

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

MINUTES

March 15, 2007

(Regular Authority Meeting #6)

IN ATTENDANCE

Tom Tripp, Attorney for PPWMD
Janet Rogers, Executive Secretary, PPWMD
Rick Frazee, FJS Research, Pinellas Park, Fl.
Daniel Glaser, P.E. McKim & Creed, Clearwater, Fl.
Michael Gustafson, City Manager, Pinellas Park, Fl.
Scott Pinheiro, Engineering Director, Pinellas Park, Fl.
Tom Nicholls, Public Works Administrator, Pinellas Park, Fl.
Chip Herom, P.E., CDM, Tampa, Fl.
Mike Smith, P.E., CDM, Tampa, Fl.

ROLL CALL

Mr. Farrell – Present
Mr. Tingler _ Present
Ed Taylor _ Present

Chairman Tingler opened Regular Authority Meeting #6 for the fiscal year 2006/2007 at 5:30 P.M.

MINUTES

Mr. Taylor made a motion to approve the minutes of the Regular Authority Meeting #5 for February 15, 2007. Second was made by Mr. Farrell.

No discussion. Roll Call:

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

MOTION APPROVED.

00-01-01

CHANNEL 1A – RE-CONSTRUCTION

Richard Frazee, Executive Director stated that the pre-bid meeting was held on March 13, 2007 and that there still remains issues with Tensar on design details. Bids are due on March 27, 2007. There may be the need to issue a revised specification in the bid process again. Mike Smith, CDM stated that Gina Cashion, CDM was able to talk at some length with the engineer from Tensar and actually went out to the project site and felt the meeting was very productive. CDM feels that Tensar is moving in the right direction although CDM has been very frustrated with their progress. CDM expects a final design submittal on Monday, March 19, 2007 and should it not happen, all parties are prepared to take some action. If the final design is received by Monday, March 19, 2007 should then be able to meet the bid date of March 27, 2007.

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04-09-02

CHANNEL 1-A-2 (MCKIM & CREED)

Richard Frazee, Executive Director stated that bids were received on March 12, 2007, and along with McKim & Creed has evaluated the bids and recommends awarding the contract to MTM Contractors in the amount of One Million Two Hundred Nine-One Thousand and Seventy-Five Dollars (\$1,291,075.00). Note was made that this is approximately sixty percent (60%) to sixty-five percent (65%) over the engineers estimate. Mr. Farrell made a motion to approve the award for Channel 1A2 to MTM Contractors, the low bidders in the amount of \$1,291,075.00 as recommended by McKim & Creed and the Executive Director. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

MOTION APPROVED.

12-19-02

CHANNEL 1 – 60TH ST TO 52ND ST – (CDM)

Richard Frazee, Executive Director stated that a signed document basically written by Gail Larson, which may not be totally written in the correct legal sense of the words, but does cover what needs to be done for the protection of the District has been received and as Executive Director recommends that the Board approve and sign the document. Tom Tripp, Attorney for the District stated that the document still has the same provision that was originally written on regard of getting rid of the liability of the District. Gail Larson has added a hold harmless clause just for herself and a time limitation of work on Channel 1 from October 2005 to May of 2006. Typically it should go through today's date, Wednesday, March 15, 2007. Discussion was held on the actual time of work for Channel 1. Mr. Taylor wanted to know if Gail Larson did have something in mind outside of the dates listed what did that mean for the District. Chip Herom, CDM stated that the date October 2005 was the date the contractor went onto her property and started clearing trees and finalized in May 2006. Mr. Farrell questioned on when the trees were planted and Chip Herom, CDM stated it was the first week of May 2006. Mr. Tingler stated that the date should then be corrected to June 2006 and Tom Tripp, District Attorney stated that in order to be correct and cover the time of the tree planting the date should then be changed to June 2006. Tom Tripp stated at this time there are no other issues such as easements or construction, just the tree issue for the signing of this document and would like to have the document properly executed and have the date June 2006 and really it should be to today's date, March 15, 2007. Richard Frazee, Executive Director stated that what he understood the Districts Board direction is to have the document properly executed, to have the date go to at least March 15, 2007, if unacceptable to Gail Larson the date must be at least June 2006 and if not, the offer is off. Mr. Farrell made a motion to approve Gail Larson agreement on Channel 1 to authorize the settlement check in the amount of Twenty-Nine Thousand Dollars (\$29,000.00) with the stipulation in the change of the dates of the time period of October 2005 to May 2006 to the signing date of the settlement document or at least to June 1, 2006. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

MOTION APPROVED.

Mr. Taylor questioned Tom Tripp, District Attorney that would also include signing of the document in the correct places. Tom Tripp, District Attorney conquered.

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94-10-03

CHANNEL 3 – HAINES ROAD

Richard Frazee, Executive Director stated that the District has a meeting scheduled with URS, Pinellas County and H.W. Lochner on March 22, 2007 and that there is no action required at this time.

03-08-02

CHANNEL 4 – 58th ST TO RAILROAD – (TBE GROUP)

Richard Frazee, Executive Director stated that the pre-construction meeting was held on March 1, 2007 and notice to proceed was issued to MTM Contractors.

03-08-03

CHANNEL 4E – 62nd STREET TO MCKEE LAKE

Richard Frazee, Executive Director stated the District is still trying to resolve issues to get to the point of submitting a permit to SWFWMD and that going through the modeling runs is the right thing to do in order to obtain the correct answer. Mike Smith, CDM stated that in taking a look at Advance Engineering models and the impacts that were being projected for Channel 4E there were some concerns. Comments on Advance Engineering models and answers to questions that Advance Engineering had have been responded to just this week. CDM is expecting to meet with Richard Frazee, Executive Director and Advance Engineering some time next week. Mr. Tingler questioned if there were any gains to be made up stream? Mike Smith, CDM stated that there may be some changes that could be made in Advance Engineering's design which would cause no impact and there may be some options that the District may have in Channel 4 itself. Please remember that there are number of things to be looked at yet.

11-11-03

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

Richard Frazee, Executive Director stated that this is the project that Harry Marlow Inc. was working on. Chip Herom, CDM stated that the survey was received on Tuesday, March 13, 2007 and CDM has already started the model efforts.

03-12-01

CHANNEL 5 – CITY PROJECT

Richard Frazee, Executive Director stated that the City of Pinellas Park project bids came in on January 26, 2007. The work estimated came in at Seven Million Three Hundred and Two Thousand One Hundred and Ninety-One Dollars (\$7,302,191). The City of Pinellas Park, working with the apparent low bidder, Rowland, Inc., has value engineered the cost down to Five Million Thirty-Two Thousand Dollars (\$5,032,000.00). The City of Pinellas Park has requested the District to pay Three Million Dollars (\$3,000,000.00). Richard Frazee, Executive Director made note that the portion that is being requested to be funded is from 65th Street to 62nd Way which is the District Channel 5 and that the amount requested could be picked up and not delay any of the District projects in the next couple of years. Richard Frazee, Executive Director stated that a recommendation to do so would be good for the District as well as for the City of Pinellas Park. Were the District to do this project in the future the District would most likely be looking at having to fund the Five Million Dollars (\$5,000,000.00), so in funding the project through the City of Pinellas Park the District in essence would be looking at a savings of approximately Two Million Dollars (\$2,000,000.00). Michael Gustafson, City Manager, Pinellas Park stated the City of Pinellas Park appreciates the partnership with the District and that the communication has become fantastic. Mr. Taylor requested how the funding would be and discussion was held on the District's CIP. Richard Frazee, Executive Director stated that it is anticipated that the District will under spend approximately Two Million Five Hundred Thousand Dollars (\$2,500,000.00). On Channel 4E the purchase of land most likely will not

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take place which will be One Million not spent this current year so, it is easy to assume that the District could fund One Million Five Hundred Thousand (\$1,500,000.00) this year and then again next year to the City of Pinellas Park. This would also look good at the time the District is going into the Trim Hearings. Mr. Farrell questioned Michael Gustafson, City Manager, would the funding for this year, next year and the following year within the guidelines for the City? Mike Smith, CDM stated that the terms and the flexibility could be worked out with the Inter-Local Agreement. Mr. Taylor again stated that this money that is being requested by the City of Pinellas Park would be well spent on the Channel that belongs to the District. Richard Frazee, Executive Director stated yes and improvement of Channel 5 was scheduled by the District for 2010 and reminded that this would be a savings for the tax payer and also help the flooding on Park Blvd. Mike Smith, CDM stated that a review of the project clearly shows that the Channel 5 portion the City of Pinellas Park is requesting funds for is the District's property and responsibility. Scott Pinheiro, Engineering Director, Pinellas Park, also stated that he is working with Mike Smith, CDM in order to make sure it is clearly stated that the portion of the project requested funds is only for the District property. Mr. Farrell made a motion to approve funding for the City Project toward Pinellas Park Water Management District Channel 5 improvement in the amount of Three Million Dollars (\$3,000,000.00) as requested and to the Executive Director to finalize and sign the Inter-Local Agreement subject to concurrence of the District's Attorney. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

MOTION APPROVED.

06-05-18

PARK BLVD. - PHASE THREE – SAWGRASS LAKE

Richard Frazee, Executive Director stated that the City of Pinellas Park has been working with TBE Group on the engineering. Peter Nikolov, P.E., TBE Group will be having some discussion on modeling information needs with CDM.

02-04-01

FEMA MAP CHANGES UPDATE

Richard Frazee, Executive Director stated that Tom Tripp, District Attorney is gathering information so a letter can be sent to the proper legislators with the correct information to obtain help with funding for FEMA and Chip Herom, CDM has been attempting to contact the proper personnel at FEMA.

FINANCE

a) Financial Statement for the month of January 2007.

Mr. Farrell stated that January 2007 Financial statement year to date figures had been corrected as part of the motion that was made last month. Mr. Taylor made a motion to approve the amended year to date figures for January 2007. 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) Financial Statement for the month of February 2007.

Mr. Farrell read the financial statement for the month of February 2007. Mr. Taylor made a motion to approve the financial statement for the month of February 2007 with the noted corrections of the mis-reading in the amount on the year to date Personal Services and Total Capital Outlay. Second was made by Mr. Tingler.

No discussion. Roll Call:

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

MOTION APPROVED.

c) Investment Summary

Richard Frazee, Executive Director made the recommendation to move \$2,500,000.00 from SunTrust to SBA in order to receive a better interest rate at this time. Mr. Farrell made the motion to approve the Investment Summary for March 2007. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

MOTION APPROVED.

d) Audit Update

Richard Frazee, Executive Director stated that the audit is in your folders for your review. Mr. Taylor made a motion to accept the 2005-2006 audit that was received from CPA firm, Grau and Company. Second was made by Mr. Farrell.

No discussion. Roll Call:

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

MOTION APPROVED.

e) Draft CIP

Richard Frazee, Executive Director presented a draft of the CIP showing that with the delay of Channel 4E that putting One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the City Project this year and then again next year makes good sense. Mr. Farrell requested next month to see the CIP showing the spreading of the Three Million Dollars (\$3,000,000.00) in three (3) forms. Scott Pinheiro, Engineering Director, Pinellas Park, stated that it would be helpful for the City of Pinellas Park in paying the contractor to receive the funds in the amount of One Million Five Hundred Thousand Dollars ((\$1,500,000.00) over a two (2) year period or One Million Dollars (\$1,000,000.00) and Two Million Dollars (\$2,000,000.00) over a two (2) year period. The final CIP and the Public Facility Report will then be presented to the Board in May 2007.

NEW BUSINESS

a) Maintenance Department Update

Richard Frazee, Executive Director stated that the front end loader has been ordered and scheduled to be received in September 2007 and that the District is in the process of ordering the slope mower. Mr. Tingler wanted to know if the three (2) bids were received on the old slope mower of which Mr. Frazee; Executive Director replied "that is correct and will be going with the higher price trade in which will take place once the new slope mower is received.

Mr. Tingler wanted to know if the District was up to date on the mowing. Richard Frazee, Executive Director stated that it was being worked on as the mower had been down for approximately three (3) months.

b) Executive Directors Comments

Richard Frazee, Executive Director stated:

- Appraisal on the District facilities has been completed. The appraisal of the buildings and radio tower only came in at Five Hundred Ninety-Five Thousand Dollars (\$595,000.00) and has been sent to the Districts Insurance Company.
- The article of the Pinellas Park Water Management District with thirty (30) years of accomplishments and goals. Daniel Glaser, P.E. McKim & Creed, did a very good job of putting the article together. It will be published in the Storm Water Management which is a national publication.
- Board members folders distribution was discussed in receiving back on Tuesdays before the Board meeting night of Thursday.
- No action needed but wanted to make the Board aware that an individual has offered a lot to the District for sale and it is being investigated.

Mr. Tingler wanted to know if the District ever got into the area at the bridge where the locks had been changed and the District did not have a key. Richard Frazee, Executive Director stated that the District did have a key and was able to enter the area to mow and did some damage which is now being addressed by the District.

MISCELLANEOUS

A. Monthly Rainfall/Maintenance Report

The monthly report has been delivered and is included in the Boards packet.

There was no further business to come before the Board and Mr. Farrell moved to adjourn the meeting. Second was made by Mr. Taylor. Chairman Mr. Tingler closed the meeting at 6:47 P.M.