

**BOARD OF COUNTY COMMISSIONERS MEETING  
TUESDAY, NOVEMBER 3, 2009 – 9:32 A.M.  
ASSEMBLY ROOM, FIFTH FLOOR  
315 COURT STREET, CLEARWATER, FLORIDA**

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

**Not Present:** Karen Williams Seel, Vice-Chairman (excused).

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

**INVOCATION:** Randy Morris, Harvest Temple Church of God, Largo.

**PLEDGE OF ALLEGIANCE:** Commissioner Welch.

**PRESENTATIONS AND AWARDS:**

Presentation of a Proclamation Recognizing National Farm-City Week.

**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)**

# 1 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 09-171 adopted approving issuance of not to exceed \$11,000,000.00 City of St. Petersburg Health Facilities Authority Health Facilities Revenue Refunding Bonds (Menorah Manor, Inc. Obligated Group Project), Series 2009, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. No correspondence has been received. No citizens appeared to be heard.

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

**CITIZENS TO BE HEARD**

Lenore Faulkner, Madeira Beach, re Pinellas County Schools.  
JoAn Y. Totty, Palm Harbor, re noise – staff to follow up.  
Mark Klutho, Largo, re stupidity, waste.  
Greg Pound, Largo, re Pinellas families.

**CONSENT AGENDA ITEMS NOS. 2 THROUGH 10 – APPROVED, WITH THE EXCEPTION OF ITEM NO. 10b, WHICH WAS CONSIDERED UNDER ITEM NO. 11.**

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

# 2 Minutes of regular meeting of September 22, 2009 and Special Public Hearing Meeting of September 29, 2009 approved.

# 3 Reports received for filing:

- a. Pinellas County Capital Improvement Program, Six-Year Work Plan, Fiscal Year 2010 through Fiscal Year 2015.
- b. Dock Fee Report for the month of September 2009.
- c. Quarterly Report of Routine Dock Permits issued from July 1, 2009 through September 30, 2009.

# 4 Vouchers and Bills Paid – Periods September 21 through September 25, 2009 and September 28 through October 2, 2009.

Payroll Journal Expenditures  
Payroll Journal page numbers 1 through 2352.  
Payroll checks numbered 564550 through 564770.

Imprest Fund Expenditures  
Manual checks numbered 751619 through 751621.  
System checks numbered 979148 through 980624.

ACH Transfers numbered 3402 through 3551.

Wire Transfers numbered 11093 through 11115.

- # 5 Miscellaneous items received for filing:
- a. Barrier Islands Government Council (BIG-C) Resolution No. 2009-1 adopted September 30, 2009, opposing offshore drilling.
  - b. City of Clearwater Public Hearing Notices of Historical Designations and Annexation, Land Use Plan, and Zoning Atlas, Community Development Code, and Comprehensive Plan Amendments regarding Ordinances Nos. 8070-09, 8088-09, 8110-09 through 8116-09, 8118-09, and 8119-09; public hearings to be held November 5 and December 3, 2009.
  - c. City of St. Petersburg Notice of Public Hearings held October 15, 2009 regarding two ordinances amending the Intown West and Bayboro Harbor Community Redevelopment Plans, together with copies of the amendments.
  - d. Florida Public Service Commission Notice of Prehearing and Hearing regarding a joint Petition for Show Cause proceedings against Verizon Florida LLC by the Office of the Attorney General, Citizens of the State of Florida, and the AARP held October 15 and 29, 2009, respectively, in Tallahassee (Docket No. 080278-TL).
- # 6 Joint Project Agreement with Verizon Florida LLC for Utility Installation by Roadway Contractor for Keystone Road from U.S. Highway 19 to East Lake Road (PID No. 920522) approved in the amount of \$398,765.44 (no cost to County); Chairman authorized to sign the agreement and the Clerk to attest.
- # 7 Bid of Premier Chemicals, LLC for magnesium hydroxide suspension (Contract No. 089-0474-B) awarded on the basis of being the only responsive and responsible bid received meeting specifications (total estimated 24-month expenditure, \$1,800,000.00; total estimated annual expenditure, \$900,000.00); 24-month contract effective November 15, 2009 through November 14, 2011, with two additional 12-month options beyond the primary contract period. Contract renewals will allow for price adjustments in an amount not to exceed the average of the Consumer Price Index, Series ID CUUR00SA0, Not Seasonally Adjusted, Area: U.S. City Average, All Items, Base Period: 1982-84=100 for the twelve months prior to extension. The extensions shall be exercised only if all terms and conditions remain the same and are subject to approval by the County Administrator.
- # 8 Contract for Law Enforcement Services between the City of Oldsmar, Jim Coats as Sheriff of Pinellas County, and Pinellas County for the period from October 1, 2009 through September 30, 2010, in the amount of \$1,442,294.33 approved, reflecting a 2.99

percent increase in service costs compared to last year; Chairman authorized to execute the contract (Justice and Consumer Services).

# 9 Resolution No. 09-172 adopted reallocating reserve for future years in the Fiscal Year 2009 Utilities Sewer Interest and Sinking Fund in the amount of \$476,000.00 for a particular purpose (Office of Management and Budget).

#10a Ranking of firms and authorization for staff to negotiate with the No. 1 ranked firm for electro-cardiograph monitor/defibrillators and services (RFP No. 089-0423-P) approved as follows (Public Safety Services):

1. Philips Electronics North America Corporation d/b/a Phillips Healthcare
2. Physio-Control, Inc.
3. Zoll Medical Corporation

#10b See Item No. 11(10b).

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

#10b Ranking of firms and authorization for staff to negotiate with the No. 1 ranked firm for software and implementation services for real property and lease management (Contract No. 089-0402-P) approved as follows (Real Estate Management):

1. Bricsnet FM America, Inc.
2. Accurent, Inc.

Responding to queries by Commissioner Welch, Director of Purchasing Joseph Lauro indicated that a third firm had failed to meet the required 80 percent of total points and was not given the opportunity to make an oral presentation; and Director of Real Estate Management Paul Sacco explained that the system currently in use was designed internally, is antiquated, and is no longer supportable; that the proposed system will help integrate and leverage resources currently used by the County; and that it will support the recommendations of the Blue Ribbon Committee pertaining to tracking the County's real estate projects; whereupon, he agreed to provide Commissioner Welch with a copy of the software documentation submitted as part of the proposal.

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

- #12a Master Social Action Funding Agreement with recommendations of the Social Action Funding Advisory Board for funding to local social service agencies approved with authorization for the execution of individual agency agreements pursuant to the attached funding recommendations matrix in the amount of \$415,000.00 for the Fiscal Year 2009-2010 (Health and Human Services).

Motion - Commissioner Latvala  
Second - Commissioner Morrioni

Commissioner Welch cited recent news items regarding the Community Action Stops Abuse, Inc. (CASA) visitation program, and referring to the funding recommendations matrix, noted that no 2010 funding request is indicated; whereupon, responding to queries by Commissioner Welch, Director of Health and Human Services Maureen A. Freaney indicated that CASA is recommended to receive \$82,000.00 of Homeless Initiative funding for outreach and emergency shelter, but no funding specifically for the visitation program. She indicated that the County provided a total of about \$300,000.00 for CASA and the Religious Community Services (RCS) Haven in 2009; and that funding has been reduced to \$139,000.00 for 2010.

Commissioner Welch expressed concern regarding the impact that discontinuation of the visitation program might have on the safety of families and the local community; and following discussion with input by Ms. Freaney and Assistant County Administrator Elithia V. Stanfield, he referred to the \$1,000,000.00 in Homeless Initiative one-time-only funding to be allocated under Agenda Item 12b and proposed that \$30,000.00 to \$40,000.00 be awarded to CASA to support the visitation program.

Commissioners Latvala and Bostock acknowledged the value of the program, but expressed their reluctance to consider one program in isolation, thereby diverting funding from other recommended allocations; and Commissioner Bostock requested information on alternative visitation programs offered by other agencies. Ms. Stanfield clarified that both CASA and RCS, when notified that their 2010 funding would be reduced, made a decision as to which of their programs would be impacted; whereupon, Commissioner Welch reiterated his request that the visitation program be funded, based on his concern for public safety.

Commissioner Harris suggested a need for greater involvement by the Board of County Commissioners in fund allocation decisions, and Commissioner Welch concurred; whereupon, Commissioner Latvala respectfully disagreed, noting that the program providers know their areas of greatest need; and that CASA has already begun efforts to generate alternative funding for the program.

Following further discussion, Mr. LaSala suggested that the Board, in conjunction with the Fiscal Year 2011 budget process, review its priorities and scrutinize the criteria for social action funding, in order to more precisely provide guidance and direction to staff. Mses. Stanfield and Freaney concurred, noting that opportunities exist to simplify the process and increase the efficiency and overall impact of the County's social action funding program.

Vote - 6 - 0

- #12b Master Homeless Initiative Funding Program Agreement with recommendations of the Social Action Funding Advisory Board for funding to local social service agencies approved with authorization for the execution of individual agency agreements pursuant to the attached funding recommendations matrix in the amount of \$1,100,000.00 for Fiscal Year 2009-2010 (Health and Human Services).

County Administrator Robert S. LaSala noted that during the Fiscal Year 2009-2010 budget process, staff recommended that the County's one-time funding for homelessness be increased from \$750,000.00 to \$1,000,000.00 in order to address the shelter and primary homelessness issues countywide; that staff recommended that a group of subject matter experts be convened to address the allocation of funds; that the Board had directed that the Pinellas County Social Action Funding Advisory Board be tasked with providing recommendations for fund allocation; and that, while the Advisory Board has done an admirable job, staff is of the opinion that the recommendations may not accurately reflect the intentions of the Board.

Discussion ensued wherein Commissioner Latvala noted that she had previously expressed concern that the Advisory Board has not traditionally addressed homelessness issues; that the Homeless Leadership Network (HLN) exists to determine where the priorities lie throughout the county; and that she does not believe that the list of projects identified fulfills the intentions of the Board; whereupon, she suggested that HLN staff review the list to ensure that the funding is being distributed countywide and that it is having an impact on the core issue of homelessness.

Commissioner Bostock indicated that she has been uneasy with the allocation process from the beginning, and requested clarification as to the Board's intention for fund

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distribution and the criteria communicated to the Advisory Board and service providers, expressing concern regarding possible errors or lack of clarity on the Board's part in communicating its intentions. In response, Mr. LaSala stated that staff had presented a recommendation, which was accepted by the Board, to increase funding in order to address the homelessness issue from a countywide perspective, border to border, rather than simply allocating funding to one shelter provider; and that the Board's direction was communicated to the Advisory Board, the applicant organizations, and the HLN. He indicated that the staff recommendation was presented to the Board at a budget meeting as part of an oral presentation; and that he would review the Budget Message document for any reference to the recommendation.

Director of Health and Human Services Maureen A. Freaney related that, pursuant to the Board's direction to use the Social Action Funding Advisory Board, staff had provided the members with information on social action funding and related the desire of the Board to support the homeless services that had the greatest impact. She noted that service providers are required to submit a funding application and reviewed the program information to be supplied therein.

Ms. Freaney indicated that the Board had directed that input be provided by the HLN, and reported that HLN Executive Director Sarah Snyder had made a presentation to the Advisory Board at its orientation and training meeting relating the top five priorities identified by the HLN; and that Ms. Snyder was present during all deliberations of the Advisory Board.

Commissioner Bostock reiterated that she was uncomfortable with what the Board set out to do, but is also uncomfortable changing it at this point in the game; that it appears there was a destination intended for the funding that was not reflected in the recommendation; and that the Board had set the process and it had been followed, so the money should be allocated in accordance with the recommendation. During discussion and responding to comments by Commissioner Bostock, Commissioner Latvala indicated that the Board did not have a predetermined destination for the fund; that, if anything, the Board wished to provide support for the Pinellas Hope project, as there will likely be little or no funding available next year; and that Pinellas Hope is recommended to receive funding under this process. Discussion continued regarding the allocation process, priorities, and the best way to ensure that the County gets the biggest "bang for the buck" on its funding investment.

Responding to query by Commissioner Brickfield, Mses. Stanfield and Freaney provided information pertaining to the \$100,000.00 allocation for system technology needs, noting that the funds will be distributed throughout the agencies to help ensure the gathering and

delivery of consistent, reliable information; that the Homeless Management Information System is housed at 2-1-1 Tampa Bay Cares, Inc.; that acquisition of reporting licenses for various agencies could remove a large burden from 2-1-1 staff; that a specific recommendation for fund distribution will be submitted to the Board in January 2010; and that it is anticipated that the \$100,000.00 investment will make a huge impact on the system.

Commissioner Morroni inquired whether the HLN holds its meetings in the Sunshine, and Ms. Stanfield confirmed that it does, allaying his concern that the members may be pressured by various groups to obtain favorable consideration in the allocation process; whereupon, he stated that he is comfortable with the funding allocations as recommended, but agreed with other members that the criteria and process should be reviewed and strengthened for next year. He noted that he will be looking for data pertaining to the outcome and results from the programs, and requested that a matrix be provided showing the cost per person and services provided as a result of County funding.

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

Upon suggestion by Commissioner Latvala, it was the consensus of the members that the Board should meet with the appropriate staff members in the near future to discuss how to address funding allocation issues in the future in order to ensure that any available funding is directed to specifically address the Board’s strategic plan and goals.

Thereupon, Ms. Freaney related that the Social Action Funding Advisory Board is scheduled to meet on December 14, 2009; and that their discussions should provide valuable input for consideration by the Board.

- #13 Authorization granted to advertise two public hearings to be held on December 1, 2009 to consider proposed amendments to the Bayboro Harbor Redevelopment Plan and the Intown West Redevelopment Plan for the City of St. Petersburg (Planning).

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

- #14 Agreement with Hennessy Construction Services Corp. for Real Estate Management Construction Management at Risk Services for the Sheriff’s Tech Buildings 1, 2 & 3 Renovations – Preconstruction Services (PID No. 2009) in an amount not to exceed

\$70,000.00 approved (total project budget, \$3,500,000.00); Chairman authorized to sign and the Clerk to attest (Real Estate Management).

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

#15a Other Administrative Matters:

2010 State Legislative Program adopted (County Administrator).

Motion - Commissioner Latvala  
Second - Commissioner Welch

Commissioner Bostock indicated that, while she intends to vote against the Program, she is not in opposition to all of the items; and that she is disappointed that the Commission has chosen not to allow for discussion and separate votes on the items; whereupon, Chairman Harris suggested that the Board review its process and possibly provide for greater input by the Commissioners in the formulation of the 2011 Program.

Vote - 4 – 2  
(Commissioners Bostock and Brickfield dissenting)

#16 County Attorney authorized to defend the cases of:

- a. Integrated Building Maintenance Services, Inc., a Florida Corporation, versus Pinellas County, a Political Subdivision - Circuit Civil Case No. 09-18099-CI-021 – Allegations of Breach of Contract.
- b. John A. Moore, Jr. versus Pinellas County Board of County Commissioners – Circuit Civil Case No. 09-016695-CI-021 – Allegations of Negligence in the Operation of a Pinellas County Motor Vehicle.

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

#17 County Attorney authorized to file a small claims action on behalf of Sunstar Emergency Medical Services against William A. Borja, Esquire, Personal Representative for the Estate of Carmen Cintron, for an unpaid ambulance bill.

Motion - Commissioner Welch  
Second - Commissioner Latvala

In response to query by Commissioner Brickfield regarding the claim amount, Attorney Bennett indicated that he is in the process of reorganizing his office and reviewing the workload of the legal staff; and that he will develop general guidelines for the Board pertaining to small claims; whereupon, he noted that the decision to move forward should be based on the nature as well as the amount of the claim.

Vote - 6 – 0

#18 County Attorney Miscellaneous – None.

#19 County Administrator Reports – None.

#20 Appointment of Mirah Earle to the Youth Advisory Committee for the term of November 3, 2009 through July 31, 2010 approved.

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

#21 Appointment of Robert Bulleit to the Pinellas Public Library Cooperative Board of Directors approved (term to expire on September 30, 2012).

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

#22 County Commission Miscellaneous:

a. Commissioner Morrone related that he had attended the 30th anniversary celebration at the Feather Sound Community Church; and congratulated Pastor Tom Hamilton and the congregation on their 30 years in the community.

b. Commissioner Welch reminded citizens to vote in today’s municipal elections.

indicated that he had represented the Board in an oil drilling debate in Tallahassee last week; that incoming Legislative leadership is supportive of oil drilling in the Gulf; and that the Suncoast League of Cities will be sponsoring a forum this Thursday evening at the Gulfport Casino.

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- c. Commissioner Bostock requested that the Board hold a brief discussion regarding board and committee appointments for the coming year; item to be included in a future meeting agenda.
- d. Chairman Harris offered a water conservation tip.

#23 Meeting adjourned at 11:03 A.M.

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Chairman

ATTEST: KEN BURKE, CLERK

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