

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

**M I N U T E S**

**October 25, 2007**

**(Regular Authority Meeting #1)**

**IN ATTENDANCE**

Rick Frazee, FJS Research, Pinellas Park, Fl.  
Chip Herom, P.E., CDM, Tampa, Fl.  
Randy Roberts, Streets and Drainage, City of Pinellas Park, Fl.  
Dorian Modjeski, P.E., TBE Group, Clearwater, Fl.  
Mike Smith, P.E., CDM, Tampa, Fl.  
Daniel Glaser, P.E., McKim & Creed, Clearwater, Fl.

**ROLL CALL**

Mr. Farrell – Present  
Mr. Tingler \_ Late Arrival  
Ed Taylor \_ Present

Vice Chairman Ed Taylor opened Regular Authority Meeting #1 for the fiscal year 2007/2008 at 5:32 P.M.

**MINUTES**

Mr. Farrell made a motion to approve the minutes of the Regular Authority Meeting #12 for September 13, 2007.

Second was made by Mr. Taylor.

No discussion. Roll Call:

Voting Aye: Mr. Farrell and Mr. Taylor.

**MOTION APPROVED.**

Mr. Farrell made a motion to approve the minutes of the Final Trim Hearing held on September 13, 2007.

Second was made by Mr. Taylor.

No discussion. Roll Call:

Voting Aye: Mr. Farrell and Mr. Taylor

**MOTION APPROVED.**

**00-01-01**

**CHANNEL 1A – RE-CONSTRUCTION**

Richard Frazee, Executive Director stated that bids were due on October 2, 2007, received five (5) bids - high of \$4,529,566.00 to a low of \$1,316,560.00. The low bid was from Keystone Excavators and have received a letter of recommendation from CDM for Keystone Excavators and upon further discussion with Gina Cashion, CDM would like to request the approval of a contract subject to the District attorney's review. Mr. Farrell made a motion to approve a contract with Keystone Excavators Inc. in the amount of (\$1,316,560.00) for Channel 1A Re-Construction subject to the District attorney's approval.

Second was made by Mr. Taylor.

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Mr. Farrell questioned the difference between the high bid amount and the low bid amount. Chip Herom, CDM explained that there were several bids all along the same amount and then just that one higher bid. Mr. Farrell stated that this is a new contractor. Richard Frazee, Executive Director informed the Board of the verification by Gina Cashion, CDM of the new contractor and the high ratings that they received. Chip Herom, CDM stated that the engineers estimate was 1.6 Million.

No discussion. Roll Call:

Voting Aye: Mr. Farrell and Mr. Taylor

**MOTION APPROVED.**

Richard Frazee, Executive Director stated that Geotechnical testing is required throughout the construction phase and recommend awarding a contract to Driggers Engineering Services in the amount of Twenty-Seven Thousand Six Hundred Dollars (27,600.00). Mr. Farrell made a motion to approve a contract with Driggers Engineering Services Inc. for Geotechnical services, during the construction phase of Channel 1A Re-Construction in the amount of Twenty – Seven Thousand Six Hundred Dollars (\$27,600.00) subject to the Districts attorney approval.

No discussion. Roll Call:

Voting Aye: Mr. Farrell and Mr. Taylor

**MOTION APPROVED.**

#### **04-09-02**

##### **CHANNEL 1-A-2 (MCKIM & CREED)**

Richard Frazee, Executive Director stated construction is progressing well. An issue has arisen with a resident by the name of Mrs. Brock over a fence issue. Photos were distributed to the Board. Dan Glaser, McKim and Creed stated that the contractor, MTM made an assumption on his own without approval that there was unsuitable material in the bottom and started to haul away material. A recommendation was made by McKim and Creed to have Driggers Engineering Services test the material to find out if indeed it was unsuitable or not. Driggers Engineering Services came back that the material was suitable just mucky wet. The contractor, MTM was notified that the removal and bringing of the dirt back was going to be at his own expense and would not be compensated. Discussion was held on MTM contractors being very good and that there have not been any problems with the residence and the removal of dirt. Richard Frazee, Executive Director stated that there is one issue with a fence that belongs to Mrs. Brock. There have been many, many meetings with the District and the City of Pinellas Park. Discussion was held that there were trees and now there is not as many. Legally, the District is not required to do anything. In the contract with MTM, is included work to remove and replace Mrs. Brock's chain link fence. At the last meeting, Scott Pinheiro, City of Pinellas Park agreed to get a variance of an eight foot (8') fence even though her son was requesting a twelve foot (12') fence. Richard Frazee, Executive Director stated a proposal has been given to the District's attorney for review to give Mrs. Brock the amount that is in the contract with MTM in the amount of Eight Thousand One Hundred and Fifty-Three Dollars (\$8,153.00). A letter will be written asking for signature on the agreement and a Minor Encroachment Agreement.

Arrival of Charles Tingler, Chairman

#### **03-15-07**

##### **CHANNEL 2 – CULVERT UPGRADES – GANDY BLVD.**

Richard Frazee, Executive Director stated that a meeting was held on October 4, 2007 with TBE Group, CDM to review modeling efforts. Survey and underground utilities are being explored at this time.

**04-19-07**

**CHANNEL 2 – PARK BLVD. PHASE 3 – CITY PROJECT**

Richard Frazee, Executive Director stated no changes. The project appears to still be moving along.

**94-10-03**

**CHANNEL 3 – HAINES ROAD**

Richard Frazee, Executive Director stated that URS is ready to apply for ERP permit. The County is not ready to apply for the permit and it may be now sometime in mid November 2007. A draft permit application from URS on September 18, 2007 has been received and is being reviewed by Richard Frazee, Executive Director.

**03-08-02**

**CHANNEL 4 – 58<sup>th</sup> ST TO RAILROAD – (TBE GROUP)**

Richard Frazee, Executive Director reminded the Board that Harry Marlow was requested to do additional survey work per the elevation problems. Pictures were shown to the Board to review and MTM, Contractor's schedule shows March 28, 2008 for completion. Upon looking at the survey, TBE Group has reviewed the change order request from MTM Contractors in the amount of Twenty-Six Thousand Nine Hundred Eighty-two Dollars and Fifty Cents (\$26,982.50) and adding thirty (30) calendar days to the contract to cover problems requiring additional retaining walls. Dorian Modjeski, TBE Group informed the Board a meeting with Richard Frazee, Executive Director on October 9, 2007 was held to discuss the additional retaining walls needed on this project as they were not foreseen at time of design but once the work began you were able to see why the additional retaining walls were needed. Discussion was held on the original design, the Oak tree, the additional retaining walls and the slope problems, safety with railing and erosion problem on 58<sup>th</sup> Street. Rick Frazee, Executive Director recommended the acceptance of the change order emphasizing that fact that TBE Group has assured that there will be no additional charge for the re-design. Rick Frazee, Executive Director informed the Board that the material would have had to been paid if in the contract to begin with. Both, Dorian Modjeski, TBE Group and Dan Glaser, McKim and Creed strongly suggested that in future contracts a clause be made for additional retaining walls as this can not always seen at time of design. Mr. Farrell made a motion to approve change order #1 with MTM Contractors for additional wall on Channel 4 – 58<sup>th</sup> Street to RR in the amount of Twenty –Six Thousand Nine Hundred Eight-Two Dollars and Fifty cents (\$26,982.50) bringing the total contract price to Two Million Three Hundred and Eight Thousand Five Hundred and Four Dollars and Fifty cents (\$2,308,504.00) with an additional Thirty (30) calendar days subject to the District's attorney approval. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

**MOTION APPROVED.**

Mr. Farrell made a statement that the Barclay Board is concerned on the parking lot north side as it seems to be used by the Masonry contractor for equipment, etc. and the Board is fearful that the parking area will not be put back into the shape it was in the beginning. Dorian Modjeski, TBE Group will look into the matter and see that all is returned to its original condition. Richard Frazee, Executive Director stated that pictures are taken at the beginning in order to make sure all is returned to original condition.

**08-16-07**

**CHANNEL 4 AND 4E ENHANCEMENT**

Richard Frazee, Executive Director stated that there were six (6) responses to the advertisement for RFP

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for engineering firms for Channel 4 and 4E enhancements and they are presently being reviewed and at next months Regular Authority Meeting a recommendation will be made.

**11-11-03**

**CHANNEL 4A – PHASE 3 – 53<sup>RD</sup> STREET TO 62<sup>ND</sup> AVE.**

Chip Herom, CDM stated that a meeting was held with SWFWMD on October 4, 2007 to discuss permitting issues. SWFWMD requested additional modeling work of which has been completed, forwarded and presently waiting for a response.

**03-12-01**

**CHANNEL 5 – CITY PROJECT**

Richard Frazee, Executive Director stated that construction appears to be going well. Mr. Taylor stated that the City of Pinellas Park is working very well with the residents.

**02-04-01**

**FEMA MAP CHANGES UPDATE**

Chip Herom, CDM stated that the updates were expected in August, 2007, additional electronic information was requested and sent. FEMA Region four (4) office received information on September 17, 2007. It is moving forward, just have to sit and wait.

**FINANCE**

**a) Financial Statement for the month of September 2007.**

Mr. Farrell read the financial statement for the month of September 2007. Mr. Taylor made a motion to approve the financial statement for the month of September 2007. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

**MOTION APPROVED.**

**b) Investment Summary**

Richard Frazee, Executive Director, made the recommendation to move Five Hundred Thousand Dollars (\$500,000.00) from the Investment Pool to the Operating account in order to have funds for construction work as this is the period where the District does not receive any of the tax money as it has not yet been collected. Mr. Farrell made the motion to approve the Investment Summary for October 2007. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

**MOTION APPROVED.**

**c) 4<sup>th</sup> Quarter Budget Revision 2006-2007**

Richard Frazee, Executive Director informed the Board that the 4<sup>th</sup> Quarter Budget Revision is bringing all expenses into proper category for year end. Mr. Farrell made a motion to approve the 4<sup>th</sup> Quarter 2006-2007 Budget Revision as presented by the Executive Director. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

**MOTION APPROVED.**

**NEW BUSINESS**

**a) Trim Certification**

Richard Frazee, Executive Director informed the Board that the District has received their Trim Compliance letter stating that the District is in compliance which is needed in order to receive the Ad Valorem Revenue.

**b) Loss Control Policy**

Richard Frazee, Executive Director informed the Board that the Loss Control Policy is included in the Board folders and the Board is required to sign. This is issued once a year stating primary concern is on safety and will be issued to all employees as well as the Florida League of Cities where the District's General Liability Insurance is written. Mr. Farrell made a motion to approve the Loss Control Policy 2007-2008. Second was made by Mr. Taylor.

No discussion. Roll Call:

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

**MOTION APPROVED.**

**c) Grau & Associates – Audit 2006-2007**

Richard Frazee, Executive Director informed the Board that Grau & Associates have forwarded their agreement for auditing of the District for 2006-2007 for the fee of Thirteen Thousand Five Hundred Dollars (\$13,500.00) which is a Five Hundred Dollar (\$500.00) increase from the previous year. Mr. Farrell made a motion to approve for the Executive Director to sign the audit agreement with Grau & Associates for the 2006-2007 in the amount not to exceed Thirteen Thousand Five Hundred Dollars (\$13,500.00). Second was made by Mr. Taylor.

No discussion. Roll Call:

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

**MOTION APPROVED.**

**d) Executive Directors Comments**

Richard Frazee, Executive Director stated:

- A meeting was held in the office of Charlie Justice with Janet Rogers, Executive Assistant and Tom Tripp, Attorney for the District for furnishing information pertaining to the meeting that was held on October 18, 2007. Only four (4) residents spoke, one did not belong in the District, one spoke about his water bill, etc. Janet Long put the District on the agenda and wants to put on the ballot in January and Pinellas County appeared to be very negative toward the District. Tom Tripp, Attorney for the District would like approval from the Board to hire the firm of Lewis and Longman in Tallahassee if needed. Richard Frazee, Executive Director has the ability to spend up to Five Thousand Dollars (\$5,000.00) and by next month's Regular Authority meeting Tom Tripp, Attorney for the District should be able to give the Board a better idea on the expense of the law firm for representing the District in Tallahassee.
- The Board was informed that upon the claim of John Thompson being upheld, due to the fact that the District does not pay any unemployment, the rate does not change but the District is responsible for the claim in the amount of Six Thousand Three Hundred Twenty-Five Dollars (\$6,325.00).

- A quote from GSE in Tampa referencing repairs to the Spyder I and the current repairs that are needed is in the amount of Eleven Thousand Nine Hundred Eighty-Three Dollars and Thirty-Nine cents (\$11,983.39). Mr. Farrell asked how old the Spyder I was and Richard Frazee, Executive Director stated that it was purchased somewhere around 1991. Mr. Farrell made a motion to approve the Executive Director to authorize for repairs to Spyder #1 in the amount of Eleven Thousand Nine Hundred Eighty – Three Dollars and Thirty –Nine cents (\$11,983.39) as presented by the Executive Director. Second was made by Mr. Taylor

No discussion. Roll Call:

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

**MOTION APPROVED.**

- A new employee Devon Streater has been hired.
- Informed the Board that in November 2007, contract renewal for FJS, Inc. is to be presented. Some of the items that the Board may be looking at are as follows:

January – cut back to a twenty (20) hour work week with a provision that would allow up to thirty (30) hour work week when needed at the same hourly rate as the twenty (20) hour work week.

Vacation – two (2) days a month

Richard Frazee will be leaving the position as Executive Director somewhere around May or June 2008. The Board will need to be looking at filling the position around March 2008. FJS will add a provision for future work with the District as needed.

Further discussion was held whether the position of Executive Director should be held by an Engineer, if not that an Engineer should be brought on Board as in the past. Further discussion will be held at the Regular Authority meeting in November 2007.

- Front End Loader is to be delivered in November 2007.

#### MISCELLANEOUS

##### **A. Monthly Rainfall/Maintenance Report**

The monthly report is included in the Boards packet.

A guide to the Sunshine Law is in your packet for your use.

There was no further business to come before the Board and Mr. Farrell moved to adjourn the meeting. Second was made by Mr. Taylor. Meeting was adjourn at 6:40 P.M.