

PINELLAS PARK WATER MANAGEMENT DISTRICT
6460 35TH STREET N
PINELLAS PARK, FL 33781-6221
(727) 528-8022

MINUTES

February 19, 2009

(Regular Authority Meeting #5)

IN ATTENDANCE

Tom Tripp, Attorney for PPWMD
Janet Rogers, Executive Director, PPWMD
Rick Frazee, FJS Research, Pinellas Park, FL
Cynthia Gillott, Executive Secretary, PPWMD
Randal A. Roberts, Streets and Drainage, City of Pinellas Park
Robert Leahy, City of Pinellas Park
Mike Smith, P.E. CDM, Tampa, FL
Jeff Lowe, P.E., McKim & Creed, Clearwater, FL
Jim Bernard, P.E., TBE Group, Clearwater, FL
Muriel Whitman, Mayor of Kenneth City, FL.
Albert L. Carrier, Vice Mayor of Kenneth City, FL.
Neil Brickfield, Commissioner, Pinellas County, FL

ROLL CALL

Mr. Farrell - Present
Mr. Taylor - Present
Mr. Tingler - Present

Chairman Charles Tingler called to order Regular Authority Meeting #5 for February 19, 2009 at 5:30 P.M.

Roll Call: Mr. Farrell, Mr. Taylor and Mr. Tingler

MINUTES

Mr. Taylor made a motion to approve the minutes of Regular Authority Meeting #4 held on January 15, 2009. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Taylor and Mr. Tingler

MOTION APPROVED

Mr. Taylor made a motion to approve the minutes of the Special Board Meeting that was held on January 29, 2009. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Taylor and Mr. Tingler

MOTION APPROVED

Janet Rogers, Executive Director introduced Mayor Muriel Whitman and Vice Mayor Albert Carrier, both of the Town of Kenneth City and Pinellas County Commissioner Neil Brickfield.

00-01-01

CHANNEL 1A – RECONSTRUCTION

Janet Rogers, Executive Director, informed the Board that the final paperwork from the contractor, Keystone Excavators has been received, and the final pay request #12 has been approved by CDM and the payment has been sent. Presently waiting for CDM lawyers to review and send the final paper work on the lawsuit portion and then Tom Tripp will be able to finalize the remaining paperwork.

01-17-08

CHANNEL 1 - LARCHMONT FABRIFORM REPLACEMENT

Janet Rogers, Executive Director, informed the Board that bid documents and have been received and reviewed by the District and Tom Tripp. Easements are in place and the District would like to go out to advertise on February 27, 2009. A meeting was held with Springwood II Association on Tuesday, January 27, 2009 to discuss the District obtaining information on the white vinyl fencing vs replacing of chain link fence. This is a continuing effort on the District to be a good neighbor through this project. Jeff Lowe, McKim and Creed stated that a letter was sent as of February 19, 2009 to Springwood II Association outlining the estimated responsibility to pay the District for changing from chain link to white vinyl fencing.

03-15-07

CHANNEL 2 CULVERT UPGRADES - GANDY BLVD.

Janet Rogers, Executive Director, stated that the Board has awarded a contract based on the recommendation of TBE Group to Kearney Construction Company for \$2,119,921.60 on January 29, 2009, a letter of award and notice to proceed was mailed on January 30, 2009. A notice of a pre-construction meeting was scheduled for February 4, 2009, do to an oversight by TBE Group, the first pre-construction meeting was not held until February 6, 2009 and all parties concerned were not available and/or contacted by TBE Group, so an additional pre-construction meeting with the Utility companies of which Florida Gas Transmission did not attend was held on February 16, 2009. Do to the cancellation of the February 4, 2009 pre-construction meeting a new Noticed to Proceed was agreed upon to be as of February 6, 2009. A meeting with Doug Goody TBE field representative, Mark Alexander, Kearney Construction, Florida Gas Transmission and Rick Frazee, District Engineer was held on February 19, 2009. Rick Frazee, District Engineer stated that the depth of the pipe came out very close to where TBE has stated, Florida Gas Transmission will require 48 hours notice and will provide training classes to the personnel working. Brought to the attention of Kearney Construction because of the gas line, a FDL Plate will have to be used. The city of Pinellas Park was also present and water lines were located. Mr. Taylor questioned as to when the project was moving forward, Rick Frazee, District Engineer responded that the project would begin on Monday, February 23, 2009. District's Attorney, Tom Tripp question the start date, Janet Rogers, Executive Director stated the contract from Kearney Construction has just been received, February 19, 2009 of which TBE Group did review the same day and that the Contract was being reviewed again by the District's Attorney, Tom Tripp. Mike Smith, CDM questioned the effective date and Janet Rogers, Executive Director responded that it is February 6, 2009, and also noted that a press release had been sent to the Pinellas Park Beacon and the St. Petersburg Times. CDM had prepared a Federal Stimulus Package in the amount of \$2.2 Million Dollars on this project. Mike Smith, CDM wanted to make sure that the gas line is noted at eighteen inches, Jim Bernard, TBE Group confirmed and stated that the electric line is twelve inches. District's Attorney, Tom Tripp held a discussion on the fact that do to an issue by the contractor on locating utilities under the pavement that the District does not yet have a signed contract. There is a contingency line in the contract of \$200,000.00 that should take care of any additional funds that may arise out of the location of the

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utilities. Mr. Farrell wanted to know the extent of the conflict and Mike Smith, CDM stated that in order for the contractor to do the actual location of the utility, the traffic would have to be re-routed and that the process of doing that needed to be avoided. The contractor can not actually locate until the digging takes place. Mr. Farrell asked the District's Attorney, Tom Tripp if he would be able to finalize the contact on February 20, 2009 and it was stated that would take place.

04-19-07

CHANNEL 2 - PARK BLVD. PHASE 3 - CITY PROJECT

Janet Rogers, Executive Director, stated that TBE Group submitted to FDOT the 100% documents on December 30, 2008 for Local Agency Program (LAP) review. All 100% LAP review comments from FDOT have been responded to. A meeting was held with the City Public Works Department on February 11, 2009 to discuss the final plans and specification. A Cultural Resources Assessment Survey (CRAS) was completed on February 13, 2009 in accordance with LAP funding requirements. Final plans and documents are scheduled for submittal to FDOT on February 25, 2009.

94-10-03

CHANNEL 3 - HAINES ROAD

Janet Rogers, Executive Director, stated that a Joint Project Agreement for Utility Installation by Roadway Contractors from Pinellas County was received. The Joint Project Agreement was not very clear on the Dollar Amounts and some other items. Rick Frazee, District Engineer stated that he had been requested by the Executive Director to contact URS and obtain a proposal for full inspection and partial inspection should Pinellas County administer the project. Pinellas County has also been requested to furnish the dollar amounts that were not listed in the Joint Project Agreements. When all the proposals have been received and reviewed a recommendation will be made to the Board. Pinellas County anticipates going to bid in late summer/early fall of 2009.

07-08-16

CHANNEL 3 - FABRIFORM REPLACEMENT

Janet Rogers, Executive Director, informed the Board that Jeff Lowe, McKim and Creed along with Rick Frazee, District Engineer re-visited the project and discussed revising project limits to reduce the project capital cost. Revised limits of replacement have been by 25% of the original length of the panel installation and a reduction of 75 %. The Districts maintenance department has performed some additional maintenance in order to do additional observation of the fabriform. Jeff Lowe, McKim and Creed informed the Board with some additional maintenance of caulking and laying in some rock to undermine any erosion his recommendation is that the project may be brought back into the original scope and the balance will have an additional ten (10) plus years of life. McKim and Creeds constructional engineer also reviewed this project.

08-16-07

CHANNEL 4 AND 4E ENHANCEMENT

Janet Rogers, Executive Director informed the board that CDM has prepared a Federal Stimulus Package in the amount of \$450,000.00. Mike Smith, CDM has made contact with SWFWMD on the request to help in the funding of the modeling of Joes Creek, as of this date, February 19, 2009 no response has been received. Additional discussion was held on possibly contacting the Stormwater Division at Pinellas County, as a Watershed Management Plan for Cross Bayou is going to take place and request for funding as they are doing an additional study that may incorporate Joe's Creek or parts of Joe's Creek.

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11-11-03

CHANNEL 4A - PHASE 3 - 53RD TO 62ND AVE.

Janet Rogers, Executive Director, informed the Board that CDM has prepared a Federal Stimulus package in the amount of \$510,000.00. Progress Energy has not yet acquired the easement from Kohler for their relocation of poles. The District has not yet given a construction date to Progress Energy. This project is ready to go out to bid, due to the tax receipts not yet completely received, since the District is a pay as you go, this project will be looked at on a monthly schedule in order to be able to determine when this project may move forward. Mike Smith, CDM reinstated that in the discussion of sunsetting the District, many times comments are made as to why the District moves projects backwards and this is a case where the District has made a prudent decision because of being a pay as you go District.

07-21-08

CHANNEL 4 PANEL REPLACEMENT

Janet Rogers, Executive Director, stated that CDM has prepared a Federal Stimulus Package in the amount of \$130,000.00. Geotechnical work was completed on December 22, 2008 and the Preliminary Design was received on December 12, 2008. This Channel was built in 1981 and in looking at this project, Jeff Lowe, McKim & Creed has been requested to review the project along with Driggers. The summary and conclusion from the presentation given by Jeff Lowe, McKim and Creed was that panel failure is not imminent based on geotechnical and structural investigations. Current hypothesis suspects localized soil loss through drains and monitoring of soils may reduce or eliminate overall project cost, to continue local maintenance, continue groundwater monitoring and continue the site monitoring. The initial maintenance will be performed by the District and an estimated cost for groundwater monitoring is \$3,520.00. Commissioner Neil Brickfield, Pinellas County questioned why the District does not use Gabion Baskets on this project. Mike Smith, CDM answered that the use of Gabion Baskets is appropriate in some places, but do have some structural issues. The intent of a properly designed concrete channel and drain system should last a lot longer than Gabion Basket installation. Rick Frazee, District Engineer stated that in previous designs, fabric material was not used to keep the soil from being lost and the monitoring will tell if that is the case. The Board gave direction to proceed with the monitoring before and during the rainy season (approximately four (4) months) and report back to the Board with a final recommendation.

02-04-01

FEMA MAP CHANGES UPDATE

Janet Rogers, Executive Director, stated there is nothing new at this time. Letter of final determination was scheduled for February 18, 2009 and effective date of map is now going to be August 18, 2009.

FINANCE

a) Financial Statement – January 2009

Mr. Farrell read the financial statement for the month of January 2009. Mr. Taylor made a motion to approve the financial statement for the month of January 2009. Second was made by Mr. Tingler. No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Taylor and Mr. Tingler

MOTION APPROVED

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b) Investment Summary - February 2009

Janet Rogers, Executive Director made a recommendation that funds not be transferred at this time. Mr. Taylor made the motion to approve the Investment Summary for February 2009. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Taylor and Mr. Tingler

MOTION APPROVED

NEW BUSINESS

Channel 1A2

Janet Rogers, Executive Director, informed the Board that Channel 1A2 warranty issue was completed. Jeff Lowe, McKim and Creed stated as built had been received and is being reviewed.

National Engineers Week

Janet Rogers, Executive Director requested Mike Smith, CDM to read the resolution for Engineer Week of February 15 through February 21, 2009. Mr. Taylor made a motion to approve Resolution #09-01 national Engineers Week for February 15 through February 21, 2009. Second was made by Mr. Farrell.

No discussion. Roll Call:

Voting Aye: Mr. Farrell, Mr. Taylor and Mr. Tingler

MOTION APPROVED

EXECUTIVE DIRECTOR COMMENTS

. Janet Rogers, Executive Director

1. Informed the Board that a request had been made by David Talhouk, Public Works Planning & Programming, Pinellas County as to what percentage of the District falls within unincorporated Pinellas County, an inventory of those facilities that fall within unincorporated Pinellas County and the maintenance costs of those facilities. In the Board folders is the response that states approximately 27.21% based on acreage is the District within unincorporated Pinellas County, approximately \$4,100,000 per year on average for O & M over the next fifty (50) years and approximately \$1,116,000 per year on average for maintenance of the facilities. Mike Smith, CDM mentioned with the District answering Pinellas County questions, gave a chance to summarize the O & M (Repairs & Replacement) cost, (based on the revenues and cost) the outcome is a millage rate of 1.68%.
2. Informed the Board that Lewis, Longman & Walker, the firm representing the District in Tallahassee rate has increased.
3. Informed the Board that revenues are under \$1,350,365.00.
4. Informed the Board that a request had been made by Peter Creighton who represents Hardy Huntley, on February 16, 2009 (Janet Long bill did not pass the Pinellas County Delegation) to allow CDM who performed the response to the Avid Engineering Study to answer questions in order to determine which engineering firm may be in error. Funding for further response is not in the budget.

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Mike Smith, CDM stated that a request in writing would be needed in order to determine the additional expense that would be involved. Tom Tripp, District Attorney stated that if the Board wanted to further determine benefits beyond the study that has already been performed by CDM, that clearly could be a response, but in not asking for a drainage issue, redesign of anything or a flooding issue; does the Board want to pursue any further expense when this is purely for personal reasons and not governmental purpose but just a taxpayer interest. Mr. Taylor and Mr. Tingler stated it would be inappropriate to spend taxpayer money to create paperwork vs pouring concrete.

5. Informed the Board on February 10, 2009 another meeting was held with Kenneth City Mayor Whiteman and indication has been received that a letter will be forth coming to the Chair of the House Military and Local Affairs Policy Committee in voicing opposition to Janet Long bill to sunset the District. A phone conference was held with Attorney Ramba and the firm will be going forward in trying to defeat Janet Long Bill for sunseting of the District. This is consistent with the strategy being used by the City of Pinellas Park. The Board indicated that is the direction that needs to be pursued.

MISCELLANEOUS

A. Monthly Rainfall/Maintenance Report

The monthly report is included in the Boards packet.

Next scheduled Regular Authority Meeting is Thursday, March 19, 2009.

There was no further business to come before the Board and Mr. Farrell moved to adjourn the meeting at 6:35 P.M. Second was made by Mr. Taylor.