

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, APRIL 26, 2011 – 3:00 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

Members Present: Susan Latvala, Chairman; John Morroni, Vice-Chairman; Kenneth T. Welch; Nancy Bostock; Neil Brickfield; Norm Roche; and Karen Williams Seel.

Others Present: James L. Bennett, County Attorney; Robert S. LaSala, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Tammy L. Burgess and Arlene L. Smitke, Deputy Clerks.

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

PLEDGE OF ALLEGIANCE: Commissioner Morroni.

PRESENTATIONS AND AWARDS:

1. Certificate of Appreciation presented to John Milford, Juvenile Welfare Board.
2. Presentation of the 2010 Financial Statement and Audit Results, Required Communications and Financial Analysis by John DiSanto, Executive Director, Ernst & Young.
3. Proclamation in recognition of Public Service Week presented to David Lyle, Craftworker, Airport.
4. Employee Appreciation Week Proclamation and Awards Presentation.
5. National Emergency Medical Services Week Proclamation presented to Dick Williams, Director of Public Safety Services.
6. Property Assessed Clean Energy (PACE) Programs Presentation by Susan Churuti, Bryant Miller Olive, P.A.

CITIZENS TO BE HEARD

Lenore Faulkner, Madeira Beach, re Pinellas Park Middle World Class Career and Technology School.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 13 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 2a, 8, 9, AND 11a, WHICH WERE CONSIDERED UNDER ITEM NO. 14.

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

1 Minutes of regular meeting of March 22, 2011 approved.

2 Reports received for filing:

- a. See Item No. 14.
- b. Pinellas County Sewer System Enterprise Fund Financial Statements for the years ended September 30, 2010 and 2009.
- c. Pinellas County Solid Waste System Enterprise Fund Financial Statements for the years ended September 30, 2010 and 2009.
- d. Pinellas County Water System Enterprise Fund Financial Statements for the years ended September 30, 2010 and 2009.
- e. City of Belleair Beach Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2010.
- f. City of Largo West Bay Drive Community Redevelopment District Annual Report for Fiscal Year 2010.
- g. City of Oldsmar Community Redevelopment Agency 2010-2011 Annual Report.
- h. Tampa Bay Water Annual Financial Report and Audited Financial Statements for Fiscal Year ended September 30, 2010.
- i. Dock Fee Report for the month of March 2011.
- j. Quarterly Report of Routine Dock Permits issued from January 1, 2011 to March 31, 2011.

3 Vouchers and Bills Paid – Periods March 7 through March 11, 2011 and March 14 through March 18, 2011.

Imprest Fund Expenditures

Manual checks numbered 751751 through 751755

System checks numbered 1025094 through 1026319

ACH Transfers numbered 8265 through 8368

Wire Transfers numbered 11523 through 11534

- # 4 Miscellaneous items received for filing:
- a. City of Largo Ordinances Nos. 2011-08, 2011-12, 2011-13, 2011-19, and 2011-20 adopted March 15, 2011, annexing certain property.
 - b. City of Seminole Notice of Public Hearings regarding Ordinances Nos. 05-2011 through 08-2011 to be held April 26, 2011, voluntarily annexing certain property.
 - c. Florida Department of Environmental Protection Notice of Draft Permit Renewal for the Progress Energy Florida Crystal River Energy Complex Units 4 and 5 (NPDES Permit No. FL0036366).
 - d. Florida Public Service Commission Order No. PSC-11-0177-TRF-EI approving revisions to Retail Tariff Rate Schedule LS-1 Lighting Service.
 - e. Pinellas Suncoast Fire & Rescue Resolutions Nos. 2011-01 fixing the rate of Non-Ad Valorem assessments for 2011; 2011-02 refinancing a pumper truck; 2011-03 superseding Resolution 2009-04 and establishing a life safety/fire inspection fee; 2011-04 (Budget Amendment No. 1) amending the Fiscal Year 2010/2011 Operation Budget. Resolutions adopted March 15, 2011.
- # 5 Ranking of firms and authorization for staff to negotiate with each of the seven top-ranked firms for Environmental Support Services (Contract No. 101-0116-P) approved as follows (Public Works/Purchasing):
1. King Engineering
 2. Scheda Ecological
 3. Atkins North America, Inc.
 4. Entrix, Inc., d/b/a Cardno Entrix
 5. Faller, Davis & Associates, Inc.
 6. HDR Engineering, Inc.
 7. Ecological Services Associates, LLC
- # 6 Amendment No. 1 to the Florida Department of Environmental Protection (FDEP) Agreement (No. G0294) for the Lake Seminole Regional Alum Treatment Facilities Sub-Basins 2 and 7 (PID No. 829) approved incorporating FDEP's new minority vendor reporting (MBE/WBE Procurement Reporting Form; no fiscal impact); Chairman authorized to sign and the Clerk to attest.
- # 7 Fourth amendment to the agreement with Vertex Data Utility Services, LLC, d/b/a Vertex Business Services, for the Customer Information System (CIS) for Utilities (Contract No. 056-0030-P) approved modifying the payment cycle in Exhibit R of the CIS Agreement dated December 6, 2006 (no financial impact).

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Amendment No. 1 to Appendix 1 and Appendix 3 of the SAP Software End-User License Agreement with SAP Public Services Inc. (SAP) approved permitting a change from the current calendar year pay cycle to a fiscal year pay cycle for software maintenance fees to SAP to become effective Fiscal Year 2011/2012 (no financial impact).

Chairman authorized to sign the amendments and the Clerk to attest.

8 See Item No. 14.

9 See Item No. 14.

#10a DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Airport	Third Amendment to Permit for Commercial Business with Smarte Carte, Inc. for Baggage Carts	\$6,000.00 Per Year	3.21.11
Building and Development Review Services	Annual Facility Permit Agreement with Honeywell International, Inc. to Allow and Facilitate Routine Service, Repairs, and Refurbishing of Facilities Without In-Process County Inspection	N/A	3.8.11
Convention & Visitors Bureau	Funding Agreement with Florida Sports Foundation (FSF) for IronKids National Championship Weekend Marketing Support	\$1,500.00 FSF Grant, No County Match	9.23.10
Economic Development	Grant Funding Agreement with Davidoff of Geneva, Inc. for Development of New Facilities in Pinellas County	\$20,000.00	3.30.11
Economic Development	Defense Infrastructure Grant Agreement with Enterprise Florida, Inc. for Construction of Fairchild Drive Extension	\$150,000.00 Grant, No County Match	2.22.11
Health and Human Services	Notice of Grant Award from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) for the Mobile Medical Unit (MMU)	\$13,010.00 Grant, No County Match	4.8.11
Health and Human Services	Amendment No. 4 to Agreement with Area Agency on Aging of Pasco-Pinellas, Inc. Emergency Home Energy Assistance Program for the Elderly (EHEAP) Extending the Contract End Date to May 31, 2011	N/A	3.15.11

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Health and Human Services	Grant Application for Funding to U.S. Department of Health and Human Services, HRSA for the MMU	\$88,335.00 Grant, No County Match	3.11.11
Health and Human Services	Amendment No. 1 of Specialty Provider Agreement Due to Increase in Unanticipated Client Volume with:		
	(a) SRA Adventures, Inc. d/b/a Westcoast Radiology	(a) \$150,000.00	3.3.11
	(b) Dr. Dane L. Maxfield, D.O.	(b) \$149,000.00	3.3.11
	(c) Central Imaging Open MRI, Inc.	(c) \$150,000.00	3.3.11
Health and Human Services	Amendment No. 3 to Agreement with Area Agency on Aging of Pasco-Pinellas, Inc. for EHEAP Increase in Contract Amount	\$104,117.00 Increase as Cost Reimbursement	2.28.11
Health and Human Services (HHS)	Access Florida Community Partner Network Agreements with the Department of Children and Families (DCF) for Access Points for HHS Clients	N/A	2.23.11
Health and Human Services	Specialty Care Provider Agreements with Sixty-One (61) Providers for Specialty Care Network. Provisions of Purchasing Ordinance Waived Per Resolution 10-209:		
	Pinellas Radiation and Oncology Assoc.	\$ 75,000.00	2.14.11
	Pinellas Radiation and Renal Hypertension Center	\$ 25,000.00	2.12.11
	Spinecare Associates LLC	\$ 50,000.00	1.28.11
	Alexander Medical Group LLC d/b/a Alexander Orthopaedics Assoc.	\$ 200,000.00	1.28.11
	Dr. David Fine, DPM	\$ 40,000.00	1.27.11
	West Florida Cardiovascular Center, Inc.	\$ 20,000.00	1.27.11
	Cardiac Surgical Associates	\$ 65,000.00	1.27.11
	Jerry Margolin, MD, PA	\$ 40,000.00	1.27.11
	Nasser Moukadeem, MD, PA	\$ 10,000.00	1.3.11
	Tampa Bay Imaging	\$ 50,000.00	1.3.11
	St. Pete Cancer TX Center	\$ 75,000.00	1.3.11
	Pinellas Cancer Center, LLC	\$ 75,000.00	12.28.10
	Pinellas Internal Medicine Associates PA	\$ 50,000.00	12.21.10
	Rose Radiology Centers, Inc.	\$ 50,000.00	12.21.10
	Pinellas Hematology and Oncology, PA	\$ 50,000.00	12.21.10
	Leavitt Medical Associates d/b/a Advanced Dermatology and Cosmetic	\$ 50,000.00	12.21.10
	Timothy Dunleavy, MD, PA	\$ 40,000.00	12.21.10

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<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
	Farese Physical Therapy Center, Inc.	\$ 50,000.00	12.21.10
	All Florida Orthopedic Associates, PA	\$ 200,000.00	12.15.10
	Nephrology Consultants of Pinellas, LLC	\$ 25,000.00	12.14.10
	Diabetes Care Center	\$ 50,000.00	12.13.10
	Bay Area Medical Center, PA	\$ 30,000.00	12.9.10
	Bayside Urology, P.A.	\$ 75,000.00	12.9.10
	Virginia Shekorra d/b/a The Dermatology Center	\$ 50,000.00	12.9.10
	Lazenby and Health MD, PA	\$ 75,000.00	12.9.10
	MRI Associates of St. Petersburg, Inc.	\$ 50,000.00	12.9.10
	Gulfcoast Primary Care PLC	\$ 50,000.00	12.9.10
	Gastroenterology and Oncology Associates, PA	\$ 100,000.00	12.9.10
	Christos Politis	\$ 75,000.00	12.9.10
	Neurologic Care Center, PA	\$ 25,000.00	12.1.10
	Palm Harbor MRI	\$ 50,000.00	11.29.10
	Jonathan Mines d/b/a Bay Area Retina Consultants	\$ 50,000.00	11.29.10
	Gateway Radiology Consultants	\$ 50,000.00	11.29.10
	Anthony G. Sankoorikal, MD, PA	\$ 30,000.00	11.29.10
	Pinellas Surgical Associates	\$ 50,000.00	11.29.10
	Cardiology Consultants d/b/a Heart and Vascular Institute of Florida-South	\$ 125,000.00	11.29.10
	Nabila Niaz, MD	\$ 25,000.00	11.5.10
	West Florida Ophthalmology, Inc. d/b/a The Eye Center	\$ 75,000.00	11.5.10
	Don Knapp II, MD	\$ 50,000.00	10.29.10
	National PET Scan Pinellas, LLC	\$ 50,000.00	10.29.10
	Michael Siedlecki, MD	\$ 25,000.00	10.27.10
	Alan Lusitg, MD	\$ 25,000.00	10.27.10
	Gerald J. Rizzo, MD, PA	\$ 25,000.00	10.27.10
	BMC d/b/a Bayfront Family Medical OB-GYN	\$ 30,000.00	10.25.10
	Interventional Cardiac Consultants	\$ 50,000.00	10.20.10
	Vilas Deshpande, MD, PA	\$ 75,000.00	10.20.10
	Total Foot Care, PA	\$ 40,000.00	10.20.10
	West Coast Neurology, PA	\$ 50,000.00	10.20.10
	Berc Sarafian, MD	\$ 30,000.00	10.20.10
	Dharamraj, Inc.	\$ 25,000.00	10.20.10
	Infectious Disease Consultants of St. Petersburg	\$ 20,000.00	10.20.10
	Jeff Kopelman, LLC	\$ 20,000.00	10.20.10
	Bay Area Heart Center, PA	\$ 75,000.00	10.20.10
	Allergy Asthma Associates, PA	\$ 25,000.00	10.20.10
	William C. Hulley, DO, PA	\$ 75,000.00	10.20.10
	Bardmoor Cancer Center, LTD	\$ 75,000.00	10.20.10
	Amitabh Gupta MD, PA d/b/a Coastal Orthopedic and Sports Medicine	\$ 75,000.00	10.20.10
	Central Imaging Open MRI, Inc.	\$ 50,000.00	10.20.10
	SRA Ventures d/b/a Westcoast Radiology Inc.	\$ 50,000.00	10.20.10

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	Open MRI of Pinellas d/b/a Advance Medical Imaging	\$ 50,000.00	10.20.10
	Dane L. Maxfield DO Inc.	\$ 100,000.00	8.17.10
Parks and Conservation Resources	US Environmental Protection Agency (EPA) Cooperative Agreement Section 105 Grant Application for the Air Pollution Control Program	\$244,384.00 Grant, \$1,067,612.00 County Match	3.8.11
Parks and Conservation Resources	Coastal Pollutant Spill Response Boom Use Agreement with the State of Florida, Department of Environmental Protection for Use of the Coastal Pollutant Spill Response Boom	N/A	3.3.11
Public Works	(a) Amendment No. 1 Time Extension with the University of South Florida (USF) for Mapping Surveys to Evaluate Storm Effects	(a) N/A Time Extension Only	3.7.11
	(b) Amendment No. 2 Time Extension with USF for Physical Monitoring of the Sand Key and Treasure Island/Long Key Nourishment Projects	(b) N/A Time Extension Only	
Real Estate Management	Guying Easement with Progress Energy	N/A	4.6.11
Real Estate Management	First Amendment to Access License with Professional Services Industries, Inc. for Addition of Remedial Action Plan	N/A	3.24.11
Real Estate Management	Three Subordination Agreements and Easement Novations with Florida Power Corporation d/b/a Progress Energy Florida, Inc. for Utilization of Pinellas County Rights of Way for New Facilities for Properties Located on C.R. 1 (Park Street/ Starkey Road)	N/A	3.15.11
	Amended Ingress-Egress Easement with BCH-1 Ltd., for Independent Contractor Right of Access	N/A	
Real Estate Management	Third Amendment to Lease Agreement with C.F. Motion, Inc. for Office Space at the Young-Rainey STAR Center	\$9,210.36 Annual Rental Revenue	3.9.11
Real Estate Management	Lease Agreement with First Advantage Background Services Corporation for Office Space at the Young-Rainey STAR Center	\$2,648.46 Monthly Rental Revenue	3.8.11
Real Estate Management	Lease Agreement with William C., Jr. and Sandra K. Boyce for Sheriff's Sexual Predator Offender Tracking Unit (SPOT) Office Space	\$53,436.24 Annual Expenditure	3.7.11

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Real Estate Management	License Agreement with the U.S. Fish and Wildlife Service/National Wildlife Refuge for Use of County-Owned Land Located at Ft. DeSoto Park for Storage Purposes	N/A	2.24.11
Utilities	Releases of Lien (20)	All Liens are Paid in Full.	2.10.11
Utilities	Notice of Lien (9)	N/A	2.9.11
Utilities	Notice of Lien (18)	N/A	2.3.11
Utilities	Releases of Lien (5)	All Liens are Paid in Full.	2.1.11

#10b **PROCUREMENT ITEMS APPROVED BY THE COUNTY ADMINISTRATOR FOR THE QUARTER ENDING MARCH 31, 2011 – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)**

	<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
1	101-0169-E (PF)	Emergency Purchase	Boil Water Alert Notice and Pipe Tie-In	Utilities	Globetec Construction LLC	267,541.23 2-181	4/11/11
2	101-1069-E (PF)	Emergency Purchase	Boil Water Alert Notice and Pipe Tie-In	Utilities	Ready Alert Services LLC	221,800.82	2/14/11
3	090-0198-CP (RM)	First and Final Term Extension	Sanitary Sewer Rehabilitation with Cured-In-Place Pipelining (PID No. 2040)	Utilities	Insituform Technologies, Inc.	892,750.00 2-176	3/24/11
4	056-0961-A (DM)	Increase in Funds for Contract Purchase Order	Agreements for Utilities Multiple Year/Multiple Work Order Continuing Engineering Consultant Services	Utilities	AECOM Technical Services, Inc. Stearns, Conrad and Schmidt Consulting Engineers, Inc.	615,427.00 2-184	3/24/11
5	090-0268-CP (DF)	Change Order No. 1 (Final)	Elevator, Modernization of Five Elevators	Department of Real Estate Management	General Elevator Sales and Service	(27,520.00)	3/23/11
6	090-0403-N (SS)	Change Order No. 2 – Increase	Non-Competitive Purchase – Voice Over Internet Protocol Trunking	Business Technology Services	TW Telecom Holdings, Inc.	12,267.60	3/23/11

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						<u>County Code</u>	
7	089-0187-B (DF)	Second Term Extension	Concrete, Ready Mix and Batch Mix (Co-op)	Various	Davis Concrete, Inc.	110,000.00 County 65,000.00 Co-op 175,000.00 Total	3/23/11
8	089-0148-B (DF)	Second Term Extension	Fencing, Chain Link and Misc (Co-op)	Various	Smith Industries, Inc. d/b/a Smith Fence Company	210,000.00 County 318,500.00 Co-op 528,500.00 2-176	3/23/11
9	089-0255-P (SS)	Custom Report Authorization	Implementation of Software Services – Oracle Business Suite	Business Technology Services	Application Software Technology Corporation	N/A	3/22/11
10	090-0314-P (GG) 089-0514-P (GG)	Amendment of Contract Purchase Orders	Adult Drug Court Treatment – Pilot Program Division Z	Justice and Consumer Services	Westcare Gulfcoast-Florida, Inc.	N/A	3/21/11
11	090-0208-CP (DF)	Change Order No. 1 (Final)	Pinellas County Jail Air Handling Unit Renovations, D & E Wing (PID No. 1309)	Department of Real Estate Management	Air Mechanical & Supply Corporation	(7,327.00)	3/15/11
12	090-0003-CN (GG)	Increase Contract Purchase Order	Coastal Management Consultant Services	Environmental Management	Coastal Planning & Engineering, Inc.	164,953.90	3/11/11
13	067-0295-P (GG)	Fourth Term Extension	Emergency Base Camp and Services	Emergency Management	OK's Cascade, Inc.	N/A	3/8/11
14	089-0488-S (PF)	Reissue of Blanket Purchase Agreement	Purchase Authorization of Tires	Various	McGee Tire Stores, Inc.	N/A	3/8/11
15	067-0626-B (RM)	Third Term Extension	Gas, Natural, Supply and Manage (Co-op)	Department of Real Estate Management Utilities	Peninsula Energy Services, Inc.	896,732.00 2-176	3/8/11
16	056-0242-B (RM)	Time Extension	Services – Cleaning, Poly Pig Pipe	Utilities	Professional Piping Services, Inc.	N/A	3/8/11
17	067-0346-B (MW)	Time Extension	Services – Management, Adopt-A-Program(s)	Utilities Public Works	Keep Pinellas Beautiful, Inc.	N/A	3/8/11

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18	090-0431-P (SS)	Approval of Ranking of Firms and Award	Motorola Radio/ Pager Repair and Ancillary Maintenance Services	Various	Suncoast Communications & Electronics, Inc.	250,000.00 24-Month 3/3/11
19	089-0591-C (DF)	Change Order No. 3 – Time Only	54 th Avenue North at 28 th Street North (PID No. 1146)	Public Works	Clark Hunt Construction, Inc.	N/A 3/1/11
20	090-0140-CP (DF)	Change Order No. 1 (Final)	HVAC Renovation Pinellas County Jail “F” Wing (PID No. 1310)	Department of Real Estate Management	B & I Contractors, Inc.	(19,018.71) 2/24/11
21	090-0296-B (NP)	First Term Extension	Electrical Supplies – Square D	Department of Real Estate Management	Consolidated Electrical Distributors, Inc. d/b/a CED Raybro Electric Supplies a/k/a Square D	N/A 2/24/11
22	101-0051-B (RM)	Award of Bid	Electric Motor Rewinding and Repair Service	Utilities	Gemini Enterprises of South Florida, Inc. d/b/a Electro Mechanical South of Sarasota, Inc. John Mader Enterprises, Inc. d/b/a Mader Electric Motors	375,000.00 36-Month 2-176 2/22/11
23	089-0074-P (LN)	First and Final Term Extension	Janitorial Services	Utilities	Jani-King of Tampa Bay	120,000.00 2/22/11
24	090-0171-CP (DF)	First Term Extension	Road and Landscape Materials (Co-op)	Various	All About Hauling, Inc. Angelo’s Aggregate Materials, LLC d/b/a Angelo’s Recycled Materials Conrad Yelvington Distributors, Inc. Davis Concrete, Inc. E.R. Jahna Industries, Inc. Four Boys Landscape	158,205.00 2/22/11 County 287,412.50 Co-op 445,617.50 Total 2-176

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				Supply Company, Inc. d/b/a Cypress Creek Landscape Supply			
				Florida Dirt Supply, LLC			
25	089-0268-B (LN)	First and Final Term Extension	Janitorial Services – Various Buildings	Various	ASK Solutions, Inc. d/b/a ASK Janitorial Professionals, Inc. American Facility Services, Inc.	1,228,771.06 2-176	2/18/11
				Dazser-TPA Corp., d/b/a Jani-King of Tampa Bay			
				Knight Facilities Management, Inc.			
				OJS Systems, Inc.			
				Top Job Janitorial, Inc.			
26	101-0169-E (JL)	Emergency Purchase	Roadway and Pipe Repairs	Utilities	Globetec Construction LLC	400,000.00 2-181	2/17/11
27	089-0023-B (DF)	Time Extension and Increase in Funds	Asphalt – SI & SIII, Pickup Only (Co-op)	Public Works	R.E. Purcell Construction Company	15,000.00	2/16/11
				Suncoast Paving, Inc.			
28	078-0150-B (RM)	Second and Final Term Extension	Instrumentation, Control & Monitoring Systems Repair, Maintenance, and Training Services	Utilities	DCR Engineering Services, Inc.	158,000.00	2/14/11
				Performance Technical Services, Inc.			
29	067-0448-A (DM)	Time Extension	Second Amendment to Agreement for Waste-to-Energy Consulting Services for Pinellas County Utilities	Public Works	Camp Dresser & McKee, Inc.	N/A	2/14/10
30	090-0031-C (RM)	Change Order No. 1 (Final)	Pump Station No. 114 Replacement (PID No. 1338-B)	Utilities	Kimmins Contracting Corp	(71,732.50)	2/10/11
31	101-0163-S (CM)	Purchase Authorization	Traffic Equipment, Approved Products List	Public Works	Blackhawk Enterprises, Inc.	1,150,000.00 2-185	2/10/11

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				Control Technologies of Florida, Inc.		
				Cost Cast, Inc.		
				Daktronics, Inc.		
				Econolite Control Products, Inc.		
				Information Display Company		
				Old Castle Precast		
				Signal Safe, Inc.		
				Temple, Inc.		
				Transportation Control Systems		
				Wavetronix, LLC		
32	078-0178-C (DF)	Change Order No. 3 – Time Only	2008/2009 Annual Boardwalk, Fishing Pier, Observation Tower, and Timber Bridge Improvements (PID No. 1744)	Public Works	Bayshore Construction, Inc.	N/A 2/7/11
33	978-0274-S (GG)	Continued Purchase Authorization	Purchasing Card Services, State of Florida	Co-op	Bank of America, N.A.	(100,000.00) 2/7/11
34	056-0961-A (DM)	Time Extension	Extension to the Agreements for Utilities Multiple Year/Multiple Work Order Continuing Engineering Consultant Services	Utilities	AECOM Technical Services, Inc., formerly AECOM USA Inc.	N/A 2/7/11
				Ash Engineering, Inc.		
				Camp Dresser & McKee, Inc.		
				Carollo Engineers, A Professional Corporation		
				CH2M Hills, Inc.		
				Cumbey & Fair, Inc.		
				Greeley and Hansen LLC		
				HDR Engineering, Inc.		

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				Jones, Edmunds & Associates, Inc.		
				King Engineering Associates, Inc.		
				Malcom Pirnie, Inc.		
				McKim & Creed, P.A.		
				Metzger & Willard, Inc.		
				Parsons Water & Infrastructure, Inc.		
				Post, Buckley, Schuh & Jernigan, Inc.		
				Stearns, Conrad and Schmidt, Consulting Engineers, Inc.		
				TBE Group, Inc.		
				URS Corporation Southern		
35	090-0142-CP (DF)	Change Order (Final)	HVAC Renovation Pinellas County EMS	Department of Real Estate Management	Tappouni Mechanical Services, Inc.	(555.00) 2/3/11
36	089-0443-C (RM)	Change Order No. 1 (Final)	North Pinellas Reclaimed Water Pump Station Rehabilitation (PID No. 1816)	Utilities	Wharton-Smith, Inc.	(20,860.01) 2/3/11
37	101-0048-CP (RM)	Consent to Assignment	Dredging – Pond A Brideway Acres Landfill (Rebid)	Utilities	From L.W. Matteson, Inc. To Great Lakes Dredge & Dock Company, LLC	N/A 2/3/11
38	089-0589-P (AM)	Approval of Amendment No. 1	Homeless Street Outreach Program	Health & Human Services	Directions for Mental Health, Inc.	42,120.00 2/1/11
39	101-0078-CP (RM)	Award of Bid	Water & Wastewater Treatment – Odor Control Improvements Pump Stations 182 & 183 (PID No. 2044)	Utilities	Carl Hankins, Inc.	156,088.00 2/1/11

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	<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
40	089-0504-B (DF)	Increase in Funds for Blanket Purchase Agreement	Guardrails, Installation & Repair Services (Co-op)	Public Works	R.J.P. Enterprises, Inc.	60,000.00	2/1/11
41	056-0459-P (LN)	First Term Extension	Concession Service – Fort De Soto Park	Parks Conservation Resources	United Park Services, Inc.	180,000.00	1/28/11
42	045-0695-A (DM)	First Amendment	Agreement for Pinellas County Stormwater Program Governance Study	Public Works	Camp Dresser & McKee, Inc.	60,000.00	1/27/11
43	090-0171-B (DF)	Increase in Funds	Road and Landscape Materials (Co-op)	Various	Florida Dirt Source, LLC	10,000.00	1/26/11
44	089-0236-B (DF)	Increase to Blanket Purchase Order	Sod: Pick Up and Installation (Co-op)	Various	Tom's Sod Service, Inc.	75,000.00	1/25/11
45	090-0205-CP (DF)	Change Order No. 1	Pinellas County Jail – Security Operated Water Closet/Lavatory & Shower Control Phase 1	Department of Real Estate Management	Intelligent Conservation Systems, Inc.	N/A	1/20/11
46	089-0268-B (LN)	Increase in Funds for Blanket Purchase Agreement	Janitorial Services – Various Buildings	Young-Rainey STAR Center	Knight Facilities Management, Inc.	30,000.00	1/20/11
47	090-0455-P (SS)	Approval of Final Negotiated Contract	Collection Services for Emergency Medical Services	Emergency Management	MFP, Inc., d/b/a Financial Credit Services	600,000.00 36-Month 2-176	1/18/11
48	067-0349-A (DM)	Time Extension	Limerock Bearing Ratio (LBR) Geotechnical Testing Services	Utilities	Driggers Engineering Services, Inc.	N/A	1/14/11
49	090-0358-CP (DF)	Change Order No. 1 (Final)	Parking Lot Conversion	Airport	Kloote Contracting, Inc.	(4,100.49)	1/12/11
50	089-0198-B (RM)	Second Term Extension	Sodium Hydroxide 50% Solution	Utilities	Allied Universal Corporation	135,500.00	1/6/11
51	067-0365-B (NP)	Increase in Funds for Master Purchase Order	Motors and Parts for Lawn Equipment (Co-op)	Various	Wesco Turf, Inc.	15,000.00	1/5/11

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<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPARTMENT</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>	
52	090-0435-P (SS)	Approval of Ranking of Firms and Award	Workers Compensation Bill Review and Electronic Data Transmission	Risk Management	Corvel Healthcare Corporation	420,000.00 36-Month 2-176	12/17/10
Total:					\$ 9,449,955.40		

#11 Receipt and file of quarterly reports (Management and Budget):

- a. See Item No. 14.
- b. Quarterly Report on the Law Enforcement Trust Fund – Payments to the Sheriff for the period January 1, 2011 through March 31, 2011 was filed and made a part of the record.

#12 Summary of commercial insurance coverages renewed for March 1, 2011 in the amount of \$6,271,700.00 as outlined in the board memorandum dated April 26, 2011, and attachments, copies of which have been filed and made a part of the record, approved; County Administrator or his designee authorized to execute forms, applications, and documents necessary to continue coverage for the term of renewal policies (Risk Management).

#13 Ranking of firms and authorization for staff to negotiate with the No. 1 ranked firm for IT Consulting Services – Maximo Upgrade (Contract No. 101-0177-S) approved as follows (Business Technology Services/Purchasing):

1. Starboard Consulting, LLC
2. EMA, Inc.
3. International Business Machines Corp. (IBM)

#14 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court).

2 Reports received for filing:

- a. Pinellas County Quarterly Donation Listing of \$500 and Greater for the period ended December 31, 2010.

Commissioner Seel pointed out specific donations received and encouraged future donations in support of County services.

- # 8 Bid of South Florida Timber rejected on the basis of being non-responsive for not meeting bid deposit requirements; award of bid to Boyett Timber, Inc. for Sale of Surplus Pine Timber – Cross Bar/Al Bar Ranch (Contract No. 101-0162-R) approved for an estimated revenue amount of \$500,000.00 on the basis of being the highest responsive, responsible bid received meeting specifications; Chairman authorized to sign the agreement and the Clerk to attest (Utilities/Purchasing).

In response to comments and queries by the members, Utilities Interim Director Kevin Becotte indicated that pine timber has not previously been sold, but that there is an existing contract for pine straw; that the trees have matured, are ready for harvesting, and are no longer producing a lot of pine straw; that trees will be replanted; and that the revenue generated from the sale of the pine timber will go to Cross Bar/Al Bar Ranch, which is part of the water fund.

- # 9 Ranking of firms and authorization for staff to negotiate with each of the top two ranked firms for waste energy consulting services on a continuing basis (Contract No. 101-0120-CN) approved as follows:

1. Camp Dresser & McKee, Inc.
2. Malcolm Pirnie, the Water Division of ARCADIS, U.S., Inc.

In response to comments and queries by Commissioner Seel, Solid Waste Executive Director Robert Hauser indicated that traditionally contracts for engineer of record services at the waste-to-energy plant have been four-year terms to maintain consistency of services and knowledge; that Camp Dresser & McKee is the current incumbent and was first selected four years ago; that while Malcolm Pirnie has not previously performed work at the facility, it has performed similar work at other facilities and is clearly qualified; and that services will be divided between the two firms, noting that only routine monthly monitoring services are currently required at the facility, but that there will be other projects; whereupon, he provided input regarding projects recently completed at the facility.

#11 Receipt and file of quarterly reports (Management and Budget):

- a. Quarterly Report on Administrative Budget Amendments for the period January 1, 2011 through March 31, 2011 was filed and made a part of the record.

In response to comments and queries by Commissioner Seel, Assistant County Administrator Mark S. Woodard indicated that there are no future expenditures related to the 34th Street Overpass project; and explained that initially the budget contemplated that the County would perform the project as a capital improvement project, but that the County entered into an agreement to have the City of St. Petersburg perform the project; and that Budget Amendment A-20 reclassifies the funds to enable the County to pay the City and reimburse its costs relating to the project.

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

- #15a Terminal Building Lease Agreement between Pinellas County and Allegiant Air, LLC approved for a three-year term with two one-year renewal options (\$28,000.00 annual lease revenue to Airport); lease contains annual escalation adjustments based on Consumer Price Index-Urban (two percent minimum; four-percent maximum); Chairman to sign and the Clerk to attest and record the same.

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

- #15b Commercial Lease Agreement between Pinellas County and Allegiant Air, LLC approved for a one-year term with four one-year renewal options (\$40,000.00 annual lease revenue to Airport); lease contains annual escalation adjustments based on Consumer Price Index-Urban (two percent minimum; four-percent maximum); Chairman to sign and the Clerk to attest and record the same.

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

* * * *

At this time, 4:42 P.M., Commissioner Seel left the meeting.

* * * *

#16 Final negotiated agreements with the eight top ranked firms for engineering consultant services for St. Petersburg-Clearwater International Airport on a continuing basis (Contract No. 101-0030-CN) approved as follows:

1. URS Corporation Southern d/b/a URS
2. Jacobs Engineering Group, Inc.
3. AECOM Technical Services, Inc.
4. The LPA Group Incorporated, a Unit of Michael Baker Corp.
5. Avcon, Inc.
6. TBE Group, Inc. d/b/a Cardno TBE
7. Atkins North America, Inc. (Formerly Known as PBS&J)
8. H. W. Lochner, Inc.

Agreements are for a period of four years. Pricing is fixed for four years and the County reserves the right to re-negotiate rates if there is a change in market conditions. Agreements have an upset limit of \$600,000.00 for each firm (total \$4,800,000.00); and the County Administrator is authorized to increase the limit, provided the negotiated rates remain the same. Chairman authorized to sign the agreements and the Clerk to attest (Airport/Purchasing).

Administrator LaSala pointed out that when the Board approved the ranking of firms, he had reported that the spouse of the airport director is employed by the number one ranked firm in a marketing capacity, not an engineering capacity; that efforts to increase the distance in the selection of firms in the Consultant's Competitive Negotiation Act (CCNA) process have been taken to protect against any perceptions of conflict or impropriety; and that a legal opinion was previously rendered regarding the potential conflict of interest; whereupon, in response to query by Commissioner Brickfield, Director of Public Works and Transportation Peter J. Yauch indicated that firms are rotated based on the nature of the work to be performed; and County Attorney Bennett advised that the issue was presented several years ago; that a legal opinion was issued at that time and renewed for this instance; and that the County Attorney's Office concurs that the distance created in the CCNA process is sufficient.

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

#17 Non-competitive purchase of a genetic analyzer, software, and accessories via a National Institute of Justice Grant for DNA Laboratory from Applied Biosystems, LLC (Contract No. 101-0229-N) approved for a total expenditure not to exceed \$330,847.51 (Medical Examiner/Purchasing).

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

#18 Authorization granted for the Commission Chair to submit letter to the Pinellas County Federal Delegation requesting Fiscal Year 2012 funding for the Coastal Management Program (Sand Key nourishment request, \$11,323,000.00; request for study to evaluate federal reauthorization of Treasure Island, \$500,000.00) (Public Works).

Environmental Management Assistant Director Andrew P. Squires discussed the Sand Key Nourishment Project and indicated that \$11.3 million in funding was requested from the federal government last year, but was not received; that staff is re-applying for the funds this year with the concurrence of the Army Corps of Engineers; and that the matching funds are available; whereupon, he discussed the \$500,000.00 federal authorization of the Pinellas County Shore Protection Projects, noting that the authorization is valid for 50 years and will expire at the end of 2019; and that the Army Corps of Engineers recommended that funding be requested to perform a study re-evaluating the authorization for renewal in 2019, which is a multi-year process.

* * * *

At this time, 4:47 P.M., Commissioner Seel returned to the meeting.

* * * *

During discussion and in response to comments and queries by Commissioner Welch, Mr. Squires discussed the timeline for the project, indicating that the permit for the project could be received within three months if there are no objectors. He indicated that \$3.8 million is encumbered under a grant agreement with the state for Sand Key; and that an amendment to the grant agreement is being drafted to encumber the other \$3.8 million

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appropriated by the state last year, noting that the total cost of the Sand Key project is \$35 million.

Lengthy discussion ensued regarding the Board's legislative agenda and the process for letters of advocacy, with Mr. LaSala and Assistant County Administrator Carl Harness providing input. In response to comments by Commissioner Brickfield regarding the Board only having a state legislative platform, Mr. Harness indicated that he will consolidate the federal and state legislative agenda process, noting that there may be items that come up that cannot go through formal adoption by the Board; whereupon, Chairman Latvala requested that she be kept informed of all instances of advocacy.

Mr. LaSala referenced the joint meeting of the Board of County Commissioners and the Tourist Development Council held earlier in the day and in response to his comments regarding the issues of reserves for beach nourishment and coordination of project planning, permitting, and execution, Mr. Squires indicated that there is approximately \$3,272,000.00 currently in the Capital Improvement Program (CIP) for coastal management projects, which takes into account the expected expenses for this year, one of which is the full Sand Key project. He provided input regarding permitting and coordinating projects with the cities, and indicated that he will work toward implementing better coordination with the cities into his program, noting that he will bring up the issue at the Barrier Island Group Communities meeting; whereupon, in response to comments by Chairman Latvala, Mr. Squires agreed that an update on beach renourishment needs to be done.

In response to comments and queries by Commissioners Roche and Seel, Mr. Squires explained the different pools of funds for beach projects and discussed the budget for the Sand Key project, indicating that the total CIP budgeted for the project is approximately \$14.7 million; whereupon, Mr. LaSala agreed to provide the members with the total reserve for the Convention and Visitors Bureau.

Mr. LaSala reported that, at the Board's direction, staff met with the City of Belleair Beach, conducted an extensive evaluation of the parking situation, and presented options; that a memorandum was sent to the Board members outlining the work performed and the findings, conclusions, and recommendations; and that the City of Belleair Beach has requested an opportunity to make a presentation to the Board, which has been scheduled for June 16, 2011.

Thereupon, Commissioner Morroni moved, seconded by Commissioner Welch and carried, that the Chairman be authorized to submit a letter to the Pinellas County federal delegation requesting Fiscal Year 2012 funding for the Coastal Management Program.

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

- #19 Pinellas County Points of Connection Memorandum of Understanding with Tampa Bay Water for the modification of Utilities' points of connection to the Tampa Bay Water system approved; Chairman authorized to sign and the Clerk to attest (Utilities). Interim Utilities Director Kevin Becotte conducted a PowerPoint presentation titled *Keller Water Facility, Memorandum of Understanding with Tampa Bay Water, April 26, 2011*, a copy of which has been filed and made a part of the record, and outlined the planned improvements to the Keller Water Treatment Facility, noting that the Memorandum of Understanding is one part of a larger project.

Mr. Becotte discussed the Pinellas County and Tampa Bay Water goals of the Memorandum of Understanding, and referring to various schematics, he described the improvements, including a new transfer pump station, relocating the wellfield point of connection meter, a new Tampa Bay Water hydrogen sulfide bypass line, a new regional point of connection meter, a new static mixer, new pipeline, new Pinellas County Utilities booster pump station, demolishing the old Keller facility, and building a new Keller facility, noting that there are also some chemical and electrical facilities that were not depicted that will be part of the larger project.

Mr. Becotte related that Tampa Bay Water and Pinellas County are proposing to enter into a Joint Project Agreement (JPA), which will be brought before the Board in June 2011; and that the JPA will allow Tampa Bay Water to design and construct several of the facilities, noting that the facilities will be funded by the agency that has the benefit of the facility; whereupon, he discussed the agencies' respective operational commitments.

Mr. Becotte indicated that the transfer pump station and wellfield point of connection meter improvements will be funded equally by Tampa Bay Water and Pinellas County Utilities; that Tampa Bay Water will solely fund the hydrogen sulfide bypass line; and that Pinellas County Utilities will solely fund the regional meter and the static mixer. He related that the total cost for the Keller project is \$8 million, of which Tampa Bay Water's costs are estimated at \$3.3 million and Pinellas County Utilities' costs are estimated at \$4.7 million; and that the half-mile pipeline, estimated at \$2.1 million; the

new booster pump station, estimated at \$11.2 million; and the instrumentation, electrical components, and chemical facilities, estimated at \$2.5 million, are additional improvements that are not part of the JPA; whereupon, he noted that the total costs for the larger project are \$20.5 million; and that in addition to the improvements at the Keller facility, Utilities is also looking at an additional \$6 million in improvements throughout the system.

During discussion and in response to comments and queries by the members, Mr. Becotte indicated that the new facilities will be smaller and more efficient than the existing facilities at the Keller location; that the area is already properly designated for the facility; and that the entire project cost is considerably less than the water blending facility originally proposed.

Mr. Becotte explained that the improvements are necessary because the current Keller facility has reached the end of its useful life and did not take into account the water from the regional system; and that the improvements will help maintain better water quality where the Eldridge-Wilde and regional waters mix, pointing out that the improvements will allow Tampa Bay Water to increase the pounds of pressure at the Eldridge-Wilde wellfields and the regional system, per the existing Interlocal Agreement; whereupon, he indicated that the \$20.5 million will need to be bonded over a period of years, as Utilities does not have adequate funding in reserves; that the debt service on the bond will be programmed into the rates; and that the rate structure will be brought before the Board in June 2011.

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

#20 Other Administrative Matters – None.

#21 County Attorney Miscellaneous:

Update re E-Verify Requirements

County Attorney James L. Bennett referred to discussion at the April 12, 2011 meeting regarding the County's ability to comply with the new E-Verify requirements included in state grants and contracts and indicated that he has met with the County Administrator's exempt staff and plans to meet with the other Appointing Authorities to brief them on the requirements; that standardized language has been established and staff is working on an

enforcement process; and that he anticipates having a Memorandum of Understanding with the federal government for utilization of the E-Verify system within the week.

Appeal of Court Decision Upholding Tierra Verde Annexation by City of St. Petersburg

Attorney Bennett indicated that he is seeking direction from the Board whether to proceed with an appeal of the Circuit Court's decision to uphold the City of St. Petersburg's annexation of two parcels of land in Tierra Verde; whereupon, referring to a map showing the subject parcels, he related that the Commissioners have received correspondence from the citizens of Tierra Verde and the homeowners' association indicating that they were engaging in negotiations with the City of St. Petersburg; that the County has learned that negotiations have been unsuccessful and the association will be filing an appeal; that fees are due from the County to the City as a result of the Circuit Court's decision; that he has briefed the Commissioners individually on the issues, chances of success, and approximate costs associated with an appeal; and that if the Board wishes to proceed, the County Attorney's Office will need to file a brief within the next ten or eleven business days.

Attorney Bennett noted that the primary issue is one of procedural due process in that the City failed to provide the public with an opportunity to comment on new information provided at its third public hearing; and that a successful appeal would likely result in one of two rulings:

- › Start the annexation process over again; in which case, the *all-or-nothing* statute is now in place, and the City would not be in a position to proceed.
- › Satisfy the due process requirements by holding a public hearing and a new vote by the Mayor and City Council to determine whether to proceed with the annexation.

Commissioner Morrone indicated that the citizens of unincorporated Pinellas County look to the County Commissioners to uphold their interests and expressed his support for the residents of Tierra Verde, and the members concurred.

During discussion and responding to queries by the members, Attorney Bennett indicated that the property is currently annexed and will remain so unless the Court rules that the procedure was improperly followed; that de-annexation, referred to as "contraction," would only apply if the properties were not eligible for annexation; and that the City would have to admit that crossing submerged property was improper, which is unlikely. He noted that it is his understanding that the City has certain obligations with respect to Development Agreements, which may influence its decision whether or not to proceed; and that one of the parties is no longer involved, as the marina is currently in

receivership. Mr. LaSala related that it has been communicated to the County that the City of St. Petersburg would pursue recovery of legal fees, over and above what is currently owed, should the Board proceed with the appeal.

Thereupon, Commissioner Morrioni moved, seconded by Commissioner Roche and carried, that the County support Tierra Verde in any legal way possible in this appeal.

Vote - 7 – 0

- #22 Sitting as the Countywide Planning Authority, the Board granted authorization to advertise public hearings to be held May 24 and June 14, 2011 regarding proposed amendments to the Countywide Rules concerning changes to amendment thresholds and Special Area Plans.

Motion - Commissioner Welch
Second - Commissioner Morrioni

Responding to query by Commissioner Bostock, Planning Director Brian K. Smith and Pinellas Planning Council Interim Executive Director Michael C. Crawford provided a brief explanation of the types of amendments to be reclassified as *subthreshold* and *minor* under the new provisions; and Mr. Crawford agreed to provide additional information prior to the public hearing.

Vote - 7 – 0

- #23 County Administrator Reports:

INITIATIVES AND PROJECTS

County Administrator Robert S. LaSala discussed the status of various cost saving/efficiency initiatives and projects identified during the strategic planning process, as follows:

- › Mr. LaSala and Chairman Latvala met with Chief Judge J. Thomas McGrady on April 15 and discussed possible consolidation of functions of the Constitutional Officers and other county agencies in common facilities in the North, South, and Mid-County Service Centers. Staff has scheduled a series of follow-up meetings with the Court Administrator.

- › Mr. LaSala will meet with Sheriff Jim Coats and their respective executive staff members on April 28 to discuss the feasibility of consolidating 911 emergency dispatch operations.
- › Fleet Maintenance will be consolidated with the Sheriff's Office, and staff is working on arrangements for consolidation of fuel operations. Staff is exploring the possibility of consolidating/sharing Public Works services with other local agencies.
- › A meeting will be scheduled with the Tax Collector to continue discussions regarding a lockbox proposal for Emergency Medical Services (EMS) revenue collection.
- › The Tax Collector's Office has completed its review of Utilities billing and collections operations and reported that it cannot perform the functions more efficiently or economically than is currently being done by an outside contractor.
- › A survey is underway to develop best practices for printing services, and a meeting will be held on April 27 with the Constitutional Officers to discuss possible consolidation of printing, purchasing, and mail room services.
- › Work is continuing on the Enterprise Geographic Information System (GIS) project. The Property Appraiser will make a presentation to the Board when a significant milestone is reached.

#24 County Administrator Annual Performance Review

Chairman Latvala indicated that the results of County Administrator Robert S. LaSala's annual performance review are included in the agenda package. Noting that the Administrator's job is always a challenge, made even more difficult in times such as this, she thanked him and his staff and stated that he does a phenomenal job; whereupon, Mr. LaSala thanked the Board and acknowledged the executive team and thousands of County employees for their work.

Commissioner Brickfield pointed out that the Annual Performance Review documents for the County Attorney and County Administrator show the cumulative scores and requested that future documentation include the scores given by the individual Commissioners. Mr. LaSala indicated that the information for the current evaluation is available and will be provided.

#25 County Commission Miscellaneous:

- a. Commissioner Bostock discussed the Pinellas County Resident Survey and requested that the name be changed to include all Pinellas County stakeholders.

thanked Mr. LaSala and his staff for putting together non-profit agency report; and Mr. LaSala indicated that the report would be sent out this week.

discussed scheduling of presenters; and Chairman Latvala verified the policy.

- b. Commissioner Morrioni requested approval re appointment of Sam McClelland to the Historic Preservation Advisory Board. Motion by Commissioner Brickfield, seconded by Commissioner Welch and carried.

- c. Chairman Latvala announced that Item No. 31 under Public Hearings re billboards will be deferred, but that public comment will be taken.

- d. Commissioner Welch announced that he will hold Community Office Hours at Lealman Fire Station No. 18 on April 27, 2011 from 4:00 to 7:00 P.M.

discussed scheduling conflict on April 29, 2011 between Health and Human Services Coordinating Council meeting and the Central Florida Partnership Super Regional Conference.

* * * *

At this time, 6:00 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all members present, with the exception of Commissioner Bostock.

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SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS

#26 Ordinance No. 11-12 adopted amending the Pinellas County Water and Navigation Code (Sections 2-273 through 2-299 and Sections 166-241 through 166-364, Pinellas County Code). The Local Planning Agency recommended approval, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

#27 Proposed ordinance amending Chapter 138, the Zoning Provisions, of the Pinellas County Land Development Code regarding restrictions on the allowance of health care facilities and mobile home parks within the Coastal Storm Area and the area inundated by a Category 2 hurricane temporarily deferred to the meeting of June 14, 2011. No correspondence has been received.

Mr. LaSala noted that the restrictions pertain to new facilities; and that existing facilities will not be affected. No one appeared in response to the Chairman’s call for citizens wishing to be heard; whereupon, she closed the public hearing and Commissioner Welch moved, seconded by Commissioner Seel, that the ordinance be adopted.

* * * *

Commissioner Bostock entered the meeting at 6:33 P.M.

* * * *

Prior to completion of the vote, Commissioner Roche called attention to the Coastal Management Element of the Pinellas County Comprehensive Plan, noting that Natural Disaster Planning Goal One is to “... protect human life” and indicating that he believes it is inconsistent to restrict only certain housing facilities; that everyone should be protected; and that if the area is unsafe, no building should be allowed; whereupon, Planning Director Brian K. Smith related that persons in health care facilities would likely require additional help to evacuate; and that the intent of the restriction is to minimize the County’s responsibilities in a time of disaster; and Commissioner Welch pointed out that the County has a plan to help everyone in an evacuation; that persons with special needs can register for assistance; and that Pinellas Suncoast Transit Authority buses would be called into service to help transport evacuees.

Discussion ensued wherein Commissioner Brickfield questioned the restriction for new or expanded mobile home parks, noting that manufactured homes built after 1995 are subject to more rigid standards; and Planning Division Manager Gordon R. Beardslee indicated that the restriction was established in 1989 when there were a lot of older mobile homes; that the County does not anticipate development or expansion of mobile home parks in the affected area; and that replacement of existing homes is allowed. Referring to the Local Planning Agency report, a copy of which has been filed and made a part of the record, Commissioner Seel noted that the Comprehensive Plan Policy addresses the subject of manufactured housing.

Commissioner Bostock moved that separate votes be taken pertaining to health care facilities and mobile home parks. Discussion ensued as to whether the vote had already been taken; and the Deputy Clerk indicated that a vote was not recorded.

Thereupon, Mr. LaSala suggested a continuance to allow staff to review the technicalities of the issues; and Commissioner Morroni moved, seconded by Commissioner Brickfield, that the public hearing be continued to the June 14, 2011 meeting.

Vote - 7 - 0

- #28 Resolution No. 11-31 adopted granting the request of Adam Smith Enterprises, Inc. to rescind the Development Order of Trinity Communities Development of Regional Impact (DRI) No. 157, Resolution 89-512, as amended. The Local Planning Agency recommended approval, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Welch

Second - Commissioner Roche

Vote - 7 - 0

- #29a Application of Berati #2, LLC, through Housh Ghovae, Northside Engineering Services, Inc., Representative, for a modification to a previously approved conditional use permit which allowed a solid waste transfer facility (vegetative) in a C-3 zoning district (CU-4-9-10, LPA 20-9-10) denied without prejudice, re three parcels of land containing approximately 5.09 acres located on the west side of U.S. Highway 19 at the western terminus of Whitney Road (street address: 16604 U.S. Highway 19 North, Clearwater). One e-mail expressing concern has been received.

Referring to an aerial photograph, Planning Department Zoning Manager John F. Cueva pointed out the location of the subject property, described surrounding land uses, and

provided background information pertaining to the previously approved conditional use; whereupon, he related that the applicant had requested modification of Condition No. 4 to increase the area for storage of vegetative debris and, as part of the modification, had proposed the addition of a 12-foot-high solid wall, with landscaping, 20 feet from the west property line.

Mr. Cueva related that staff had opposed the modification; that the LPA had considered the applicant's testimony and agreed that additional storage area is required to ensure the viability of the business, but had expressed concern regarding the proposed 12-foot wall; and that the LPA recommended approval of the application subject to the following revised condition, and staff concurred:

4. The "vegetative debris" shall be stored in the storage bin area, no greater than 60 feet X 150 feet in size and identified on the submitted plan, located 208 feet east of the residential boundary line. (Applicant to submit modified site plan reflecting the larger storage bin and removal of the proposed 12-foot wall.)

Housh Ghovae, Northside Engineering, Clearwater, indicated that the applicant had agreed to a 300-foot setback to address concerns expressed by Commissioner Seel; and that, after six months, the business is hurting and needs additional storage area. He displayed photographs of the property, proposed an alternative site plan that differs from the LPA recommendation, and discussed activities permitted under the C-3 zoning designation.

In response to comment by Chairman Latvala, Mr. Cueva noted that staff has not reviewed the proposed alternative site plan; and that the item would need to be re-advertised and a public hearing conducted by the LPA. During discussion, Attorney Bennett indicated that the applicant's original request and the LPA recommendation are the only items that have been through the public hearing process; and Chairman Latvala suggested that the Board could vote on the two options or deny the request without prejudice; and Mr. Ghovae indicated a preference for the latter.

Commissioner Welch moved, seconded by Commissioner Brickfield, that the application be denied without prejudice; and following discussion with input by Attorney Bennett and Planning Director Brian K. Smith, he amended the motion to provide for waiver of the application fee, and the seconder concurred.

Responding to the Chairman's call for citizens wishing to be heard, Elizabeth Richard and Jasmine Richard, Jr., Clearwater, spoke in support; and Jesse Buchholtz, Clearwater, spoke on behalf of a group in opposition to the application.

After conferring with the applicant, Mr. Ghovae indicated that he wishes to proceed with the original application; and that he does not recall agreeing with the LPA recommendation at the meeting; whereupon, Mr. Cueva referred to a transcript of the LPA meeting, stating that the property owners were not present and Mr. Ghovae had agreed to bring the information to them for consideration. Attorney Bennett noted an error in the relevant section of County Code, and indicated that the Board could vary from tradition and consider the alternate plan proposed by the applicant at this meeting.

Discussion ensued, and Mr. Cueva and the applicant responded to queries by the members and addressed concerns of the objectors. Mr. Cueva indicated that the LPA had agreed that the applicant needed additional storage space to realize a viable return on his investment and had made its recommendation as a compromise; and that concern regarding the 12-foot wall was raised by the LPA, not the neighbors. The applicant discussed his business operations, indicated that he has complied with the hours of operation, proposed a 100-foot setback, and provided information regarding the existing fence, stating that it is at least eight feet tall; whereupon, responding to query by Commissioner Roche, Mr. Cueva related that the lawful fence height is six feet without an approved variance.

Thereupon, Commissioner Welch noted that his motion stands, indicating that the applicant needs to work out a plan that will have the support of the community.

Vote - 7 - 0

#29b Resolution No. 11-32 adopted granting the application of John Parrish for a change of zoning from C-2, General Retail Commercial and Limited Services, to C-3, Commercial, Wholesale, Warehousing and Industrial Support (Z-1-3-11, LPA 5-3-11), re a parcel of land containing approximately 0.49 acre located on the south side of 126th Avenue North, 120 feet west of Belcher Road, in the unincorporated area of Largo (street address: 6840 126th Avenue North, Largo). Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Seel
Second - Commissioner Welch
Vote - 7 - 0

#29c Application of Gulfside Excavating, Inc. through Al Navickas, Representative, for a Conditional Use to allow an outdoor solid waste transfer station (vegetative and demolition debris) in an M-1, Light Manufacturing and Industry District (CU-2-3-11, LPA 6-3-11) approved, re a parcel of land containing approximately one acre located 215 feet east of the Pinellas Trail and 490 feet south of Tampa Road (street address: 166 Candy Lane, Palm Harbor). No correspondence has been received. No citizens appeared to be heard. Staff recommended approval of the application based on the Local Planning Agency Report, subject to the following conditions:

1. Full site plan review.
2. Hours of operation shall be Monday through Friday, 7:00 A.M. to 5:00 P.M.
3. Maximum number of days the vegetative and demolition debris remain on site shall not exceed four.
4. Maximum height of the debris shall not exceed eight feet.
5. The vegetative and demolition debris shall be located in the area shown on the submitted plot plan.
6. No grinding/mulching or rock crushing shall occur at this location.
7. Any change to these conditions shall require approval from the Board of County Commissioners via the public hearing process.
8. In the event one or more of the above listed conditions are not met, the Board of County Commissioners may rescind the conditional use permit.

Motion	-	Commissioner Morrone
Second	-	Commissioner Brickfield
Vote	-	7 – 0

#29d Ordinance No. 11-13 adopted amending the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan regarding the Industrial Limited Future Land Use Category, Transferable Development Rights, and Density/Intensity Averaging (second public hearing). No correspondence has been received. No citizens appeared to be heard.

Planning Director Brian K. Smith indicated that the proposed amendments will bring the County Comprehensive Plan into conformance with the Countywide Plan; and Commissioner Bostock suggested that countywide and local amendments be approved as consecutive items on the same agenda; whereupon, Mr. Smith, County Attorney James L. Bennett, Planning Division Manager Gordon R. Beardslee, and Pinellas Planning Council Interim Director Michael C. Crawford provided information regarding the adoption process for countywide and local amendments; and Messrs. Smith and Bennett indicated that they will review procedures to determine the feasibility of Commissioner Bostock's suggestion.

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

- #29e Resolution No. 11-33 adopted changing the zoning classification of a site containing approximately 19.74 acres located on the south side of Park Boulevard, 1,566 feet east of 83rd Street North, Pinellas Park, from R-6, Mobile Home Parks and Subdivisions, to C-2, General Retail Commercial and Limited Services, and PC, Preservation Conservation, upon application of Hardy H. Huntley through Peter Creighton, Representative (Z/LU-1-10-10); and Ordinance No. 11-14 adopted amending the Future Land Use Map of the Future Land Use and Quality Communities Element of the Pinellas County Comprehensive Plan of Pinellas County, Florida, by changing the land use designation of approximately 19.74 acres located on the south side of Park Boulevard, 106 feet west of 79th Street North, Pinellas Park, from Residential Urban and Preservation to Residential/Office/Retail and Preservation, and including a Development Agreement with restrictions intended to address land use and transportation impacts and indicating that uses, densities, and building heights and intensities will be governed by adopted land use and zoning designations and restrictions; by amending the annotation included as a part of the legend of the Future Land Use Map; and by amending the Future Land Use Map category descriptions and rules of the Future Land Use and Quality Communities Element to include Part III, "Site-Specific Land Use Restrictions On Specific Properties," with specific restrictions limiting the number of allowable residential units on the subject site and prohibiting transient accommodations. Staff recommended approval of the application based on the Local Planning Agency Report. Two letters in support of the application were received in connection with the first public hearing.

Referring to an aerial photograph, Planning Department Zoning Manager John F. Cueva pointed out the location of the subject property, formerly known as the Golden Lantern Mobile Home Park, and provided background information, noting that the Board had

previously approved the zoning and land use changes, but had directed staff to work with the applicant on a Development Agreement setting forth certain restrictions to address the concerns of the neighbors. Referring to Section 6.1.3 of the proposed Development Agreement, a copy of which has been filed and made a part of the record, Mr. Cueva reviewed the following use restrictions and requirements:

- › No adult uses, outdoor flea markets, festivals or other similar uses.
- › No dispensing of alcoholic beverages for on-premise consumption, unless incidental to food sales.
- › 15-foot vegetative buffer on the east side.
- › Six-foot opaque fence on the east side, to be maintained by the owner.
- › Drainage easement on the west side.
- › Restrictions for location and configuration of sound systems, lighting, and loading areas.

Responding to queries by Commissioners Roche and Welch, Mr. Cueva related that the proposed restrictions were suggested by staff based on experience with similar uses being introduced next to residential neighborhoods; and that the location of a proposed Pinellas Suncoast Transit Authority bus shelter would be a new stop.

Thereupon, Planning Director Brian K. Smith distributed a document titled *Revised Section 6.1.3.2.7*, a copy of which has been filed and made a part of the record, and indicated that the proposed Development Agreement modification addresses a concern expressed by the applicant's representative; and that the wording has been agreed upon by the developer and County staff.

Responding to the Chairman's call for the applicant, Peter Creighton, Pinellas Park, indicated that the change submitted by Mr. Smith resolves one of two outstanding issues of concern to the applicant; whereupon, referring to Section 10 of the Agreement, he requested omission of the provision that the property return to the current land use and zoning designation if it is not developed within five years, noting that the County has the authority to initiate a zoning change on any property; and that elimination of the provision will not diminish its rights or authority.

Discussion ensued wherein the members, with input by County Attorney James L. Bennett, indicated that reversion of the zoning would be problematic, as the Department

of Community Affairs has already denied residential development of the property. Senior Assistant County Attorney David S. Sadowsky related that the Coastal Storm Area line has changed since the previous proposal, and he is uncertain what restrictions would apply.

Mr. Creighton noted that state statute allows 20-year Development Agreements; whereupon, Attorney Sadowsky stated that the Pinellas County Land Development Code restricts Development Agreements to a five-year term; that the Local Planning Agency had amended Section 10.1 at Mr. Creighton's request, and he is unaware of a continuing dispute; that the restrictions are only in place as long as the Development Agreement is in effect; that the amendments and Development Agreement are intended as a package deal, ensuring that the developer does not wait out the five-year term to eliminate the restrictions; and that the developer would have the option of petitioning the Board for a five-year extension.

Following further discussion with input by Attorney Bennett, Chairman Latvala inquired whether the Board could approve an extension at tonight's meeting; whereupon, Commissioner Seel suggested that the Development Agreement be modified to include language granting an automatic five-year extension providing the original conditions remain in force. Attorney Sadowsky indicated that the County has been working with Mr. Creighton for some time to address the issue; and suggested that the matter be continued if further discussions are necessary.

Attorney Bennett researched the applicable provisions in the Pinellas County Land Development Code and advised that a Development Agreement may be extended by mutual consent of the County Commission and the developer, subject to public hearing, for a period not to exceed five years or such time as the act provides; and confirmed that the statute provides for a maximum term of 20 years; whereupon, Chairman Latvala noted that a public hearing is currently in session. Commissioner Seel moved, seconded by Commissioner Bostock, that the agenda item be approved with modifications to the Development Agreement extending the term to ten years and incorporating the revision proposed by Mr. Smith.

Attorneys Bennett and Sadowsky responded to additional queries by the members; and responding to the Chairman's call for citizens wishing to speak, Kathy Bellas, Pinellas Park, stated her concerns.

Vote - 7 - 0

COUNTYWIDE PLANNING AUTHORITY PUBLIC HEARINGS

#30 Ordinance No. 11-15 adopted approving Case No. CW 11-01, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Urban and Water to Residential/Office/Retail, re 19.7 acres m.o.l., located on the south side of Park Boulevard, 1,566 feet east of 83rd Street North (regular amendment). Pinellas Planning Council recommended approval of the proposal and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

BOARD OF COUNTY COMMISSIONERS PUBLIC HEARINGS (CONTINUED)

#31 Proposed ordinance amending Section 138-1334, Signs, of the Pinellas County Land Development Code pertaining to electronic changeable message signs and providing for the repeal of Ordinance No. 11-01 and termination of the moratorium temporarily deferred. Authority granted to advertise a public hearing for extension of the moratorium. Two letters in support and 12 letters in opposition to the ordinance were received in connection with the first public hearing, and one additional e-mail in opposition has been received.

Chairman Latvala announced that she was pulling the item from the agenda because an anticipated meeting had not taken place; and that citizens wishing to be heard could speak at this time or defer their comments until the next public hearing; whereupon, Bill Jonson, Clearwater, and Maher Rashid, DMD, Seminole, stated their concerns.

Responding to comments by Dr. Rashid, Chairman Latvala clarified that the matter before the Board pertains to off-premise signs; and Attorney Bennett indicated that the 60-second duration requirement for on-premise signs will not change; and that the Board could elect to consider the duration of on-premise signs as a separate item. Discussion ensued wherein Dr. Rashid referred to his letter to the Commissioners dated February 9, 2011 and stated that he believed he had requested consideration of on-premise signs and that Chairman Latvala, in her response, had indicated that the matter would be considered by the Board on April 26.

Commissioner Bostock noted that original discussions included all digital signs; that the issue was split when the off-premise moratorium was proposed; and that on-premise sign

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duration was set aside and never considered; whereupon, following discussion, Commissioner Roche moved, seconded by Commissioner Bostock, that the Board take up the matter of on-premise digital signs, including a possible change to the dwell time requirement.

Vote - 6 – 1 (Commissioner Seel dissenting)

County Attorney James L. Bennett indicated that he has distributed a revised ordinance to the members, a copy of which has been filed and made a part of the record, showing the changes made after the April 12 public hearing; whereupon, he noted that deferral of the item will require extension of the moratorium. Commissioner Seel moved, seconded by Commissioner Welch, that staff be authorized to advertise a public hearing to consider extension of the moratorium on digital off-premise signs to June 20, 2011.

Vote - 7 – 0

#32 Meeting adjourned at 8:34 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk