

**BOARD OF COUNTY COMMISSIONERS MEETING  
TUESDAY, JULY 21, 2009 – 3:02 P.M.  
ASSEMBLY ROOM, FIFTH FLOOR  
315 COURT STREET, CLEARWATER, FLORIDA**

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

**Others Present:** Robert S. LaSala, County Administrator; Dennis R. Long, Chief Assistant County Attorney; Claretha N. Harris, Chief Deputy Clerk; and Arlene J. Kennare and Arlene L. Smitke, Deputy Clerks.

**INVOCATION:** Reverend Bob Fortner, United Church of Palm Harbor, 1960 Tampa Road, Palm Harbor.

**PLEDGE OF ALLEGIANCE:** Commissioner Latvala.

At the request of Commissioner Latvala, Terry Fortner, Ozona, provided information with regard to a publication entitled *Yesteryear I Lived in Paradise*, written by Myrtle Scharrer Betz; and noted that the proceeds from the book have been used to purchase college scholarships and to promote preservation, conservation, and education initiatives at Caladesi Island State Park.

**PRESENTATIONS AND AWARDS:**

1. Presentation of the Parents' Day 2009 Proclamation.
2. Bonded Debt Report by Ken Burke, Clerk of the Circuit Court.

Mr. Burke distributed the *Pinellas County Florida Bonded Debt Report for the Fiscal Year Ended September 30, 2008*, a copy of which has been filed and made a part of the record, provided highlights of the report, including types of debt, items of debt, debt ratings, revenue bond coverage, and comparisons with peer counties; and noted that the debt of Pinellas County compares very favorably with other counties of its size.

**CONSENT AGENDA ITEMS NOS. 1 THROUGH 10 – APPROVED WITH THE EXCEPTION OF ITEM NO. 8, WHICH WAS CONSIDERED UNDER ITEM NO. 11.**

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

July 21, 2009

- # 1 Minutes of regular meeting of June 16, 2009 approved.
- # 2 Reports received for filing:
  - a. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-12, dated June 25, 2009 – Audit of Alternate Water Source Rebate and Conservation Program.
  - b. Internal Audit Division, Clerk of the Circuit Court, Report No. 2009-13, dated June 25, 2009 – Audit of Airport Concessions.
  - c. Eastlake Oaks Community Development District Proposed Operating Budget for Fiscal Year 2010, pursuant to Chapter 190.008(2)(b), Florida Statutes.
  - d. Entrada Community Development District Proposed Operating Budget for Fiscal Year 2010.
- # 3 Vouchers and Bills Paid – Periods June 8 through June 12, 2009, and June 15 through June 19, 2009.

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2394

Payroll checks numbered 562897 through 563115

Imprest Fund Expenditures

System checks numbered 968821 through 970203

ACH Transfers numbered 2680 through 2775

Wire Transfers numbered 010997 through 011006

- # 4 Miscellaneous items received for filing:
  - a. City of Largo Notice of Public Hearing regarding Ordinance No. 2009-43 annexing certain property and correspondence about public hearings regarding Ordinances Nos. 2009-31 and 2009-33 amending the West Bay Drive Community Redevelopment District plan; public hearings to be held July 21, 2009.
  - b. City of Pinellas Park Notice of Public Hearing regarding Ordinance No. 3686 held July 9, 2009, annexing certain property.

July 21, 2009

c. Notification from DOC Maintenance Inc. pursuant to the Worker Adjustment and Retraining Notification (WARN) Act regarding the closing of the business and the permanent lay off of 148 employees, including three located in Pinellas County.

# 5 Consultant's Competitive Negotiation Act (CCNA) procurements approved by the County Administrator for quarter ending June 30, 2009 received for filing.

<u>Department</u>	<u>Type</u>	<u>Project</u>	<u>Vendor</u>	<u>Dollar Value</u>	<u>Award Date</u>
Utilities	Amendment No. 1	Agreement for Engineer of Record (EOR) Consultant Services for the Solid Waste Resource Recovery Facility (RFF) Project #1713	HDR Engineering, Inc.	None – Time Only Extension	5/20/09

# 6 Partial release of retainage in connection with the contract with Diaz/Fritz Group, Inc. for the Eagle Lake Park Project (PID No. 625; Bid No. 078-0219-C) in an amount not to exceed \$200,000.00 approved; project was substantially complete on March 26, 2009; work completed to date has been inspected and deemed acceptable.

# 7a DELEGATED ITEMS APPROVED BY THE COUNTY ADMINISTRATOR – RECEIVED FOR FILING (COUNTY ADMINISTRATOR)

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Airport	Change Order No. 3 Final, Acceptance of the Contract as Complete, and Release of Retainage with R. E. Purcell Construction Company, Inc. for Runway 17L-35R Extension	\$10,748.36 decrease, plus time extension	6.30.09
Airport	Award Modification for Reduction of Grant Revenue Due to Reimbursement of Actual Allowable Expenses with the Transportation Security Administration for the Law Enforcement Officer Reimbursement Agreement Program for the Period of: (a) FY 2008; and (b) October 2008 to June 2009	(a) \$169,198.64 reduction; and (b) \$95,250.40 reduction	6.9.09

July 21, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Community Development	Release of Lien with Jerry Lawson and Gloria West-Lawson	Lien is paid in full.	6.19.09
Community Development	2009 Universal Local Government Verification of Affordable Housing Incentives Forms for: (a) The Austin – 4150 78th Avenue North, Pinellas Park; and (b) The Lansing – 6450 78th Avenue North, Pinellas Park	(a-b) N/A	6.16.09
Community Development	Land Trust Agreement with Pinellas Community Housing Foundation, Inc., for Surplus Land at 162nd Avenue	N/A	6.14.09
Community Development	Subordination Agreement with Therese M. Taylor and Suntrust Mortgage	\$80,185.00	6.8.09
Community Development	Satisfactions of Mortgage with: Linda M. Gorka; Howard W. King; and Charles E. Dalton	All liens are paid in full.	6.5.09
Convention and Visitors Bureau	Florida Sports Foundation Regional Grant Program – Grant Agreement with Visit St. Pete/Clearwater Sports Commission for Marketing Support for the Big East Baseball Championships	\$4,000.00, pass-through funds; no match	5.14.09
County Attorney	Memorandum of Authorization for Stipulation for Order of Taking and Final Judgment with Bethany Temple Church of God, Inc. for the Keystone Road Project	\$63,700.12	6.5.09
County Attorney	Memorandum of Authorization for the Keystone Road Project for: (a) Stipulation for Order of Taking and Partial Final Judgment with Circle K Stores Inc.; and (b) Ratification and to Revive the Contract for Purchase and Sale of Parcel with Amalita Salazar-Estrada, a/k/a Amalia Salazar-Estrada and Jaime Salazar-Estrada	(a) \$85,000.00 total estimated cost; and (b) \$155,999.28 total estimated cost, Item No. 32 from the August 19, 2008, BCC meeting	5.27.09
Culture, Education, and Leisure	Administrative Change Request with the Florida Department of State, Division of Cultural Affairs for Delegated Signature Authority of Grants for Heritage Village	N/A	6.30.09

July 21, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Culture, Education, and Leisure	Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for Pinellas Trail Restoration	\$50,000.00 grant revenue, plus equal County cash match	5.18.09
Culture, Education and Leisure	Assistance Award Amendment with the Department of Housing and Urban Development for the Construction of Joe's Creek Greenway Park	\$247,500.00 grant revenue; no match	2.7.08
Environmental Management	Grant Application with the U.S. Department of Environmental Protection, Region 4 for Clearwater Harbor/St. Joseph Sound Comprehensive Conservation Management Plan	\$200,000.00 requested funds, plus combination \$140,000.00 in-kind County match, Capital Improvement Program funds, and SWFWMD funds	5.28.09
Environmental Management	Second Amendment to Agreement with SWFWMD for Lake Tarpon Water Quality Area 6	\$171,250.00 increase in SWFWMD funding, no additional County match	5.25.09
Health and Human Services	Grant Agreement with Gulf Coast Dental Outreach, Inc. for Full Dental Services to Area Adults Living at or Near the Poverty Level Who are Otherwise Ineligible for Assistance through Other Programs	\$15,000.00 from the Health Facilities Authority	6.30.09
Health and Human Services	Matrix of Critical Care Letters of Agreement for Emergency/Critical Care Services with: (a) Tampa Bay Specialty Surgery Center; (b) Helen Ellis Memorial Hospital; (c) Helen Ellis Memorial Hospital; (d) Able Medical Aids, Inc.; (e) Able Medical Aids, Inc.; (f) St. Pete Limb and Brace; (g) Able Medical Aids, Inc.; (h) Able Medical Aids, Inc.; (i) Stephen K. Smolansky, MD; (j) Countryside Surgery Center; (k) Gulfcoast Oncology; (l) Gulfcoast Oncology; (m) Gulfcoast Oncology; (n) Nelson Castellano, DDS; (o) Gulfcoast Oncology; and (p) Gulfcoast Oncology	(a) \$710.35; (b) \$843.03; (c) \$843.03; (d) \$114.92; (e) \$348.80; (f) \$241.53; (g) \$1,641.55; (h) \$137.00; (i) \$265.75; (j) \$910.95; (k) \$4,664.33; (l) \$4,551.03; (m) \$605.74; (n) \$350.00; (o) \$4,399.07; and (p) \$4,230.22	6.19.09

July 21, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Health and Human Services	Amendment No. 1 to the Agreement with Area Agency on Aging of Pasco-Pinellas, Inc., Emergency Home Energy Assistance Program for the Elderly	N/A	5.22.09
Health and Human Services	Grant Application with the Health Resources and Services Administration for the Pinellas County Mobile Medical Unit	\$327,175.00 requested funds, plus \$30,000.00 voluntary County match	5.12.09
Justice and Consumer Services	Contract with the Town of Belleair Shore and the Sheriff for Law Enforcement Services	\$20,054.08 revenue	6.30.09
Justice and Consumer Services	Grant Application with Public Defenders Office of the 6th Judicial Circuit and the State of Florida Department of Children and Families (DCF) and Amendment No. 1 with DCG and the Board of County Commissioners (BCC) for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program	\$403,224.00 requested funds, plus equal County match; total estimated County support for Jail Diversion and Incompetent to Proceed Programs is \$544,860.00; corresponding ratification item on July 21, 2009, BCC Consent Agenda	6.25.09
Public Works	(a) 230 Modification/Cycle Cover Page for Recertification of the County's Community Rating System with the Federal Emergency Management Agency for the National Flood Insurance Program; and (b) Pinellas County Temporary Waiver with Morton Plant Mease Health Care for a Triathlon at Sand Key Park	(a) N/A; and  (b) \$562.50 revenue, plus \$50.00 fee revenue	6.30.09
Public Works	Correspondence with the Florida Department of Transportation (FDOT) for Joint Participation Agreement for State Road 686 from 43rd Street North and 118th Avenue to East of 28th Street North	N/A	6.25.09
Public Works	Pinellas County Temporary Waiver with Old Palm Harbor Main Street, Inc. for the 8th Annual Palm Harbor Parrot Head Party	\$50.00 fee revenue	6.3.09

July 21, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Public Works	(a) Release of Funds Held as Completion Surety with Trilogy Center I, LLC for the Trilogy Cancer Center Project; (b) Corrective Instrument to the Local Agency Program Agreement with FDOT for Pinellas Trail Rehabilitation, 113th Street North to Ponce de Leon Boulevard; and (c) Construction Agreement with CSX Transportation, Inc. (CSX) for Installation of Replacement Concrete Crossing Surface for Keene Road	(a-b) N/A; and  (c) \$239,575.00 County reimbursement to CSX; total estimated project cost \$814,480.00	6.1.09
Public Works	Local Agency Program Agreements with FDOT for Safe Route to School Infrastructure Projects for Bardmoor Elementary School for: (a) Suncrest Boulevard from Portulaca Avenue North to Bayou Drive North; and (b) Bayou Drive from Suncrest Boulevard to 82nd Street North	(a) \$79,686.00 FDOT funding, no County match; and (b) \$84,853.00 FDOT funding, no County match	2.23.09
Real Estate Management	(a) First Amendment to License Agreement with Wellington Schools of Pinellas County for Continued Access to Joe's Creek Greenway Park, Inc.; (b) General Utility Easement and Overhead Utilities Easement with 1st Petroleum, Inc., for the Relocation of a Guide Pole Existing in Right of Way and Guide Wires to be Attached to a Transmission Pole; and (c) Contract for Sale and Purchase and Temporary Construction Easement with the School Board of Pinellas County, Florida for the Bryan Dairy Road Project- Starkey Road to 72nd Street North	(a) N/A;  (b) \$10,000.00 total estimated cost; and  (c) \$165,230.00 total estimated cost	6.25.09
Real Estate Management	Contracts for Sale and Purchase for Right-of-Way Easements, and a Drainage, Utility, and Grading Easement for the Keystone Road Project from U.S. 19 to East Lake Road with: (a) Lawrence Stephen McAmis; and (b) Samuel Carl McAmis	(a-b) \$150,000.00 each	6.19.09

July 21, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Approval Date</u>
Real Estate Management	Recreation Easement with the City of Oldsmar for Construction of a Boardwalk Recreation Trail on County-Owned Land Located within Brooker Creek Preserve	N/A	6.12.09
Real Estate Management	Temporary Construction Easement with Catalina Yachts, Inc., for the Reconnect of the Owner's Driveway to Bryan Dairy Road, West of 72nd Street North	\$6,700.00	6.5.09
Real Estate Management	Subordination of County Utility Interests with FDOT for the Ulmerton Road Project	N/A	4.29.09
Real Estate Management	Subordination of County Utility Interests with FDOT for the 118th Avenue North Extension Project	N/A	4.28.09
Utilities	Agreement with WorkNet Pinellas, Inc. for Employed Worker Training	\$24,800.00 WorkNet contribution, plus equal County contribution	6.5.09

# 7b **PROCUREMENT ITEMS APPROVED BY THE COUNTY ADMINISTRATOR FOR THE QUARTER ENDING JUNE 30, 2009 – RECEIVED FOR FILING (PURCHASING)**

---

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPT.</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> County Code	<u>AWARD DATE</u>
067-0332-P (LN)	First Term Extension	Services – Research	Convention and Visitor's Bureau (CVB)	Research Data Services, Inc.	\$207,080.00	06/25/09
067-0678-S (RM)	Continued Purchase Authorization	Food Grade Ice for Emergency Operations	Emergency Management	American Aquasource, Inc.  IAP Worldwide Services  Lipsey Mountain Spring Water  Olmstead Ice, Inc.  Storm Services, LLC.	n/a	06/23/09
067-0675-S (RM)	Continued Purchase Authorization	Potable Water for Emergency Operations	Emergency Management	American Aquasource, Inc.  Lipsey Mountain Spring Water	n/a	06/23/09

July 21, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPT.</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
089-0450-M (CM)	Sole Source Purchase	Medical Services: EKG/Defibrillat or Maintenance Services	Public Safety Services, EMS Division	Physio-Control Inc.	410,886.85 36 months 136,962.28 12 months 2-180	06/23/09
089-0268-B (LN)	Emergency Re-Award of Bid	Janitorial Services, Various County Buildings	Department of Real Estate Management (REM)	American Facility Services, Inc.  Integrated Building Maintenance Services, Inc.  Knight Facilities Management	1,174,256.28 2-181	06/23/09
078-0530-P (LN)	First Term Extension	Technology Marketing Program-CVB	CVB	Miles Media Group, Inc.	425,000.00 2-176	06/22/09
067-0686-C	Change Order No. 3	Corrective Instrument to the 2008-2009 Countywide Americans with Disabilities Act (A.D.A.) Ramp, Sidewalk, Drainage and Intersection Improvements	Public Works	Pepper Contracting Services, Inc.	11,474,690.61 2-62	06/11/09
089-0380-B (SS)	Award of Bid	Air Handler Unit Purchase (315 Court Street)	REM	Trane U.S., Inc.	213,002.00	06/5/09
078-0507-C	Change Order No. 1 Final	Palm Harbor Safety and Access Improvements	Public Works	Pepper Contracting Services, Inc.	281,505.29 2-62	06/5/09
034-455-B (LN)	Third and Final Term Extension	Security Guard Services Countywide	Various	Budd Group, Inc.	1,260,000.00 2-176	06/5/09
067-0295-P (RM)	Second Term Extension	Emergency Base Camps and Services Contract	Emergency Management	OK's Cascade, Inc.	n/a	06/4/09
089-0379-A	Agreement	Customer Data Base Disclosure Confidentiality and Indemnification	Human Resources	Ingenix, Inc.  MHNET of Florida, Inc.  Buck Consultants, LLC.	n/a	05/29/09

July 21, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPT.</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
089-0236-B (SS)	Award of Bid	Sod: Pick Up and Installation (Co-op)	Various	Tom's Sod Service, Inc.	224,180.00	05/27/09
056-0690-S (RM)	Corrective Contract	Enterprise Information Technology Disaster Recovery Services	Business Technology Services (BTS)	Sungard Availability Services LP	284,112.00 2-62(a)(6)	05/22/09
078-0310-C	Change Order No. 1 – Time Extension	Lake Seminole Alum Injection	Public Works	Tampa Contracting Services, Inc.	n/a	05/18/09
089-0335-A (DM)	Time Extension	Brooker Creek Preserve Agricultural Lease	Environmental Management	Tall Timber Cattle & Grove, Inc.	(34,000.00)	05/18/09
056-0597-B (DM)	First and Final Term Extension	Testing, Medical Exams, Vaccination & Toxicology Tests	Various	Lakeside Occupational Medical Centers, PA	332,650.00 2-176	05/12/09
045-463-B (SS)	Increase in Funds for Master Purchase Order	Security System & Fire Alarm Installation, Upgrade & Repair	Utilities	Ingersoll-Rand Company Limited Through its Wholly Owned Subsidiary, Electronic Technologies Corporation USA, A/K/A ETC	70,000.00	05/12/09
089-0374-S (SG)	Name Change	IBM Hardware Installation & Support Services-Public Safety Services	Public Safety Services	From Optimus Solutions LLC to Softchoice Corporation	n/a	05/12/09
089-0299-B (SS)	Award of Bid	Trailer Mounted Debris Sifter	Fleet Management	Heavy Machines, Inc.	128,691.00	05/04/09
067-0711-C	Change Order No. 2 Final	Bear Creek Channel Improvements, Phase I	Public Works	Cone & Graham, Inc.	n/a	05/04/09
078-0420-B (MW)	Final Release of Retainage and Accept as Complete	Air Handling Units Replacement Project – STAR Center	REM – Young – Rainey STAR Center Division	Debonair Mechanical, Inc.	18,800.00	05/4/09
078-0109-B (MW)	Rescind First Renewal	Water & Sewer Materials & Accessories	Utilities	Cole Industrial and Technical Supply Co., Inc.	n/a	05/4/09

July 21, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPT.</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
089-0289-CP (DM)	Rejection of Bids	Tile Flooring & Installation (Re-Bid)	Airport	n/a	n/a	05/4/09
089-0350-SS (SG)	Sole Source Purchase	Alert AM Emergency Advisory Radio System	Public Works	Information Station Specialists (ISS), Inc.	150,389.00	05/4/09
067-0075-P (AM)	Name Change	Mental Health/Substance Abuse Program	Health & Human Services (HHS)	Suncoast Center for Community Mental Health, Inc., to Suncoast Center, Inc.	n/a	04/30/09
089-0374-S (SG)	Purchase Authorization	IBM Hardware, Installation & Support Services – Public Safety Services	Public Safety Services	Optimus Solutions LLC	156,640.22	04/28/09
089-0332-A (DM)	Training Agreement	Certified Public Manager (CPM) Program	Human Resources	Florida State University	26,000.00	04/28/09
089-0364-PB (PF)	Purchase Authorization	Generators, Caterpillar	Utilities	Ring Power Corporation	142,935.00	04/24/09
056-0776-S (PF)	Continued Purchase Authorization	Tires	Fleet Management	Bridgestone Americas Holding Inc. d/b/a GCR Tire Centers  Superior Auto Centers, Inc.	289,018.37 2-185	04/23/09
067-0545-B (LN)	First and Final Term Extension	Liquid Chlorine Cylinders	Utilities	Allied Universal Corp.	350,000.00 2-176	04/21/09
067-0626-B (RM)	First Term Extension	Gas, Natural, Supply and Manage	Various	Peninsula Energy Services, Inc.	1,245,000.00 2-176	04/21/09
078-0129-B (MW)	Name Change	Road and Landscape Materials (Co-op)	Various	From Bernie Marble Construction, Inc. d/b/a Emmett McCabe Trucking to McCabe Trucking, Inc.	n/a	04/17/09
089-0280-B (LN)	Rejection of Bids	Meters, Parking – Delivery & Installation	Culture, Education and Leisure	n/a	n/a	04/17/09

July 21, 2009

<u>CONTRACT NO.</u>	<u>ACTION</u>	<u>COMMODITY</u>	<u>DEPT.</u>	<u>VENDOR</u>	<u>DOLLAR VALUE</u> <u>County Code</u>	<u>AWARD DATE</u>
067-0075-P (AM)	First and Final Term Extension	Mental Health/Substance Abuse Program	HHS	Pinellas-Pasco Providers' Group, Inc. d/b/a Westcoast Integrated Networks, Inc.	612,500.00 2-176	04/6/09
078-0178-C	Change Order No. 1 – Term Extension	2008-2009 Annual Boardwalk, Fishing Pier, Observation Tower, and Timber Bridge Improvements	Public Works	Bayshore Construction, Inc.	n/a	04/2/09
089-0074-P (LN)	Approval of Final Negotiated Contract	Janitorial Services	Utilities	Jani-King of Tampa Bay	111,492.00	04/1/09
089-0069-P (RM)	Approval of Final Negotiated Contract	Support Services and Maintenance, Hewlett-Packard (HP) and IBM Equipment	BTS	SMS Systems Maintenance Services, Inc.	200,000.00	04/1/09
089-0263-B (SS)	Award of Bid	Truck, Aerial Lift with Platform	Fleet Management	Bill Currie Ford, Inc.	131,498.00	03/31/09
089-0213-B (SS)	Award of Bid	Magmeter Upgrades – Utilities, South Cross Bayou WRF	Utilities	ABB, DE Inc., d/b/a ABB, Inc.	144,443.00	03/30/09
045-304-B (SS)	Second Term Extension	Golf Course Maintenance Operations	Airport Airco Division	Valleycrest Golf Course Maintenance, Inc.	517,232.09 2-176	03/23/09
089-0150-C (DM)	Award of Bid	Intersection Improvements	Public Works	Highway Safety Devices, Inc.	197,412.03	03/02/09
TOTAL Revenue					\$20,779,413.74 (\$34,000.00)	

# 8 See Item No. 11.

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

- a. Quarterly Report on Administrative Budget Amendments for the period April 1, 2009 through June 30, 2009, was filed and made a part of the record.

- b. Quarterly Report on the Law Enforcement Trust Fund – Payments to the Sheriff for the period April 1, 2009 through June 30, 2009, was filed and made a part of the record.

#10 Portions of the Contract for Janitorial Services from the Brahlich Corporation, d/b/a All-Kleen Commercial Cleaning Services, Inc., Contracts 1C, 1D, and 3, approved by the board on June 16, 2009, rescinded; and bids for Janitorial Services (Contract No. 089-0268-B) re-awarded to the following vendors, as delineated in the agenda memorandum dated July 21, 2009, confirmed as follows (estimated annual expenditure \$1,174,256.28):

American Facility Services, Inc., Contract 1C.  
Integrated Building Maintenance Services, Inc., Contract 1D  
Knight Facilities Management, Contract 3.

(Real Estate Management/Purchasing).

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

# 8 County Administrator’s signature approving the Amendment to a Memorandum of Understanding related to the State of Florida Department of Children and Families’ Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant application submitted by the Public Defender of the 6<sup>th</sup> Judicial Circuit of Pinellas County ratified and confirmed (total grant amount, \$806,448.00; required match, \$403,224.00; county support of Jail Diversion and Incompetent to Proceed programs total \$544,860.00 based on budget figures for Fiscal Year 2010) (Justice and Consumer Services).

Responding to query by Commissioner Seel, Dr. Delores Terzick, Director of Finance and Accounting for the Public Defender’s Office, confirmed that the matching funds required by the grant have been included in the Public Defender’s budget and are not additional monies.

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

#12 Amendment No. 1 to the Agreement for Golf Course Maintenance Operations (Contract No. 045-304-B) with Valleycrest Golf Course Maintenance, Inc. decreasing the contract in the amount of \$42,103.00 approved; revised agreement amount, \$1,502,269.22;

amended contract effective through May 31, 2010, after which services may revert back to original levels, if warranted.

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

- #13 Lease for Real Property Agreement with the United States of America (Federal Government) for space requirements of the Transportation Security Administration (TSA) at the St. Petersburg/Clearwater International Airport (Lease No. GS-04B-47889) approved for a five-year period from September 1, 2009 through August 31, 2014; lease may be terminated by the TSA in whole or in part at any time on or after September 1, 2011; Chairman authorized to execute and the Clerk to attest.

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

- #14 Change Order No. 2 to the contract with Johnson Bros. – Misener Marine, a joint venture, for Belleair Beach Causeway Bridge Replacements (PIDs Nos. 922142 and 1212; Bid No. 056-0791-C) approved, increasing the contract time an additional 14 calendar days, revising the scheduled completion date to October 9, 2009, and increasing the contract amount by \$307,142.00 (revised contract amount, \$72,526,386.08); Chairman authorized to execute and the Clerk to attest.

Motion - Commissioner Latvala  
Second - Commissioner Seel

Responding to query by Commissioner Seel, Director of Public Works and Transportation Peter J. Yauch related that the elevation and other factors would have to be examined in order to determine whether it would be feasible to convert the old bridge into a fishing pier. Commissioner Bostock suggested that action on this item be delayed until Mr. Yauch has had an opportunity to provide a comparison of the cost of new construction versus the cost of utilizing the old bridge; whereupon, Commissioner Latvala withdrew her motion, and the seconder concurred.

Commissioner Bostock moved, seconded by Commissioner Brickfield and carried, that the item be tabled until more information has been provided.

\* \* \* \*

Later in the meeting, Chairman Harris related that Mr. Yauch had the additional information requested by the members; and Commissioner Latvala moved, seconded by

Commissioner Welch and carried, that the item be considered. Mr. Yauch provided information supporting staff's recommendation to continue with new construction of the fishing pier, noting that if the old bridge facility were used, there would be environmental impacts as well as the loss of approximately 20 boat and trailer parking spaces.

Thereupon, Commissioner Seel moved, seconded by Commissioner Welch and carried, that the change order be approved.

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

\* \* \* \*

- #15 a. Resolution No. 09-75 adopted granting preliminary approval of the creation of a street lighting district within the Thunderbird Hill Subdivision as requested in petition; authorizing advertisement of a public hearing to be held on October 6, 2009, to consider the proposed ordinance creating said district; authorizing an advance of funds from the general fund to cover all related incidental administrative expenses; and authorizing staff to notify property owners by first class United States mail (Companion to Item No. 16a).

and

- b. Resolution No. 09-76 adopted granting preliminary approval of the creation of a street lighting district on Madison Avenue between Randolph Street and Ulmerton Road, within the Ulmerton Subdivision, as requested in petition; authorizing advertisement of a public hearing to be held on October 6, 2009, to consider the proposed ordinance creating said district; authorizing an advance of funds from the general fund to cover all related incidental administrative expenses; and authorizing staff to notify property owners by first class United States mail (Companion to Item No. 16b).

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

- #16 a. Authorization granted to advertise a public hearing regarding a proposed resolution intending to use the uniform method of collecting non-ad valorem assessments for servicing of the Thunderbird Hill Subdivision street lighting district within the unincorporated area of Pinellas County as permitted by Section

197.3632, Florida Statutes, to be held October 6, 2009 (Companion to Item No. 15a).

and

- b. Authorization granted to advertise a public hearing regarding a proposed resolution intending to use the uniform method of collecting non-ad valorem assessments for servicing of the Madison Avenue street lighting district within the unincorporated area of Pinellas County as permitted by Section 197.3632, Florida Statutes, to be held October 6, 2009 (Companion to Item No. 15b).

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

- #17 Resolution No. 09-77 adopted amending Resolution No. 08-109, providing for authorization of additional projects funded from Pinellas County Sewer Revenue Bond, Series 2008A.

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

- #18 a. Resolution No. 09-78 adopted approving preliminary revised wholesale sewer rates for Pinellas County Sewer System; providing for a public hearing scheduled for September 29, 2009; and providing for the publication of notice of such public hearing on September 18, 2009.

and

- b. Resolution No. 09-79 adopted approving preliminary revised retail sewer rates for Pinellas County Sewer System; providing for a public hearing scheduled for September 29, 2009; and providing for the publication of notice of such public hearing on September 18, 2009.

Motion - Commissioner Latvala  
Second - Commissioner Seel

Commissioner Bostock requested that prior to the public hearing, costs should be further reviewed to determine whether administrative expenses could be trimmed back in order to reduce the proposed five percent increase.

Vote - 7 – 0

- #19 a. Resolution No. 09-80 adopted approving preliminary revised wholesale water rates for Pinellas County Water System; providing for a public hearing scheduled for September 29, 2009; and providing for the publication of notice of such public hearing on September 18, 2009.

and

- b. Resolution No. 09-81 adopted approving preliminary revised retail water rates for Pinellas County Water System; providing for a public hearing scheduled for September 29, 2009; and providing for the publication of notice of such public hearing on September 18, 2009.

Motion - Commissioner Brickfield  
Second - Commissioner Latvala

Commissioner Bostock requested that prior to the public hearing, costs should be further reviewed to determine whether administrative expenses could be trimmed back so that the rate increase could be limited to the increase in charges by Tampa Bay Water; whereupon, Commissioner Latvala requested an itemized list of all costs contained in administrative expenses; and Director of Utilities Tom Crandall indicated that he would provide that information.

Commissioner Bostock expressed her concern regarding the manner in which the legal notice of public hearing is written, indicating that she believes the ad should encourage citizens to provide input through e-mail and other avenues; and Commissioner Welch concurred, noting that the ad should be more “user friendly.”

Responding to query by Commissioners Welch and Brickfield, Mr. Crandall indicated that he would provide information regarding the renewal or replacement of system assets; and related that approximately 60 percent of the proposed increase in water rates is driven by Tampa Bay Water. Discussion ensued wherein Commissioners Seel and Latvala provided input and suggested that Commissioner Brickfield arrange a meeting with Jerry Seeber, General Manager of Tampa Bay Water; and Mr. Crandall related that all utilities are faced with certain fixed costs that cannot be avoided.

In response to comments by Commissioner Bostock, Mr. Crandall indicated that there is a legal requirement for notification of customers that takes approximately two billing cycles; that if the language in that notification is revised at this time, it would have a significant impact on his department’s ability to meet the September

29, 2009 deadline; and that the mailing of notices to customers is scheduled to begin immediately after approval of the item by the board; whereupon, Senior Assistant County Attorney Joseph A. Morrissey confirmed that there is time to revise the legal notices to be published; and Commissioner Seel suggested that in the future, any public hearing on a proposed rate increase should be scheduled for an evening meeting so that it is more convenient for citizens to attend.

Responding to comments by Chairman Harris, Mr. Crandall stated that during the next budget year, a recommendation will be brought to the members to approve a step or block water rate which will reward customers who use less water.

Vote - 7 – 0

- #20 Resolution No. 09-82 adopted approving preliminary revised reclaimed water schedule of rates for Pinellas County Reclaimed Water System; providing for a public hearing scheduled for September 29, 2009; and providing for the publication of notice of such public hearing on September 18, 2009.

Motion - Commissioner Welch

Second - Commissioner Seel

Vote - 7 – 0

- #21 Appointment of David Libby to fill the remaining term of Richard Gehring as a member of the local Public Employee Relations Commission (PERC) approved; term will expire on April 15, 2010 (County Administrator).

Motion - Commissioner Bostock

Second - Commissioner Latvala

Commissioner Brickfield indicated that the State of Florida has a PERC, and noting that Pinellas is one of only three counties in the state with its own Commission, questioned the need for a duplication of services. In response, Mr. LaSala related that he was with Pinellas County at the time that the Legislature allowed for the creation of local PERCs; and that the Board of County Commissioners at the time had opted to create one, recognizing the advantages of doing so. He indicated that having a local PERC allows for labor relations issues to be addressed by individuals who are in tune with the community and cognizant of the issues of both the employer and employees and familiar with the unique aspects of Pinellas County government and the Unified Personnel System, which was created by a Special Act.

Vote - 6 – 1 (Commissioner Brickfield dissenting)

- #22 Requests by the City of Tarpon Springs for the use of, and connection to, the Pinellas Trail property approved with conditions, per staff recommendations. Any future requests to use the Pinellas Trail property are to be reviewed and decided by the Board of County Commissioners on a case-by-case basis (Planning).

Request to utilize a portion of the Pinellas Trail property to extend Safford Avenue southward approved subject to the following conditions:

1. The City must obtain an easement from Pinellas County to enable the City to use a portion of the Pinellas Trail property for existing Safford Avenue south to Meres Boulevard extended.
2. The City shall be responsible for all costs associated with surveys, titles, and permits.
3. Prior to issuing an easement, the Florida Department of Transportation must grant a release from the restrictive covenants in the Transfer Agreement.
4. The Safford Avenue extension would use the same configuration between the Pinellas Trail and Safford Avenue that currently exists north of Harrison Street. The existing paved Trail will not be affected.
5. The City will be responsible for constructing and maintaining the Safford Avenue extension, as well as any regulatory responsibilities. All costs associated with these responsibilities will be borne by the City.
6. The City must provide the appropriate indemnification to the County, as determined by the County Attorney's Office and Lease Management.

Request for the installation of bike/pedestrian bridges on County property to connect the Trail to the Meres Crossing mixed-use development project approved subject to the following conditions:

1. Pinellas County must receive two easements across the Meres Crossing project between U.S. Alternate Highway 19 and the Pinellas Trail property to ensure direct public access between the highway right-of-way and the two proposed access points to the Trail.
2. Construction of the two public trail access corridors between U.S. Alternate Highway 19 and the paved Pinellas Trail would be the responsibility of the City and would be done at the City's expense. Prior to construction, the City must submit for County staff review and approval construction plans that include appropriate signage, proper bridge and walkway design, safe vehicle/pedestrian interfaces, and any other design considerations required of a public connection to the Trail.

3. The City would own the Trail access improvements and would be responsible for their maintenance. These obligations cannot be transferred to a third party.
4. The City will provide the appropriate indemnification and insurance as determined by the County Attorney's Office and Lease Management.
5. The County will reserve the right to terminate the easement and require the City to remove the bridges if not maintained in accordance with County standards.

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

- #23 Approval of the ranking of firms and authorization for staff to negotiate an agreement for Board approval with the No. 1 ranked firm for Construction Management (CM) At Risk services for Public Safety Facilities and Centralized Communications Center (PID No. 1635) temporarily deferred. Total project estimate is \$81,400,000.00 (Real Estate Management).

The top seven firms were ranked as follows:

1. Bovis Lend Lease, Inc./Mathews Construction of Tampa, Inc.
2. HCBECK, Ltd.
3. Peter R. Brown Construction, Inc.
4. Kraft Construction Company, Inc.
5. Biltmore Construction Co., Inc.
6. Ajax Building Corporation
7. Hardin Construction Company, LLC

Commissioner Latvala referred to the proposed ordinance relating to local preferences for procurements, Item No. 41 on today's agenda, and indicated that she is uncomfortable with the current selection process; whereupon, she asked the members to consider deferring Item No. 23 and directing the County Administrator to set up a committee to look into the County's procurement processes and procedures and report back to the Board prior to moving forward with any large contracts. Commissioner Bostock concurred, with the additional request that a workshop be held to review current practices before a committee is convened to recommend possible changes.

During discussion, Commissioners Latvala, Welch, Morroni, and Brickfield disclosed that they had been contacted by vendors included in the ranking of firms, each noting that their conversations had related to the procurement process and procedures, including the proposed local preference ordinance, and not to the project currently under consideration.

July 21, 2009

In response to query by Commissioner Welch, Mr. LaSala indicated that a decision to re-advertise the project and consider new proposals could add an additional six to eight months to the project schedule; that the process could be shortened by considering only the top three existing proposals; that the project has been pushed out in the Capital Improvement Program (CIP); that a certain amount of lead time is necessary for preliminary work prior to commencement of design and construction; and that an analysis of CIP projects indicates that a significant cost savings could be achieved by moving ahead with the project under today's economic conditions; whereupon, he cautioned against a prolonged delay, estimating that staff from the various departments could prepare a factual, substantial presentation in approximately one month's time.

During continued discussion, the members stressed the importance of communicating to the business community and the public that the County's purchasing processes and procedures are fair and balanced, and clear and understandable to all parties. They agreed that the matter should be addressed in a timely manner.

Responding to queries by the Chairman, Attorney Long indicated that the County's Purchasing Code contains a lobbying provision prohibiting vendor contact with Commissioners and staff members, with the exception of the Director of Purchasing; that a violation would result in disqualification of the proposal; that the cone of silence will remain in place if the item is deferred; and that action at a later date should acknowledge the fact that vendor communications to date have been process related and will not disqualify any of the proposals; whereupon, he suggested a motion to defer action on the staff proposal and bring it back after a workshop for consideration of the recommendation included in today's agenda package. Commissioner Latvala so moved, reiterating that her contacts had been general in nature and did not pertain to the subject bid; and Commissioner Morroni seconded, noting for the record that his discussions with vendors were limited to the subject of local preference.

In response to queries by the members, Mr. LaSala confirmed that the County's consideration of proposals for the subject project was in compliance with current Board policy; and Attorney Long indicated that a committee or task force could include representatives of the vendors listed above, as long as discussions do not pertain to the subject project; whereupon, he reviewed the formal procedure for vendor protests; and related that a notification process will be put in place to alert Commissioners to open proposals and the cone of silence timeframe.

Commissioner Seel disclosed that she must abstain from voting on this matter due to a conflict of interest, and in accordance with the provisions of the Standards of Conduct

Law, submitted a Memorandum of Voting Conflict, which has been filed and made a part of the record.

Vote - 6 – 0 (Commissioner Seel abstaining)

\* \* \* \*

At this time, 4:15 P.M., Commissioner Latvala left the meeting.

\* \* \* \*

#24 Resolution No. 09-83 adopted declaring a portion of County-owned land surplus and granting authority for a private sale as authorized in Florida Statute 125.35 (sale price, \$7,635.00); Chairman authorized to execute and the Clerk to attest the Contract for Sale and Purchase and the County Deed; Clerk authorized to record the resolution (Real Estate Management).

Motion - Commissioner Brickfield  
Second - Commissioner Bostock  
Vote - 6 – 0

#25 Resolution No. 09-84 adopted declaring County-owned property surplus and authorizing conveyance to the Pinellas County Community Housing Foundation, Inc., as Trustee of the Pinellas County Surplus Land Trust – 162nd Avenue; Chairman authorized to execute and the Clerk to attest and record the County Deed (Real Estate Management/Community Development).

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

#26 Resolution No. 09-85 adopted supplementing the Fiscal Year 2009 General Fund Budget (unanticipated grant revenue in the amount of \$403,330.00) to appropriate earmarked receipts for a particular purpose and transfer to the Public Defender budget (Management and Budget).

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

#27 County Attorney Miscellaneous – None.

\* \* \* \*

Commissioner Latvala returned to the meeting at 4:17 P.M.

\* \* \* \*

#28 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the appointment of Dr. Hiten Upadhyay to the Trauma Center Physician position vacated by Dr. Ayesha Hussein and Dr. Cecele Murphy to the ED Physician position vacated by Dr. Teresa Bradley on the Pinellas County EMS Medical Control Board.

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

#29 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the following re-appointments to the Pinellas County EMS Advisory Council, each for a two-year term:

- Gayle Guidash as Consumer Representative – At Large
- Kimberly Pickett as Emergency Nurses’ Association Representative and Kelly Triolo as her alternate

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

#30 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved Amendment No. 3 to the Ambulance Service Agreement with Paramedics Plus, L.L.C. (Contract No. 034-283-P); projected cost of the three-year agreement is \$34,850,000.00, reflecting a reduction in the amount of \$2,400,000.00; Chairman authorized to sign and the Clerk to attest after proper execution by the contractor and written approval as to form by the Office of the County Attorney.

Motion - Commissioner Latvala  
Second - Commissioner Welch

Responding to queries by Commissioner Welch, Mr. LaSala indicated that the County is preparing a Request for Proposal for an overall evaluation of the EMS program; that study results should be available for consideration during next year’s budget process; that implementation of the recommendations will likely take a year or more to complete; and that early termination of the agreement after two years would cost the County \$3 million, due to ambulance equipment costs to be incurred by the provider.

In response to query by Commissioner Bostock, Paramedics Plus Chief Executive Officer Mark Postma indicated that the company currently provides emergency medical technicians for All Children's Hospital; and that any outside services to be provided must be authorized by the EMS Authority; whereupon, discussion ensued regarding the provision of ambulances at high school football games.

Mr. LaSala pointed out that Paramedics Plus has been recognized by the Sterling Commission, which uses rigorous standards of performance to rate the services of public- and private-sector entities; and assured the public that their provider goes far beyond the minimum standards of performance.

Responding to queries by Commissioner Seel, Mr. Postma provided a cost estimate for the ambulance purchase and retrofit, confirmed that the equipment will be specified and approved by the EMS Authority, and indicated that the schedule is set forth in the contract; whereupon, Commissioner Seel pointed out that straight-line depreciation will be used; and that cancellation of the contract after three years would result in a large buyout expense to the County.

Vote - 7 - 0

#31 County Administrator Reports – None.

#32 County Commission Miscellaneous:

- a. Commissioner Morroni distributed a document titled *Feather Sound Community Services District Millage Proposal*, a copy of which has been filed and made a part of the record, and indicated that the District has nearly \$700,000 in reserves; that the entire budget is only \$300,000; that the Board of County Commissioners (BCC) had given the District direction, during last year's budget process, to utilize reserves to lower the millage for Fiscal Year 2010; that the District has proposed a rate of 0.7500 mills, a reduction of 0.1428 mills; that the County recently sent a letter suggesting that a \$50,000 Certificate of Deposit be used to further reduce the millage rate; that the District has not acted upon the suggestion; and that the District Board does not meet again until September 9; whereupon, he moved that the County advertise a millage rate of 0.5660.

Commissioner Bostock seconded, and following discussion, the motion carried by a vote of 7 to 0.

- b. Commissioner Seel indicated that a joint meeting of the Pinellas Suncoast Transit Authority, Tampa Bay Area Regional Transit Authority, Metropolitan Planning Organization, Pinellas Planning Council, and the BCC will be held on August 10, 2009, and encouraged all Commissioners to attend. Suggested that the Board hold a follow-up workshop to discuss the issues, and discussion ensued.

requested an update on the work of the ABC group pertaining to the Rays' stadium.

indicated that she has requested that the Health and Human Services Coordinating Council report on its progress at an upcoming BCC meeting.

requested an update on the progress of the Interlocal Service Boundary Agreement; and Planning Director Brian K. Smith provided information, with input by Mr. LaSala.
- c. Commissioner Welch indicated that the upcoming joint meeting will be important in the Board's consideration of a possible transit surtax.
- d. Commissioner Bostock referred to a survey of nine other governmental entities and requested changes in the Board's policy regarding public input at BCC meetings. Board agreed to move Citizens To Be Heard to before the Consent and Regular Agenda items at the 3:00 P.M. meeting; and that citizens will be allowed to speak a total of three minutes on any subject they wish, including Regular and Consent Agenda items.
- e. Chairman Harris provided a water conservation tip.

\* \* \* \*

At this time, 5:12 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all members present.

\* \* \* \*

**All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.**

**SCHEDULED PUBLIC HEARINGS – BOARD OF COUNTY COMMISSIONERS (BCC)**

#33 Resolution No. 09-86 adopted granting petition of Hassan A. Waez to vacate a portion of a utility easement and a portion of an adjacent drainage easement on Lot 130, Sound West Unit 3 Subdivision; authority granted for 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 Morroni  
Vote - 7 – 0

#34 Resolution No. 09-87 adopted granting petition submitted by Stanley C. Keim and Sue E. Keim to vacate a portion of a utility and drainage easement on Lot 2, Block C, Oak Park Subdivision - Unit Four; authority granted for 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.

Mr. LaSala noted for the record that the petitioner is a County employee; and responding to query by Commissioner Seel, confirmed that nothing unusual had occurred in the processing of the petition.

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

#35 Resolution No. 09-88 adopted approving the Pinellas County Consortium’s Fiscal Year 2009-2010 Action Plan for Community Planning and Development and authorizing submittal to the U.S. Department of Housing and Urban Development (HUD); authorizing the Chairman or designee to sign and the Clerk to attest Specific

Performance, Land Use Restriction and Developer Agreements; authorizing the Community Development Director to sign and file reports and other administrative documents; and authorizing Community Development to hold a 2010 public hearing on needs and performance (total federal funds applied for, \$5,572,180.00; cost to County, \$5,572,180.00). No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Welch  
Second - Commissioner Latvala

In response to queries by Commissioner Bostock, Assistant County Administrator Elithia V. Stanfield and Community Development Planning Manager Sheri Harris provided information regarding the selection process for grant recipient programs, contract compliance and invoice verification, and services provided under contracts pertaining to housekeeping/yard care for the elderly and first-time home buyer counseling, as well as the allocation of funding between home ownership versus rental and existing housing versus new construction. Ms. Stanfield agreed to provide additional information regarding the number of people served by first-time home buyer counseling.

Vote - 7 – 0

- #36 Ordinance No. 09-44 adopted amending Chapter 38, Article IV of the Pinellas County Code relating to the Community Housing Trust Fund Program, eliminating indirect allocations of Housing Trust Fund proceeds, providing for land acquisition activities, and modifying affordability period requirements. No correspondence has been received.

Responding to the Chairman's call for citizens wishing to be heard, L. Duke Tieman, Clearwater, spoke in support of the elimination of equity sharing requirements.

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

- #37 Ordinance No. 09-45 adopted amending the Transportation Element of the Pinellas County Comprehensive Plan; authority granted for transmittal of the proposed amendments to regional and state agencies for review and comment. Staff recommended approval based on the Local Planning Agency report. No correspondence has been received. No citizens appeared to be heard.

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

- #38 Resolution No. 09-89 adopted denying without prejudice the application of Vito Farese for a change of zoning on approximately 0.38 acre of land from R-3, Single Family Residential, to C-2, General Retail Commercial and Limited Services; a change in land use designation on approximately 0.27 acre of land from Residential Urban to Commercial General; and a variance to allow development on a 75-foot wide lot where 80 feet is required (Z/LU-1-5-09), re a parcel of land located 130 feet north of Ulmerton Road and lying between Audry Lane and West Rena Drive, Largo. Staff recommended approval of the application based on the Local Planning Agency Report. No correspondence has been received.

Planning Department Zoning Manager John F. Cueva referred to an aerial photograph and the zoning and land use map, pointed out the subject property, and described surrounding land uses. He indicated that a drainage ditch bisects the property; that the County may acquire the northern portion of the parcel for stormwater retention and drainage purposes; that if the R-3 remains, homeowners would have to cross commercial property to access Ulmerton Road; and that the applicant cannot acquire additional property to meet the 80-foot width requirement.

Upon the Chairman's call for the applicant, Vito Farese, St. Petersburg, indicated that he has owned the property for 15 years; that a portion of the house has been used as an office for the past 50 years; that the current tenant operates a psychic business out of the house and her husband wishes to sell boats and recreational vehicles on the front portion of the property; that the tenants have a three-year lease with an additional three-year option; and that the northern area is under contract with the County for use as a septic field and will not be subject to vehicular traffic.

Responding to the Chairman's call for citizens wishing to be heard, Marilyn Myers and Charles Johnson, Largo, indicated that they own the adjacent properties to the west and east, respectively, and stated their concerns. Ms. Myers displayed photographs showing alleged Code violations on the property.

Discussion ensued, and responding to queries by Commissioner Seel, Mr. Cueva pointed out the drainage easement and indicated that water tends to collect in the area and causes problems on the roads; and that acquisition of the property would allow the County to address the issue; whereupon, Director of Public Works and Engineering Peter J. Yauch noted that the purchase is not a high, pressing priority of the County. Referring to Code violations, Mr. Cueva indicated that the area north of the drainage ditch is apparently overgrown; that the psychic is operating a business in R-3 zoning; that there is trash and debris on the site; that there were signs on the property, which have been removed; and

that the applicant has been advised by a Code Enforcement Officer that the matter will be referred to the Magistrate if the property is not cleaned up.

Following further discussion with input by Mr. Cueva and the applicant, Commissioner Seel moved that the application be denied, and the motion died for lack of a second; whereupon, Commissioner Welch moved, seconded by Commissioner Brickfield, that the application be granted as recommended by staff.

Discussion continued, and responding to queries by Commissioner Welch, Attorney Long indicated that Code violations have no relevance in the decision to approve or deny the zoning, land use, and variance request; that one violation involves the property to the rear, which is not part of the application; that granting of the application would resolve the violation pertaining to operation of a business; and that a third violation was resolved by the removal of signs. Mr. Cueva related that the applicant has not appeared before the Nonconforming Use Committee regarding grandfathering of the business use; and that he still can do so, but would be required to submit affidavits, photographs, or other documentation to support his claim that a business has been operated on the site since 1963. Upon call for the vote, the motion failed by a vote of 3 to 4, with Chairman Harris and Commissioners Seel, Morroni, and Bostock dissenting.

Thereupon, Commissioner Seel moved that the application be denied without prejudice, suggesting that the applicant bring the matter before the Nonconforming Use Committee, and Commissioner Morroni seconded, noting that he wishes to see the violations cleaned up.

Vote - 7 – 0

- #39 Ordinance No. 09-46 adopted amending the scrivener’s errors in Ordinance No. 09-27 by changing the referenced land use category from the incorrect designation of Light Manufacturing and Industry to the correct designation of Industrial Limited and by correcting the information regarding ownership of the subject properties, re five parcels of land containing approximately 2.7 acres located on the east side of 63rd Street North and lying 240 feet north of 150th Avenue North, Clearwater. No correspondence has been received. No citizens appeared to be heard.

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

\* \* \* \*

At this time, 7:32 P.M., Commissioner Morroni left the meeting.

\* \* \* \*

#40a Ordinance No. 09-47 adopted amending the definition of Permitted Investments in Section 2-144(a) of the Pinellas County Code. No correspondence has been received. No citizens appeared to be heard. (Companion to agenda item No. 40b.)

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

#40b Resolution No. 09-90 adopted authorizing and directing execution and delivery of a Joinder to Agreement and Declaration of Trust creating and establishing the Florida Local Government Investment Trust (FLGIT) along with the execution and delivery of the Florida Trust Day to Day Fund new account application. (Regular agenda item, companion to public hearing agenda item No. 40a.)

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

#41 Public hearing held on a proposed ordinance creating Section 2-166 of the Pinellas County Code relating to Local and Regional Preference for procurements; and item tabled. Correspondence received includes three letters in support, 19 letters in opposition, and two letters of inquiry.

Referring to a PowerPoint presentation, a copy of which has been filed and made a part of the record, Director of Purchasing Joseph Lauro provided the definition of various words used in the proposed ordinance, explained the scoring process for local and regional businesses, and described the type and value of County contracts that would be affected; whereupon, he indicated that firm qualifications and experience are more important than price in the overall award process for negotiated procurement contracts; and listed recent contracts awarded utilizing the negotiated procurement process.

\* \* \* \*

Commissioner Morroni returned to the meeting at 7:40 P.M.

\* \* \* \*

July 21, 2009

Responding to queries by the members, Mr. Lauro and Attorney Long discussed the use of the word *headquarters* as a qualifying factor in defining local and regional entities, noting that the terms *office*, *regional office*, and *regional headquarters* are hard to quantify and define, and have resulted in protests when used by other agencies.

Discussion ensued, and Commissioner Latvala indicated that she is not comfortable with the proposed ordinance, as written; and that it could result in more problems and challenges than exist under current practices; whereupon, referring to discussions held under Item No. 23 on today's agenda, she suggested that the matter be given additional consideration as part of the Administrator's overall review of the County's procurement policies and selection processes. Commissioners Morroni and Seel concurred, suggesting that a committee be formed to solicit input from local and regional professionals, but specifying that local preference should be considered as a separate issue from the policy and procedure discussions referred to under Agenda Item No. 23.

Responding to the Chairman's call for citizens wishing to be heard, the following individuals appeared and provided input:

Grady Terrell, St. Petersburg, in support.  
Keith Zayac, Safety Harbor, in opposition, with suggestions; offered to serve on committee.  
Steve Klar, Palm Harbor, in opposition, with suggestions; offered to serve on committee.  
James King, St. Petersburg, in opposition, with suggestions, offered to serve on committee.  
Steve Cona, Tampa, representing Associated Builders and Contractors, in opposition.  
Mark P. Klutho, Largo, in opposition.

Commissioner Welch concurred with comments by Commissioners Seel, Latvala, and Morroni, noting that the proposed ordinance was well intended, but that additional work will need to be done to make it workable for staff. Following discussion with input by Mr. Lauro, it was the consensus of the members that the issue of local preference be given additional consideration, with input to be provided by a regional committee; and that the matter be addressed in a timely manner.

Commissioner Seel moved, seconded by Commissioner Welch, that the proposed ordinance providing for local and regional preference for procurements be tabled.

Vote - 7 - 0

Thereupon, Mr. LaSala confirmed that staff will commence work as directed by the members concurrent with its consideration of ongoing major initiatives, with the intent to bring the matter back before the Board in a timely manner; whereupon, Commissioners Morroni and Seel reiterated the direction that overall policies and procedures be considered separately from the local preference issue.

July 21, 2009

**CITIZENS TO BE HEARD**

Lenore Faulkner, Madeira Beach, re Pinellas County Schools.

Mark P. Klutho, Largo, re stupidity, waste.

Greg Pound, Largo, re families - submitted documents, to be reviewed by County Attorney's Office for confidentiality concerns.

#42 Meeting adjourned at 8:23 P.M.

---

Chairman

ATTEST: KEN BURKE, CLERK

By \_\_\_\_\_  
Deputy Clerk