator.

Responding to query by Commissioner Roche, Mr. Woodard indicated that the contract is for street sweeping services in accordance with the storm water quality program; that funding is provided by the Surface Water Utility Fee; and that staff looks for opportunities to engage in expenditures that are preventative in nature and improve water quality, such as expansion of the street sweeping program, and Chairman Seel provided input.

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

- #8b Award of bid to David Nelson Construction Co. for Wall Springs Tower Replacement – Wall Springs Park (Project No. 000336D; Bid No. 134-0110-CP) approved on the basis of being the lowest responsive, responsible bid received meeting specifications (estimated total expenditure, \$870,394.50); all work is expected to be completed within 180 consecutive calendar days; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor.

In response to query by Commissioner Roche, Mr. Woodard reported that the County's insurance carrier covered the reconstruction cost except for \$106,900.00, which consisted of the County deductible and flame retardant treatment; and that the Pinellas County Sheriff's Office continues to investigate the fire and has not yet found the perpetrator.

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

- #8c Award of bid to CMS Crawford Maintenance Services LLC (primary contractor) and Stan Cisilski, Inc. (secondary contractor) for Surface Water Work Order Contract (Re-bid) (Bid No. 134-0379-B) approved for an estimated expenditure not to exceed \$2,000,000.00 on the basis of being the lowest responsive, responsible bids received meeting specifications. Contract is for 12 months with provision for one 12-month term extension. The term extension will allow for price adjustments as set forth in the agenda memorandum dated August 5, 2014 and is contingent upon availability of funds and approval by the County Administrator.

In response to queries by Commissioners Roche and Morroni, Mr. Woodard, with input by Director of Transportation and Stormwater Richard Coates, related that the contract pertains to the clearing of drainage ditches in the unincorporated area of the County in accordance with the stormwater quality program; that funding is provided by the Surface Water Utility Fee; and that the program excludes private property.

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

- #9 Resolution No. 14-59 adopted declaring County-owned personal property (Burton Surgical Light, Asset No. 105057) as surplus and donating same to the Humane Society of Pinellas, as authorized in Section 274.05, Florida Statutes.

In response to query by Commissioner Roche, Mr. Woodard related that staff and various groups have been working on the Trap/Neuter/Vaccinate/Return pilot issue, and a report will be forthcoming.

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

- #16 Authorization granted to advertise public hearings to be held on October 21, 2014 and November 18, 2014, regarding a proposed amendment to the Pinellas County Code adding Division 2 of Chapter 34, Article II, pertaining to temporary emergency housing following a disaster.

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

- #17 Resolution No. 14-60 adopted approving Project A9012133972 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support as local participation in the Qualified Target Industry (QTI) Tax Refund Program (total local contribution amount, \$51,000.00; one hundred percent of the local contribution to be paid by Pinellas County over a series of fiscal years as determined by the State).

and

Resolution No. 14-61 adopted authorizing an economic development grant of up to \$84,000.00 for Project A9012133972 to expand a business enterprise in Pinellas County, subject to further approvals.

Motion	-	Commissioner Roche
Second	-	Commissioner Long

During discussion and in response to comments and queries by Commissioner Welch, Economic Development Director Mike Meidel discussed the QTI Tax Refund Program and the establishment of a financial commitment to the project. Mr. Meidel related that following BCC authorization of the incentive, Economic Development will negotiate the terms and conditions with the applicant company regarding the expenditure of funds; and that the negotiations are done in concert with the State of Florida since most of the funding is coming from the state; whereupon, he related that the applicant company will be compelled to meet specific requirements with regard to job creation and capital investment, and discussed the clawback provisions that have been included to protect taxpayer dollars.

Mr. Meidel related that the members will know the name of the company prior to voting on the actual agreement; that today's vote is only to allow Economic Development the ability to offer the incentive; and that the money will be released in stages over a five-year period based on the investment of the company; whereupon, Commissioner Welch expressed support for the item, indicating that leveraging a local investment of \$84,000.00, receiving a state match of \$300,000.00, and creating 85 high-wage jobs is a wise use of local tax dollars, and Mr. Woodard and Chairman Seel provided input.

Vote	-	7 – 0
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- #18 Approval of Purchase Agreement for the sale of State Tax Credit Certificate No. 290 to ConAgra Foods Sales, Inc. temporarily deferred.

Mr. Woodard reported that because the purchaser of the State Sales Tax Credits wants to distribute those credits amongst various operating subsidiaries, additional time will be required in order to work through the details with ConAgra; and that the item will likely return before the members in a couple of weeks.

- #19 Fiscal Year 2014 Board Budget Amendments Nos. 13 and 14 were filed and made a part of the record. Budget Amendment No. 13 realigns appropriation between cost centers in the General Government department within the General Fund. Budget Amendment No. 14 realigns appropriation from the Convention and Visitors Bureau's Reserves program to Advertising and Marketing and Business Support cost centers.

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

- #20 Other Administrative Matters: St. Petersburg/Clearwater Area Convention and Visitors Bureau Executive Director Search.

Mr. Woodard reported that D.T. Minich, Executive Director, St. Petersburg/Clearwater Area Convention and Visitors Bureau (CVB), is taking a position with the Kissimmee CVB; that Deputy Director David Downing will serve as Interim Director; and that because of the specialized nature of the job, his office will likely use a private recruitment firm, specializing in the travel and tourism industry, to help locate qualified candidates.

Mr. Woodard related that because the nature of the job within county government is unique and mainly about developing partnerships, his office will form an evaluation committee that leverages the expertise of the following stakeholders:

- Two members of the BCC to be determined by the members at a future time.
- Two members of the Tourist Development Council to provide industry expertise.
- Two internal staff members to be designated by the County Administrator.
- Tampa International Airport Chief Executive Officer Joseph Lopano.

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Mr. Woodard reported that he will bring additional information before the members as further details are received; and that a candidate will likely be selected and onboard by the beginning of 2015; whereupon, Chairman Seel remarked that the present recruitment effort is comparable to that used to hire Mr. Minich; that the evaluation committee is comprised of essentially the same group of individuals; and that an individual with great leadership and marketing capabilities was hired because the process had worked so well.

Commissioner Welch briefly discussed the recent recruitment efforts to hire the Business Technology Services Chief Information Officer, and related that because a governance model had been agreed upon prior to the selection of the Business Technology Services candidate, the selected individual was aware of the model under which he would be working. Commissioner Welch indicated that the Convention and Visitors Bureau candidate should be given the same consideration, and asked Chairman Seel whether the Tourist Development Council (TDC) has had discussions with respect to such a model. Chairman Seel responded that although the TDC has not had such a discussion, she will be happy to present the matter for discussion at the next meeting; whereupon, she questioned the need to fix the process if it is not broken.

Commissioner Welch related that while he shares the concerns of Chairman Seel, he is also concerned that Mr. Minich has related that he sometimes felt restricted in his attempts to compete with large cities such as Miami and Orlando while working within the confines of a county-affiliated CVB. Commissioner Welch stated that although Pinellas County and the CVB are doing a tremendous job with respect to travel and tourism, a discussion regarding the governance model should take place prior to selecting the next director; and Commissioner Long concurred, noting that the outside world is constantly changing; and that she would like to have a broad discussion regarding the positive and negative aspects of the current model.

Commissioner Latvala recommended that the salary range for the position be increased to make it competitive with other markets, and Chairman Seel and Commissioner Morroni agreed; whereupon, Chairman Seel indicated that because the recruitment firm will be experienced in the travel and tourism industry, it will likely be able to determine an appropriate salary range for the position, and discussion ensued.

Commissioner Roche indicated that he is open to discussion regarding the governance model; that the authority to make changes is within the purview of the BCC and TDC; and that because tax dollars are involved, he does not support privatizing the operation; whereupon, Commissioner Welch clarified that his intent is not to privatize, but to consider a hybrid model.

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During discussion and in response to queries by Chairman Seel, Attorney Bennett related that discussions have taken place in his office regarding concerns that a modification of the governance model could lead to a loss of transparency; and that while CVB activities are essentially funded by tax dollars, supporters of the private model have always taken the position that they are not subject to public records laws, and could take the position they are not subject to the Sunshine Law; whereupon, he briefly discussed the public-private governance model, also known as the hybrid model.

Commissioner Seel related that she will compile a list of the positive and negative aspects of the current governance model; that a public-private model would be a departure from the one presently utilized; and that if the Tourist Development Council is interested in a public-private model, it would make sense to arrange a joint BCC/TDC meeting in order for the members to engage in a robust discussion.

Attorney Bennett reported that Managing Assistant County Attorney Michael Zas will be speaking with various entities to obtain input regarding their positions on a range of governance issues, and Mr. Woodard indicated that the members retain full control of the governance model; that it is entirely a policy decision of the Board; and that up until the early 1990s, a hybrid model was in place in Pinellas County; whereupon, responding to queries by Commissioner Long, he indicated that his report will include information explaining why the model was changed.

#21 County Attorney Miscellaneous – None.

#22 Acting as the Emergency Medical Services (EMS) Authority, the Board approved the appointment of Sharon Hayes to the EMS Medical Control Board, filling the Hospital Administrator position vacated by Brian Flynn.

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

#23 County Administrator Reports – None.

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At this time, 10:08 A.M., Citizens to Be Heard was addressed.

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CITIZENS TO BE HEARD

David Ballard Geddis, Jr., Palm Harbor, re reclaimed water is secular tact.

Lenore Faulkner, Madeira Beach, re middle school excellence.

Greg Pound, Largo, re truth.

#24 Review of County Administrator Applications.

Chairman Seel related that Peggy Rowe, Director, and Beverly Waldron, Manager, Human Resources, are present to answer questions and provide assistance as the members review applications for the open County Administrator position, and in response to queries by Commissioner Roche, discussed the process for moving forward, indicating that a committee had been tasked with selecting eight résumés for member review.

Commissioner Latvala briefly discussed comments she had made during a previous meeting with regard to the external candidate search, and opined that the applications submitted only showed minimal qualifications; whereupon, she suggested that because Interim County Administrator Mark S. Woodard has proven to be an exceedingly capable individual who possesses vast institutional knowledge of the organization, perhaps the external search should be discontinued; and requested that a conversation take place regarding what the members are actually seeking in a candidate; and Chairman Seel commented that she had placed the item on the agenda for discussion and direction.

Chairman Seel stated that she is in favor of asking Mr. Woodard to be the next County Administrator, and during discussion, each of the members expressed their support and provided their respective comments regarding the positive qualities that Mr. Woodard brings to the position, including:

- Transparency.
- Style of leadership.
- Connection to employees.
- Knowledge and experience.
- Long tenure with Pinellas County.
- Sets the standard for public service.
- Acknowledges mistakes and moves forward.
- Responsive to Commissioners' ideas and suggestions.

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During further discussion, Commissioner Welch related that the current process has not allowed the members to have an in-depth conversation with Mr. Woodard regarding his vision for the County; and requested that one occur in the near future; whereupon, Commissioner Morroni suggested that Mr. Woodard conduct a meet-and-greet for the benefit of county residents.

Commissioner Justice opined that although several worthy individuals had submitted applications, none of them really had a fair opportunity to succeed as they were being measured against a very talented in-house individual; and related that while he supports the appointment of Mr. Woodard, it is important to follow a process once instituted, and Commissioner Roche concurred.

In response to queries by Commissioner Roche, Ms. Rowe briefly discussed the process by which a committee selected appropriate applications to be presented to the members, and following discussion, Attorney Bennett advised how an appointment process would normally proceed; whereupon, Commissioner Roche moved, seconded by Commissioner Welch, that Mr. Woodard be appointed as County Administrator.

Motion	-	Commissioner Roche
Second	-	Commissioner Welch

During further discussion, Commissioner Long related that rather than promoting from within, Pinellas County has generally opted to search for senior management candidates from outside the organization; that many talented individuals have been overlooked for previous promotional opportunities; and that it will become ever more important to train and promote from within as vacancies are created by retiring employees.

Chairman Seel confirmed that she would begin negotiations with Mr. Woodard regarding his contract and also schedule a meet-and-greet with the local community; whereupon, she indicated that because numerous changes have occurred over the past few months, now would be an opportune time to revisit the Strategic Plan and have a robust discussion with Mr. Woodard regarding the future direction of the County, and the members agreed.

Upon call for the vote, the motion to appoint Mr. Woodard carried unanimously.

Vote	-	7 – 0
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Following the vote, Mr. Woodard stated that his desire is to work without a contract, to serve at the pleasure of the Board, and to not receive benefits above and beyond what other Pinellas County employees receive; whereupon, he expressed his commitment to the County and its citizens and thanked the members for placing their confidence in him.

#25 County Commission Miscellaneous:

The members congratulated Mr. Woodard regarding his appointment as County Administrator.

- a. Commissioner Welch introduced his cousin, J.C. Pritchett.
 - b. Commissioner Long presented information pertaining to Gulf States Consortium, Federal Emergency Management Agency (FEMA), National Academy of Sciences Study, and flood insurance.
 - c. Commissioner Justice encouraged members to review survey results from the Lealman Citizen and Stakeholder Research Project.
 - d. Commissioner Roche discussed recent BCC tour of Pinellas County Public Safety Complex, and indicated that “open houses” should be offered at the facility for the benefit of the general public; whereupon, Commissioner Morroni, with input by Chairman Seel, discussed the five cities which have not yet combined their police dispatch operations with the new 9-1-1 Center, indicating that those cities especially need to attend an open house for municipal partners.
 - e. Chairman Seel reported that Pinellas County received national recognition for its Employee Wellness Program.
 - f. Commissioner Latvala provided an update regarding Industry Certification Training Centers.
- discussed pari-mutuel legislation; moved that Attorney Bennett proceed with writing referendum language re existing pari-mutuels to be placed on the November ballot – *DENIED* (see discussion below).

County Commission Miscellaneous Discussion Regarding Pari-Mutuel Legislation:

Commissioner Latvala presented background information regarding a proposed resolution in 2012 to place a countywide referendum on the ballot allowing slot machines in qualified pari-mutuel facilities, and related that because the State Legislature did not take up the issue at that time, the item was not placed on the ballot. During discussion and in response to queries by the members, Commissioner Latvala related that the St. Petersburg Kennel Club has requested that the members allow placement of a countywide referendum on the November 4 ballot allowing slot machines in qualified pari-mutuel facilities; whereupon, she reported that although the state is working on legislation that would allow slot machines in existing facilities if passed by voter referendum, it has not passed any legislation thus far; and that the Pinellas County Legislative Delegation wants confirmation of citizen support.

Commissioner Justice noted that the Legislative Session normally takes place during March and April, and questioned if the Attorney General has rendered an opinion regarding the validity of county referendums passed prior to the state passing pari-mutuel legislation; whereupon, Attorney Bennett presented information regarding the legislation proposed in 2012, opining that although the referendum would likely not be binding, he would review opinions of the Attorney General, and discussed the difficulty of drafting ballot language in a very limited number of words.

During discussion and in response to queries by the members, Richard Winning related that he is vice-president of the St. Petersburg Kennel Club, also known as Derby Lane. Mr. Winning discussed the gambling compact between the State of Florida and the Seminole Tribe, relating that the compact expires in 2025; that an amendment allowing card games sunsets in 2015; that the Seminole Tribe has seven casinos; and that the casino in Tampa does nearly \$1 billion a year in business; whereupon, he related that Derby Lane employs 500 people, has been in existence for 90 years, and could better compete in a challenging business environment if slot machines were permitted at the facility; and restated his request to let the citizens decide what they want via a countywide referendum.

In response to queries by the members, Mr. Winning defined the term "pari-mutuel wagering," explained the difference between "Type 2" and "Type 3" slots, and related that Senator Jack Latvala is supportive of allowing slot machines in qualified pari-mutuel facilities; whereupon, he related that Derby Lane is the only pari-mutuel facility in Pinellas County, and Attorney Bennett clarified that, depending on future legislation, Derby Lane could be the only qualified facility in the county. Following discussion regarding the preparation of ballot language, Commissioner Latvala moved that Attorney Bennett be

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permitted to prepare language for the November 4 ballot with respect to existing pari-mutuel facilities.

Commissioner Welch related that although he understands and is supportive of the need to be competitive, he is concerned about issues related to timing, and discussion ensued regarding the dates of upcoming city and county elections; whereupon, Attorney Bennett restated his concerns regarding the difficulty of drafting concise ballot language and how to address member concerns regarding the potential for expansion beyond the existing pari-mutuel facility.

Commissioner Roche requested that the item be scheduled for a work session; and related that he wants sufficient time for the item to be properly vetted; that he is concerned that rushing to a referendum could result in unintended consequences; that other methods are available to achieve the same goal; and that action on the item had been deferred in 2012 because the members did not know in which direction the Legislature was going to go, and discussion ensued; whereupon, Chairman Seel stated that she would prefer to place the item on the Legislative Agenda and have a robust discussion regarding the matter, and at her request, Commissioner Latvala restated her motion, seconded by Commissioner Long, that Attorney Bennett be permitted to prepare language for the November 4 ballot with respect to existing pari-mutuel facilities.

Commissioner Welch reiterated his concerns regarding the issue of timing, relating that sufficient time is not available to inform the public regarding such a large issue, and Commissioners Roche and Morroni concurred; whereupon, upon call for the vote, the motion failed by a vote of 1 to 6, with Chairman Seel, and Commissioners Justice, Long, Morroni, Roche, and Welch casting the dissenting votes.

Following the vote, Chairman Seel briefly discussed the rich history of Derby Lane and the employment it provides to many local residents, and related that she will schedule the item for inclusion on the Legislative Agenda; and Commissioner Roche suggested that the members discuss the item prior to their meeting with the Legislative Delegation; whereupon, Mr. Woodard related that tomorrow his office will begin individual member discussions regarding the upcoming Legislative Program, work to refine the program based on input received, and subsequently return before the full Board for further discussion.

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Commissioner Latvala related that she would welcome Legislator feedback regarding what may be presently under discussion; and that she wished to focus discussions on pari-mutuel facilities and slot machines; whereupon, with input by Commissioner Long, she related that Gary Rutledge and Peter Dunbar could provide a high-level view of what is going on throughout the state, and brief discussion ensued.

#26 Meeting adjourned at 11:26 A.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk