

**BOARD OF COUNTY COMMISSIONERS MEETING
TUESDAY, DECEMBER 15, 2009 – 3:01 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: James L. Bennett, County Attorney; Mark S. Woodard, Assistant County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Arlene Smitke and Tammy L. Burgess, Deputy Clerks.

INVOCATION: Pastor Paul, Vineyard Church of Clearwater.

PLEDGE OF ALLEGIANCE: Commissioner Bostock.

PRESENTATIONS AND AWARDS:

1. Presentation of the 2009 National Homeless Persons' Memorial Day Proclamation.
2. Youth Advisory Committee Presentation.

CITIZENS TO BE HEARD

Freda Drake/IBMS, Clearwater, re termination of IBMS contract (Agenda Item No. 13).

Lenore Faulkner, Madeira Beach, re Pinellas County Schools, Pinellas Park Middle.

Greg Pound, Largo, re families.

Mark Klutho, Largo, re stupidity, waste.

Paul Gagliano, Treasure Island, re Flightshops – submitted correspondence; County Attorney's Office to follow up.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 16 – APPROVED.

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

1 Minutes of the regular meeting of November 3, 2009 approved.

2 Reports received for filing:

- a. State of Florida Constitutional Officer Financial Report for 2008-2009 – Pinellas County Clerk of the Circuit Court.
- b. State of Florida Constitutional Officer Financial Report for 2008-2009 – Pinellas County Property Appraiser.
- c. State of Florida Constitutional Officer Financial Report for 2008-2009 – Pinellas County Sheriff’s Office.
- d. State of Florida Constitutional Officer Financial Report for 2008-2009 – Pinellas County Supervisor of Elections.
- e. State of Florida Constitutional Officer Financial Report for 2008-2009 – Pinellas County Tax Collector.
- f. Southwest Florida Water Management District Draft Five-Year Water Resource Development Work Program dated October 29, 2009, together with the Fiscal Year 2010 Budget in Brief.
- g. Audit Services, Clerk of the Circuit Court, Report No. 2009-16 dated November 19, 2009 – Audit of Business Technology Services Internal Service Fund.
- h. Audit Services, Clerk of the Circuit Court, Report No. 2009-17 dated November 19, 2009 – Follow-Up Review of Audit of Telecommunication PBX/Phone Processes.
- i. Audit Services, Clerk of the Circuit Court, Report No. 2009-18 dated November 19, 2009 – Follow-Up Review to Audit of Parking Revenue.

Commissioner Welch referred to Item No. 2g and noted that the audit report states the need to update the way information technology costs are allocated, which has been a topic of discussion by the Business Technology Services Board for some time.

In response to comments and query by Commissioner Bostock, Chairman Harris requested that staff schedule a Board work session to discuss the topic of internal audits; whereupon, Assistant County Administrator Mark S. Woodard provided information regarding audit follow-up procedures and agreed to schedule the work session.

3 Vouchers and Bills Paid – Periods November 2 through November 6, 2009 and November 9 through November 13, 2009.

Payroll Journal Expenditures

Payroll Journal page numbers 1 through 2308.

Payroll checks numbered 565293 through 565475.

Imprest Fund Expenditures

Manual check numbered 751629.

System checks numbered 983613 through 984677.

ACH Transfers numbered 3794 through 3895.

Wire Transfers numbered 11143 through 11155.

4 Miscellaneous items received for filing:

- a. Correspondence from Pinellas County School Board regarding an amendment to the Tentative Five-Year Facilities Work Program for 2009/2010 through 2013/2014.
- b. Public Risk Management of Florida Intergovernmental Cooperative Agreement for the Town of Kenneth City as amended and restated through October 15, 2004 for the provision of insurance, together with an Affidavit of Authenticity.
- c. Pasco County Resolution No. 10-14 adopted October 20, 2009, supporting legislation to allow non-charter counties to levy the transportation system surtax authorized in Section 212.055(1), Florida Statutes, together with correspondence seeking Pinellas County support for the legislative initiative.
- d. Florida Public Service Commission Notice of Staff Workshop regarding the regulation of utilities held November 24, 2009, in Tallahassee.
- e. Town of Kenneth City Notice of Public Hearing to be held December 17, 2009, re proposed ordinances voluntarily annexing certain property.

5 Bid of Adapco, Inc. for Altosid® Mosquito Control Products and Technical Support (Bid No. 090-0035-B) awarded on the basis of being the lowest responsive and responsible bid received meeting specifications; 24-month contract beginning March 26, 2010, containing one additional 24-month term extension (estimated 24-month expenditure, \$539,844.60). Contract provides for price adjustments (decrease/increase) in an amount not to exceed the average of the Producers Price Index, Pesticide and Other Agricultural Chemical Manufacturing, Series PCU325320325320P for All Urban Consumers, for the twelve months prior to extension. Requests for increases shall be consistent with manufacturer price adjustments (Public Works/Purchasing).

6 Bid of Rowland, Inc. for Sanitary Sewer Repair, Rehabilitation and Extensions (Project No. 2030, Bid No. 089-0552-C) awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. Contract is for a two-year term (all work is expected to be completed within 730 consecutive calendar days from the Notice to

Proceed date) and contains a provision for one additional 12-month term extension at the same prices, terms, and conditions. Estimated annual expenditure is \$1,283,575.78; estimated 24-month expenditure is \$2,567,151.57. Chairman authorized to sign and the Clerk to attest after proper execution of the agreement by the contractor and written approval as to form by the Office of the County Attorney (Utilities/Purchasing).

7 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	Second Amendment to Lease Agreement with United Parcel Services, Inc. for Continued Use of Airport Facilities for Non-Exclusive Cargo/Passenger Service	\$18,138.36 approximate annual revenue	11.9.09
Community Development	Specific Performance Agreement with YMCA of the Suncoast, Inc. for Rehabilitation of the Greater Ridgecrest Branch YMCA	\$125,400.00 Community Development Block Grant funds	11.20.09
Community Development	Satisfaction of Mortgage with Sylvia B. and Tony L. Conley; and Gulf Coast Jewish Family & Mental Health Services, Inc.	All liens are paid in full.	10.27.09
Community Development	Satisfaction of Mortgage with Michael S. and Virginia R. Bingaman	Lien is paid in full.	10.2.09
Convention & Visitors Bureau	Documentation Regarding Participation in the Transforming Local Government Annual Conference	\$53,642.31 estimated expense, plus Shuttle cost	10.20.09
County Attorney	Memorandum of Authorization for Settlement Proposal in: (a) Gibbs-Tevena v. CAM Industries of Florida, et al (Revised); and (b) Pinellas County v GE Capital Franchise Finance Corporation, et al	(a) N/A; and (b) \$5,000.00	11.18.09
County Attorney	Memorandum of Authorization for Settlement Proposal for Gibbs-Trevena v CAM Industries of Florida, et al	N/A	11.17.09
Culture, Education and Leisure	2011 Cooperative Funding Initiative Application Form with Southwest Florida Water Management District (SWFWMD) for the Pinellas Trail Natural Habitat Restoration Phase III	\$109,000.00 total requested funds, plus \$50,000.00 County CIP match; plus \$55,000.00 County Extension match	11.19.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Culture, Education and Leisure	(a) Amendment to Agreement with the School Board of Pinellas County for the Arts Teacher Grant Program; and (b) Agreement with Stages Productions, Inc. for Water Conservation through the Arts Educational Program in Pinellas County Schools	(a) N/A; and (b) \$55,000.00	11.13.09
Culture, Education and Leisure	Agreement with the Florida Botanical Gardens Foundation, Inc. (FBGF) for the Holiday Lights Event	estimated \$20,000.00 funding from FBGF, \$3,518.00 approximate County utility expense	10.29.09
Culture, Education and Leisure	Memorandum Approving the Request for the Chairman to Sign a Letter Requesting a Boundary Modification of Wall Springs Coastal Addition IV Florida Forever Grant and Attached Modification Documentation	\$398,442.50 approximate additional grant revenue	10.27.09
Emergency Management	Memorandum of Agreement with the United Way of Tampa Bay, Inc. for Management of the Volunteer Reception Center in the Event of a Disaster	N/A	11.5.09
Emergency Management	Memo Approving the Reimbursement of Shelter Retrofit Costs to the Pinellas County School Board for Generator Work on a Special Needs Evacuation Shelter	\$18,925.36	10.26.09
Emergency Management	State and Federally-Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for the Emergency Management Preparedness and Assistance Base Grant for Enhancement of Programs	\$105,806.00 grant revenue, minus \$3,082.00 State deduction for cost of providing access to statewide satellite communications system	9.18.09
Environmental Management	Grant Application with SWFWMD for Local Government Partnership Funding for District-Owned Lands at Brooker Creek Preserve	\$20,455.00 requested funds, no required County match	11.13.09
Environmental Management	Interlocal Agreement with the City of St. Pete Beach for Installation of Marine Turtle Sensitive Lighting at Public Beach Access Sites	\$25,000.00	11.12.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Environmental Management	Grant Application with the Florida Fish and Wildlife Conservation Commission for Gopher Tortoise Habitat Rehabilitation at Weedon Island Preserve	\$12,000.00 requested funds, no required County match	11.9.09
Justice and Consumer Services	Grant Award Documents with the U.S. Department of Justice, Office of Community Oriented Policing Services for the Pinellas County Sheriff's Military/Department of Defense/Law Enforcement Counterterrorism Test bed Project	\$2,141,826.05 grant revenue, no required County match; please see corresponding ratification agenda item	12.1.09
Justice and Consumer Services	Certificate of Acceptance of Subgrant Award and Application for Funding Assistance with the State of Florida, Office of Criminal Justice Grants, Florida Department of Law Enforcement for Forensic Laboratory Technology Improvement	\$83,000.00 grant revenue, no required County match	11.19.09
	Service Funding Agreements with Community Law Program, Inc., Gulfcoast Legal Services, Inc., Tampa Bay Community Development Corporation, St. Petersburg Neighborhood Housing Services Incorporated for Foreclosure and Fraud Awareness and Prevention Programs	\$100,000.00 grant revenue from the Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant Program to be distributed equally between organizations	
	Recovery Act Service Funding Agreement with: (a) Westcare Gulfcoast-Florida, Inc. for Jail Pilot Project at Turning Point; and	(a) \$175,221.00 grant revenue from Byrne JAG, no required County match; and	
	(b) Van Gogh's Palette, Inc. for Vincent House Intervention and Rehabilitation	(b) \$50,000.00 grant revenue from Byrne JAG, no required County match	
Justice and Consumer Services	Certificate of Acceptance of Subgrant Award and Application for Funding Assistance with the State of Florida, Office of Criminal Justice Grants, Florida Department of Law Enforcement for the Pinellas Ex Offender Reentry Coalition Complete Program	\$60,000.00, no required County match	11.17.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Justice and Consumer Services	<p>Certificate of Acceptance of Subgrant Award and Application for Funding Assistance with the Florida Department of Law Enforcement, Office of Criminal Justice Grants for the American Recovery and Reinvestment Act of 2009 Edward Byrne Memorial Justice Assistance Grant Award for:</p> <p>(a) Foreclosure Fraud Awareness and Prevention Program;</p> <p>(b) Vincent House Intervention and Rehabilitation Program;</p> <p>(c) Pinellas County Reentry Expansion Project; and</p> <p>(d) Jail Pilot Project at Turning Point</p>	<p>(a) \$100,000.00 grant revenue, no County match;</p> <p>(b) \$50,000.00 grant revenue, no County match;</p> <p>(c) \$80,000.00 grant revenue, no County match; and</p> <p>(d) \$175,221.00 grant revenue, no County match</p>	11.12.09
Justice and Consumer Services	<p>(a) Certificate of Acceptance of Subgrant Award and Application for Funding Assistance with the Florida Department of Law Enforcement, Office of Criminal Justice Grants for the American Recovery and Reinvestment Act 2009 Edward Byrne Memorial Justice Assistance Grant for a Justice Program Analyst;</p> <p>(b) Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program Financial Report for the Period of May 1, 2009, through September 30, 2009, as Prepared by the Public Defender's Office to be Submitted to the Department of Children and Families; and</p> <p>(c) Recovery Act Service Funding Agreement with the Boys & Girls Clubs of the Suncoast, Inc. for the Skills Mastery and Resistance Training (SMART) – Girls Program</p>	<p>(a) \$83,007.00 grant revenue, no County match;</p> <p>(b) N/A; and</p> <p>(c) \$50,000.00 grant revenue, no County match</p>	11.5.09
Justice and Consumer Services	<p>Agreement with the Pinellas County Sheriff and the City of St. Pete Beach for Latents, Forensic, Evidence and Property Storage</p>	<p>\$39,597.83 annual revenue</p>	11.3.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Justice and Consumer Services	Grant Award Application and Award Documents with the U.S. Department of Justice, Office of Community Oriented Policing Services for a Technology Program Grant	\$100,000.00 grant revenue, no County match	11.2.09
Justice and Consumer Services	Certificate of Acceptance of Subgrant Award and Application for Funding Assistance with the Department of Law Enforcement, Office of Criminal Justice Grants for the American Recovery and Reinvestment Act of 2009 Edward Byrne Memorial Justice Assistance Grants for the Boys & Girls Clubs of the Suncoast, Inc.'s SMART – Girls Program	\$50,000.00 grant Revenue, no County match	10.30.09
Justice and Consumer Services	Recovery Act Service Funding Agreement with Suncoast Center, Inc. for Florida Department of Law Enforcement American Recovery and Reinvestment Act of 2009 Edward Byrne Memorial Justice Assistance Grants for Mental Health and Substance Abuse Services Expansion Project	\$50,000.00 grant revenue, no County match	10.27.09
Public Works	2011 Cooperative Funding Initiative Application Form with SWFWMD for: (a) Operations – Drainage Maintenance and Repair; (b) Flood Protection of The Glades; and (c) Lealman Drainage Improvements	(a) \$80,000.00 requested funds, plus equal County match; (b) \$390,000.00 requested funds, plus equal County match; and (c) \$140,100.00 requested funds, plus equal County match	11.23.09
Public Works	Interlocal Agreement with the City of Clearwater for Intersection Improvements to Keene Road at Flagler Street	\$45,000.00 estimated reimbursement for 100% of construction expenses paid by the City to the County	11.13.09
Public Works	Temporary Waiver with The Greater Palm Harbor Area Chamber of Commerce for the 35 th Annual Palm Harbor Chamber of Commerce	\$60.00 fee revenue	11.12.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Public Works	Fourth Amendment to Interlocal Agreement with the Town of North Redington Beach for the Provision of Planning Services to the Town	\$30,000.00 estimated revenue over a 3-year period	10.26.09
Real Estate Management	First Amendment to Lease Agreement with The S.M. Stoller Corporation for Increased Ground Space at the Industrial Waste Neutralization Facility at the Young – Rainey STAR Center	\$2,161.29 total monthly rental revenue	11.23.09
Real Estate Management	Termination of a Portion of an Easement by General Release for a Sewer Easement Associated with Redevelopment of Crystal Beach Plaza	N/A	11.17.09
Real Estate Management	(a) Amended Memo for Grading Easement with Antigua Condominium Association, Inc. for Park Street/Starkey Road Project from Tyron Boulevard to Bryan Dairy Road; and (b) Contract for Sale and Purchase and Temporary Construction Easement with EJB Fairways, LLC for the Bryan Dairy Road Project from Starkey Road to 72 nd Street North	(a) \$32,891.00; and (b) \$16,000.00 total estimated cost	11.12.09
Real Estate Management	Contact for Sale and Purchase of Real Property with Fore Golf Associates Investors, LLC for the Bryan Dairy Road Project for Starkey Road to 72 nd Street North	\$37,235.25 total estimated cost	11.9.09
Real Estate Management	(a) Residential License Agreement with Deputy Charles Tita for Use of the County Residence Located at 999 Lora Lane; and (b) Second Amendment to Lease Agreement with C.F. Motion, Inc. for Office Space at the Young – Rainey STAR Center, Commencing November 1, 2009	(a) N/A; and (b) \$702.41 monthly rental revenue	11.5.09
Real Estate Management	Access License and Hold Harmless Agreement with the Department of Environmental Management and the Pinellas County Industrial Development Authority, d/b/a Pinellas County Economic Development Authority, for the Department to Fence-In and Occupy 64 Square Feet of Space at the Young – Rainey STAR Center, Commencing November 1, 2009	N/A	11.3.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Real Estate Management	Second Amendment to Agreement for Parking Devices with the Town of Indian Shores for Upgrade/Replacement of Initial Parking Devices at Tiki Gardens	\$6,000.00 approximate annual revenue (40% of estimated \$15,000.00 annual revenue)	10.30.09
Real Estate Management	Memorandum of Understanding with the Pinellas County Sheriff for Use of the Premises Located at 3755 46 th Avenue North	N/A	10.26.09
Utilities	Change Order No. 2 Final and Acceptance of the Agreement as Complete for Option of Renewal for Water and Reclaimed Mains Installation Requirements (Rebid)	\$528,856.57 decrease in total agreement amount	10.30.09
Utilities	Notices of Lien with: Sol-Y-Mar LLC; Peter John Smith; Merideth L. Frye; Nadia M. Benjamin; Wendy A. Nash; Lu Ann and John J. Gabriel; Louis Urbinati III; Donald Gibson; Christine and Thomas Griffin and Dawn and David Frizzle; Dzevdar Resulovski (2); Michael G. Arthur; Jane Martin; Marco A. Alamina; Reites W D Inc.; Treasure Island Property Development LLC; Ashley B Mooney and John Krayniak; Ingrid Lynn Donley; Annie Pham; Paul L. Kelner; John D. and Donna L. McMann; Mark Raynes; Jacqueline R. Velez; Matthew David James; James A. Santori; Thuy Dam; Fayez S. and Samir R. Suhweil; Maerc A. Mavin; Margaret Ruehling; Lela K. and Larry K. Bishop; William C. Walz, Jr. EST; Irma Lopez; Sheila Jean King; Freddy Convindassamy; Matthew and Patricia Heffron; Lincoln L. and Sharon K. Baca; Lori A. and Kishor K. Vaghela; John G. Rousis; Connie and Nel Kaufman; Bryan Poole; Penney L. Rewerts; Michael K. and Cynthia Diana; and Lawrence Ayers (2)	N/A	9.25.09
Utilities	Notices of Lien with: Nicholas A. and Pamela J. Volchko; Kno-Mar Tool & Mold Inc.; David Bastoni Sr.; Carolyn Garrand; Linda Weeks; Richard O Burd EST, in Care of Penni Jo Lawrence; Thomas B and Michele A. Tullos; John and Pamela S. Pyros; Diana R. Rabbass; Michael S. and Patricia J. Antequera; and W.D. and Ethel Paulauskas	N/A	9.24.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Utilities	Releases of Lien with Joel Robert Jensen and Jeanette M. Jensen; Kenneth P. Letson and Rosemary Ann Madigan; Donald R. Thompson, Jr. and Lori A. Prochazka; Kenneth R. Brunner; John S. Zdanowicz, Jr.; Olive L. Daily; Jason S. and Amy J. York; and D. Johnson	All liens are paid in full.	8.25.09
Utilities	Notices of Lien with: Harris Trust 5250, in Care of Jim McArthur TRE; Elaine A. and Wayne L. Reynolds; Superstar Homes, LLC; 2075 S LLC; 2208 Gulf Blvd Development LLC; Geraldine S. Titus; Paula I. and Thomas J. Gourlay; Francesco Fecentese and Sarah A. Starr; Rebecca H. Evans; Sarah K. Brown and Bryan S. Ebert; Elizabeth G. Sway, in Care of Daniel J. Leeper POA; and Robert C. Chrysler	N/A	8.18.09
Utilities	Releases of Lien with: Earnest Fullerton; John W. Padykula; Nohl Crest Homes Corp; William E. Schneider IV and Dawn E. Schneider; Christopher and Linda Scarlett; William E. and Carol Bradham; John H. Bell; and Christine Jordan	All liens are paid in full.	8.17.09
Utilities	Notices of Lien with: Zane A. Weidner; Robert W. Halgren and Elizabeth Sparrow-Halgren; Kurt J. Donley; Diane L. Weber; Minette Howell; Jeffrey A. and Carmen J. Moler; Bank of America; Ivey L. Caldwell EST; Mill Hill Properties LLC; Structured Asset Securities Corp MTG Loan Trust US Bank Natl Assn Tre; Faith Financial Corp; Villa Serena LLC; Midfirst Bank; Soundview Home Loan Trust 2005 Opt3 Deutsche Bank Natl Trust Co Tre; Quickest Closings Inc.; Rait Partnership LP, in Care of Rait Financial Trust, Attn: Greg Tocco/CIRA Centre; and Katco Construction and Development Inc. James T. Priest	N/A	8.5.09
Utilities	Releases of Lien with: Joseph and Danielle Watkins; Scott A. and Patricia A. Shank; JP Morgan Chase Bank; Clarence Waybright; Kevin McBrearty and Pauline L. Knight McBrearty; Phillip De Celles; Miranda Wysong; Justin and Lindsay M. Hood; and Tim Matthews	All liens are paid in full.	7.31.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Utilities	(a) Releases of Lien with: Jorge Ortega; Ellen Miller; and WJ Randolph; and (b) Notices of Lien with: Cloratte D. McDaniels; Balaji LLC; and Earnest Fullerton (2)	(a) All liens are paid in full.; and (b) N/A	3.30.09
Utilities	Releases of Lien with: Carl V. and Dacy Thompson, in Care of Lisa Fultz; Victor and Jo C Tambone; Loretta Perenyi; Vickie Clifton; Land Dade, Inc.; and Paul E. Lindblom	All liens are paid in full.	3.23.09
Utilities	Notices of Lien with: Joseph and Danielle Watkins; Brian L. and Sandra C. Saracini; Thomas P. and Virginia E. Stacey; Lynn and Edward Davis; Thomas L. and Madonna A. Emoff; Lisa Sanchez; David A. and Patricia J. Craine; Susan M. and James T. Crawford; Juan Gonzalez Flores; James A. Gullo EST; and Salvador G. and Stacy L. Gonzalez	N/A	3.19.09
Utilities	Releases of Lien with: Teresa M. Sorenson; Betty and Richard Wayne Lollis and Debra Jean Lollis; and Janie M. Dutcher	All liens are paid in full.	3.12.09
Utilities	Notices of Lien with: Nohl Crest Homes Corp.; Scott J. Marsala; Russell R. Lane; Gigi Pinizotto; and Stephen M. and Tammy L. Rossette	N/A	3.12.09
Utilities	Notices of Lien with: Laura S. Taylor and Treasure Island Property Development LLC	N/A	3.9.09
Utilities	Releases of Lien with Michelle R. Webster; and Earl R. and Jacqueline Sykes; and Lewis Baxter McMullen and Suzanne Celeste Stark	All liens are paid in full.	3.6.09
Utilities	Notices of Lien with: John R. Collins EST, in Care of Gerald Collins; Howard and Jodi Knowles; Stephanie E. Leboeuf; Troy Alan Rush; Kande Puretz; Paul C. and Bettie A. Olsen; Theresa M. and Mike Hall; Chad Beachy; John Hirdhani; Gregory N. and Mindy M. Wilson; Jorge Ortega; Helen M. Padilla; and Jorge and Michelle Santos	N/A	3.3.09
Utilities	Releases of Lien with: Lela Bishop; Key Largo Communities; HSBC Bank USA Natl Assn; and Aero Aire Corporation	All liens are paid in full.	3.2.09

December 15, 2009

<u>Department</u>	<u>Item</u>	<u>Dollar Value</u>	<u>Date Approved</u>
Utilities	Releases of Lien with: Marcelo and Kim Barbosa; David A. Flick, in Care of Barbara H. Bethune; Arthur K Rutherford, II and Eleanor V. Rutherford, in Care of David A. Rutherford, and Nils I. Adlerbert Estate, in Care of Erick I. Adlerbert	All liens are paid in full.	2.26.09

8 Purchase authorization granted for Vehicles and Equipment 2010 (Contract No. 090-0091-PB) from the following vendors:

1. Alan Jay Ford Lincoln Mercury, Inc., Sebring, Florida.
2. Atlantic Ford Truck Sales, Inc., d/b/a Atlantic Truck Center, Pompano Beach, Florida.
3. Autonation Dodge of Pembroke Pines, Inc., d/b/a Maroone Dodge of Pembroke Pines, Pembroke Pines, Florida.
4. Garber Ford-Mercury, Inc., Green Cove Springs, Florida.
5. Godwin Pumps of America, Inc., Bridgeport, New Jersey.
6. Nortrax Equipment Company-Southeast, L.P., Moline, Illinois.
7. Ring Power Corporation, St. Augustine, Florida.
8. Stingray Chevrolet, LLC, Plant City, Florida.

Prices, terms, and conditions are based on the Florida Sheriff's Association, Florida Association of Counties, and Florida Fire Chiefs' Association Contract No. 09-17-0908, Pursuit, Administrative Non-Pursuit, Utility Vehicles, Truck & Vans, and Other Fleet Equipment; contract is effective October 1, 2009 through September 30, 2010 (estimated expenditure, \$2,765,984.98) (Fleet Management).

9 Grant application and subsequent grant award from the United States Department of Health and Human Services, Health Resources and Services Administration approved for funding in the amount of \$176,671.00, representing 50 percent of the target Fiscal Year 2009-2010 funding under the Health Center Program for Pinellas County and identifying \$325,802.00 (50 percent) in local appropriations for the Pinellas County Mobile Medical Unit; additional grant support to be received later in the budget period, pending final action by Congress (Health and Human Services).

#10 U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), Pinellas County Sheriff's Office grant award ratified for funding in the amount of \$2,141,826.05 to support the Military/Department of Defense/Law Enforcement

Counterterrorism Test Bed project. Project will begin October 1, 2009 and terminate September 30, 2011 (Justice and Consumer Services).

- #11 Resolution No. 09-198 adopted supplementing the Fiscal Year 2010 General Fund Budget to appropriate earmarked receipts for a particular purpose (American Recovery and Reinvestment Act Justice Assistance Grant awards in the amount of \$405,230.00 to the Department of Justice and Consumer Services) (Management and Budget).
 - #12 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the renewal Certificate of Public Convenience and Necessity (COPCN) for advanced life support first responder services to Pinellas Suncoast Special Fire Rescue District, in accordance with Pinellas County Code Section 54 and Section 401.25, Florida Statutes (Public Safety Services).
 - #13 Cancellation of contracts with Integrated Building Maintenance Services, Inc. (IBMS) for Janitorial Services – Various Buildings (Contract No. 089-0268-B [1B and 1D]) and re-award to the following vendors, as authorized by the County Administrator and delineated in the agenda memorandum dated December 15, 2009, confirmed:
 - OJS Systems, Inc. – Contract 1B
 - American Facility Services, Inc. – Contract 1D
- New estimated annual expenditure is \$1,184,878.68 (Real Estate Management).
- #14 Sitting as the Countywide Planning Authority, the Board adopted Resolutions Nos. 09-199, 09-200, 09-201, and 09-202 approving updated Determinations of Consistency with the Countywide Future Land Use Plan and Rules for the municipalities of Dunedin, Gulfport, Kenneth City, and Largo, respectively.
 - #15 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the Florida Department of Health EMS County Grant Application and adopted Resolution No. 09-203 certifying that monies received from the EMS Trust Fund shall be used solely to improve and expand prehospital emergency medical services (rollover from previous years, \$732,207.76; current grant award, \$230,746.00; total budget, \$962,953.76); Chairman authorized to sign the application.
 - #16 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the revised Appendix “D” to the 2009 Advanced Life Support (ALS) First Responder Agreement between the Authority and the Pinellas Suncoast Fire and Rescue District

(estimated Fiscal Year 2009-2010 expenditure, \$938,581.00); Chairman authorized to execute the agreement.

#17 Items for discussion from Consent Agenda (County Administrator and Clerk of Circuit Court) – None.

#18 Ranking of firms and final negotiated contracts with the two highest ranked proposers for homeless shelter beds for adults (Contract No. 089-0588-P) approved as follows:

1. Westcare Gulfcoast – Florida, Inc. (Westcare)
2. Homeless Emergency Project, Inc. (HEP)
3. Agency for Community Treatment Services, Inc.
4. Touched By An Angel Ministries

Estimated annual expenditure is not to exceed \$371,220.00 (Westcare, \$185,610.00; HEP, \$185,610.00); Chairman authorized to sign and the Clerk to attest after proper execution of the agreements by the contractors and written approval as to form by the Office of the County Attorney.

Contracts are effective January 1, 2010 through September 30, 2012 and may be extended for one 24-month period if all terms and conditions remain the same, subject to approval by the County Administrator; contract amounts may be increased or decreased during the extension in an amount not to exceed the average of the Consumer Price Index for all Urban Consumers, not seasonally adjusted, or three percent, whichever is less; County will consider requests for pricing adjustments as funding allows (Health and Human Services).

Motion	-	Commissioner Latvala
Second	-	Commissioner Welch

In response to query by Commissioner Welch, Mr. Woodard indicated that the contracts provide for a total of 50 beds, 25 each in the north and south county areas, as well as required intervention services.

Thereupon, Commissioner Bostock noted that the contract language is more specific than those with some other social service agencies; and recommended that it be used as a model for future agreements.

Vote	-	7 – 0
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#19 Authorization granted to advertise a public hearing to be held on January 5, 2010 to consider approval of the proposed West Bay Drive Community Redevelopment Plan for the City of Largo (Planning).

Motion - Commissioner Latvala
Second - Commissioner Seel

Responding to query by Commissioner Welch, Mr. Woodard related that County and City staff have been working together to address various concerns; and that an additional item will be presented to the Board at the January 5 meeting that should resolve any outstanding issues.

Vote - 7 – 0

#20 Other Administrative Matters – None.

#21 Resolution No. 09-204 adopted amending and restating the Pinellas County Cafeteria Plan to include a Health Savings Account and a Limited Flexible Spending Arrangement as options.

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

#22 Resolution No. 09-205 adopted establishing an account for the funding of claims payable under the Pinellas County dental reimbursement plan for employees and authorizing named individuals to act on behalf of the County with regard to the account.

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

#23 County Attorney Miscellaneous:

Attorney Bennett introduced newly hired Senior Assistant County Attorney Jack A. Powell and provided information regarding his educational background and professional experience.

#24 Sitting as the Countywide Planning Authority, the Board received and accepted the Special Area Plan Progress Assessment for the Clearwater Downtown Redevelopment Plan.

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

#25 Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the Advanced Life Support (ALS) First Responder Agreement with the City of St. Petersburg for emergency medical services (estimated Fiscal Year 2009-2010 expenditure, \$11,903,769.00); Chairman authorized to execute the agreement.

Motion - Commissioner Welch
Second - Commissioner Brickfield

Responding to queries by Commissioner Seel, Director of Public Safety Service Craig T. Hare indicated that there are no operational changes; and that the City of St. Petersburg preferred to have the response time standards language from the previous agreement, which is more stringent, and the definition of the EMS district included in the agreement rather than attaching the resolution, noting that the County Attorney’s Office and County staff had no objections to the changes to the language; whereupon, Senior Assistant County Attorney Robert C. Swain stated that the response time standards language is the same, but how the response time is evaluated is different. He indicated that the majority of the changes were clarifications and reflect more specific contractual language for response time standards, the definition of the EMS district, out-of-county mutual aid, and the anti-discrimination clause. He further indicated that it is a one-year agreement; that the changes made were vetted, are consistent with and do not change the intent of the standard agreement, do not provide any greater rights or different standards to the City of St. Petersburg, and will not provide grounds for future disputes, noting that the proposed agreement will serve as a discussion document for future negotiations with all of the providers.

In response to comments, concerns, and queries by Commissioner Seel that the City of St. Petersburg’s dependence on its EMS reserves may set a standard regarding future County funding, Mr. Woodard stated that the City is using its accumulated reserves and would be prudent not to deplete the reserves so as to impact funding for future fiscal years.

During discussion and in response to comments and queries by Commissioners Welch and Morroni, Assistant County Administrator James A. Dates stated that the Office of Program Policy Analysis and Government Accountability (OPPAGA) study entails both the County EMS and fire systems; and that the results of the study were due by the end of December, but have been delayed; whereupon, he related that the results of the County EMS study will not be available in time to impact the budget this year, and Messrs. Woodard and Hare and Assistant County Administrator Elithia V. Stanfield provided input.

Vote - 6 – 1 (Commissioner Seel dissenting)

#26 County Administrator Reports – None.

#27 Resolution No. 09-206 adopted supporting the Tampa Bay Regional Planning Council as hosts of the 2012 National Association of Regional Councils Annual Conference.

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

#28 Deveron Gibbons appointed to the WorkNet Pinellas Board of Directors for the term December 2009 through June 30, 2011, as per the recommendation of the WorkNet Pinellas Executive Committee.

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

#29 Denise M. Mineo appointed to a one-year term on the Health Facilities Authority.

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

#30 Individual Commissioner appointments to various boards and committees for Calendar Year 2010 approved.

Commissioner Latvala pointed out that all of her appointments have been confirmed.

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

#31 Appointments by the Board of County Commissioners as a whole to the Health Permits Board and the Pinellas Opportunity Council, Inc. Board of Directors approved; and appointment to the East Lake Community Library Advisory Board temporarily deferred.

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

#32 County Commission Miscellaneous

- a. Chairman appointments to Committees/Boards for 2010 approved.
 - Motion - Commissioner Seel
 - Second - Commissioner Welch
 - Vote - 7 – 0

The Commissioners wished everyone a safe and healthy holiday season.

- b. Commissioner Morroni discussed a letter received from the Tierra Verde Community Association re the use of capital funds toward the purchase of a ladder truck for the Tierra Verde Fire District; and Assistant County Administrators Mark S. Woodard and James A. Dates, County Attorney James L. Bennett, Public Safety Services Fire Division Manager Michael M. Cooksey, and the members provided input. Following lengthy discussion, Commissioner Seel moved, seconded by Commissioner Brickfield, that the Tierra Verde Community Association’s proposal be accepted premised upon Tierra Verde owning the ladder truck and Lealman understanding that repayment will not begin sooner than one year. (Vote 6 – 1; Commissioner Bostock dissenting.)

stated that his illness is in remission and expressed his gratitude for the support received over the past year.

- c. Commissioner Brickfield discussed the issue of animal cruelty in the City of Seminole; and Attorney Bennett indicated that the City has drafted an ordinance to take to the Seminole City Council; and that a recommendation will be brought back to the Board.

* * * *

At this time, 4:36 P.M., the meeting was recessed and reconvened at 6:30 P.M. with all Commissioners in attendance.

* * * *

#33 Ordinance No. 09-64 adopted amending Sections 134-258, 134-259, 134-260, and 134-261 of the Pinellas County Land Development Code establishing the Annual Concurrency Test Statement. No correspondence has been received. No citizens appeared to be heard.

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

#34 Ordinance No. 09-65 adopted amending the Pinellas County Land Development Code, creating the Facility-Based Recreation (FBR) Zoning District and the Resource-Based Recreation (RBR) Zoning District. No correspondence has been received. No citizens appeared to be heard.

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

#35 Application of City of Seminole Fire Rescue, Daniel Graves, Fire Chief, approved for a conditional use to allow a fire station with associated parking and retention areas (CU-2-11-09), re three parcels of land containing approximately 0.73 acre located on the southwest corner of 110th Avenue North and 108th Street North, Largo (street addresses: 10780 110th Avenue North and 10973 and 10949 108th Street North). Staff recommended approval of the application based on the Local Planning Agency Report, subject to the following conditions:

1. Full site plan review.
2. A six-foot-high vinyl fence shall be placed in accordance with the concept plan submitted with the application.
3. Exterior lighting shall be directed away from adjacent residential uses.
4. Use of the site shall be for a fire/rescue facility only.

No correspondence has been received. No citizens appeared to be heard.

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

- #36 Ordinance No. 09-66 adopted declaring a one-year moratorium for the unincorporated area of Pinellas County on the permitting of off-premises animated signs, as defined in Pinellas County Code Section 138-1334. Correspondence received includes 24 email messages in support of, one email message in opposition to, and one email message with concerns regarding the proposed ordinance.

Director of Public Works and Transportation Peter J. Yauch stated that the objective of the ordinance is to develop regulations related to the new types of digital sign technology being used on and off premises. He indicated that based on prior discussions, staff has created a strategy for accelerating the process for completing the reviews expeditiously with a target completion by spring of next year; whereupon, he outlined the six primary steps, as follows:

1. Define the scope of review for aesthetics of digital signs and the impacts on nearby neighborhoods and roadways – to be led by the Planning Department.
2. Research and review existing sign codes, including any federal or state regulations that may affect local regulations – to be led by the Planning Department.
3. Review studies and best practices on sign regulations – to be led by the Planning Department.
4. Review data on off-premise sign inventory – to be led by the Planning Department.
5. Coordinate with stakeholders and other interested parties – to be led by the Economic Development Department.
6. Examine traffic safety issues and develop siting criteria for new signs based on safety – to be led by the Public Works Department.

In response to query by Commissioner Latvala regarding step number five, Mr. Yauch indicated that meetings would be held with the stakeholders; and that a report would be prepared for the Board that pulls all of the information together.

Attorney Bennett noted that the report from the Local Planning Agency (LPA) hearing held last Thursday was not included in staff's recommendation; and advised that the LPA Report and recommendations be received as part of the record. Planning Director Brian K. Smith reported that the LPA determined that the establishment of a moratorium is consistent with the Comprehensive Plan; and that the LPA concurs with the establishment of a moratorium; whereupon, he submitted a copy of the LPA Report, which has been filed and made a part of the record.

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Attorney Bennett pointed out that the only change in the ordinance from the previous version is the beginning date for the counting of the year, which was changed to November 18, 2009 when the Board initially began discussing imposing a moratorium; and noted that it has been staff's position all along to complete the process sooner than one year.

In response to the Chairman's call for persons wishing to be heard, the following individuals appeared, expressed their concerns, and responded to queries by the members:

Ralph Paonessa, Largo

Kenneth Peskin, Alexandria, VA (representing International Sign Association) – submitted letter with attachments.

Will Griffin, Largo (representing International Signs)

Charles Lambeth, Seminole

Jonathan Kremmer, Clearwater

Kenneth Soday, Maitland (representing Florida Sign Association)

In response to query by Commissioner Seel, Attorney Bennett related that including both billboards and on-premise signs is a policy decision; and confirmed that the proliferation of on-premise signs is a problem separate and distinct from billboards. He indicated that there are regulations in place to deal with the distribution of billboards, but that the potential for a significant level of distraction and aesthetic impact by on-premise signs is high and the federal highway study will likely not address them, which is why staff is prepared to move expeditiously on the issue. Attorney Bennett pointed out that the decision was made by the County Attorney's Office to include all forms of digital signs for discussion and possible inclusion in the moratorium, noting that the ordinance, as drafted, includes all forms.

Discussion ensued wherein some of the members expressed their concerns regarding the potential impact on small businesses if on-premise signs are included in the moratorium and questioned the sudden need for a moratorium. In response to comments and queries by Commissioner Welch, Mr. Yauch, with input by Attorney Bennett, stated that any sign requiring a permit to install would be included in the moratorium; and that existing signs would not be subject to the moratorium, but would be subject to compliance with the ordinance in terms of how often the face of the sign changes, noting that the current sign code allows for a static message or a message that changes once a minute. He indicated that the sign code does not distinguish between the technology for billboards and on-premises signs; and agreed that on-premise signs were swept up in the billboard discussions and were not part of what the Board was attempting to regulate; whereupon,

Commissioner Morroni clarified that the ordinance applies only to the unincorporated portion of the County.

Following discussion regarding the need to exclude on-premise signs from the moratorium and to address the definition for animation for on-premises signs, Commissioner Latvala moved to approve the moratorium, excluding on-premise signs.

Motion - Commissioner Latvala
Second - Commissioner Welch

Discussion ensued regarding an alternative, with Attorney Bennett and Senior Assistant County Attorney David S. Sadowsky providing input. Following discussion, Commissioner Latvala clarified that her motion is for approval of the moratorium for billboards only and includes any amendments necessary to harmonize the paragraphs of the ordinance and to reflect that the moratorium be for up to a maximum of one year, and no objections were noted by the seconder; whereupon, Commissioner Bostock noted her appreciation for the narrowing of the scope of the moratorium and indicated that she intends to vote against the motion as she feels there should not be a moratorium at all.

Vote - 6 – 1 (Commissioner Bostock dissenting)

In response to query by Commissioner Welch, Attorney Bennett acknowledged staff's understanding of the Board's policy direction to review the on-site sign regulations, separately from this ordinance; whereupon, Chairman Harris confirmed staff's strategy to move forward expeditiously with the on-site study.

#37a Ordinance No. 09-67 adopted approving Case No. CW 09-21, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Commercial General to Recreation/Open Space, re 0.9 acre m.o.l., located at the southwest corner of Ulmerton Road and 119th Street North (subthreshold 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 Seel
Second - Commissioner Latvala
Vote - 7 – 0

#37b Ordinance No. 09-67 adopted approving Case No. CW 09-22, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low to Institutional, re 0.2 acre m.o.l., located on the west side of Jackson Street, 100 feet north of 132nd Avenue North (address: 13224 125th Street North) (subthreshold 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 Seel
Second	-	Commissioner Latvala
Vote	-	7 – 0

#37c Ordinance No. 09-67 adopted approving Case No. CW 09-23, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low to Institutional, re 0.6 acre m.o.l., located on the northeast corner of Pine Street Southwest and 132nd Avenue North (address: 13207 Pine Street North) (subthreshold 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 Seel
Second	-	Commissioner Latvala
Vote	-	7 – 0

#37d Ordinance No. 09-67 adopted approving Case No. CW 09-24, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low to Institutional, re 0.2 acre m.o.l., located on the east side of 119th Street North, lying 50 feet north of Oak Street (address: 2253 119th Street North) (subthreshold 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 Seel
Second	-	Commissioner Latvala
Vote	-	7 – 0

#37e Ordinance No. 09-67 adopted approving Case No. CW 09-25, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Residential Low Medium to Commercial General, re 0.2 acre m.o.l., located on the southwest corner of Grove Park Avenue North and Haines Road (addresses: 2568 Grove Park Avenue North and 5208 Haines Road) (subthreshold 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 Seel
Second	-	Commissioner Latvala
Vote	-	7 – 0

#37f Ordinance No. 09-67 adopted approving Case No. CW 09-26, the proposal by Pinellas County to amend the Countywide Future Land Use Plan from Transportation/Utility to Institutional, re 3.2 acres m.o.l., located on the south side of Whitney Road, lying 145 feet east of Whitney Drive (subthreshold 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 Seel
Second - Commissioner Latvala
Vote - 7 – 0

#37g Ordinance No. 09-68 adopted approving Case No. CW 09-27 the proposal by the City of Clearwater to amend the Countywide Future Land Use Plan from Residential Medium with Transportation/Utility Overlay and Water/Drainage Feature Overlay to Residential Medium with Transportation/Utility Overlay and Water/Drainage Feature Overlay, re 0.7 acre m.o.l., located on the west side of Kings Highway, approximately 175 feet north of Byram Drive (subthreshold 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 Seel
Second - Commissioner Latvala
Vote - 7 – 0

#38 Proposal by the City of Largo, Case No. CW 97-62 (Special Area Plan Change No. 1-2009), to amend the Countywide Future Land Use Plan by replacing the West Bay Drive Redevelopment Plan adopted in 1997 with a plan that establishes character districts to guide redevelopment, re 315.4 acres m.o.l., located generally in an area included within and encompassed by 4th Avenue Northwest, Missouri Avenue, 2nd Avenue Northeast, 2nd Street Northeast, 1st Avenue Northeast, Central Park Drive (including Largo Central Park and Library), an area north of 6th Avenue Southeast, Seminole Boulevard, 4th Avenue Southwest, and extending further west to the western boundary of the Largo Medical Center, West Bay Drive, 14th Street Northwest, Pine Vista Drive, and the Pinellas Trail (regular amendment) continued to the January 5, 2010 BCC meeting. No correspondence has been received. No citizens appeared to be heard.

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

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#39 Meeting adjourned at 7:19 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk