



Pinellas Suncoast Fire & Rescue

**304 FIRST STREET
INDIAN ROCKS BEACH, FLORIDA 33785-2587**

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www.psfrd.org

**FIRE CHIEF
JEFFREY DAVIDSON**

**MINUTES
FEBRUARY 27, 2024
WORKSHOP AND REGULAR MEETINGS**

**Christ the King Lutheran Church
11220 Oakhurst Road
Largo, FL 33774**

**WORKSHOP CALLED TO ORDER
PLEDGE OF ALLEGIANCE**

ROLL CALL: Commissioners answering roll call were Chair Louis Snelling, Vice Chair Elizabeth “Betsey” McKenna, Secretary/Treasurer Lawrence Schear, Commissioner David Gardella, and Commissioner Heather Koskinas. A quorum was present with Chair Louis Snelling presiding. Attorney Jeff Albinson, Fire Chief Jeffrey Davidson, Assistant Chief David Karpinecz, Division Chief Patrick Schwab, and Finance Director Erin Brooks were also present.

ADDITIONS OR DELETIONS: None.

GENERAL REMARKS FROM THE AUDIENCE:

Gary McPherson – 19803 Gulf Boulevard, Apt. 202, Indian Shores, FL 33785 – Mr. McPherson stated that he has been speaking with the Town of Indian Shores about the effects of the sand dunes that have been placed up and down the coastline, in some cases across the public access. He explained that he has been working with the Building Division to discuss potential modifications, particularly to the dune at 198th Avenue. He added that this is believed to be a life safety issue and discussed scenarios in which first responders might have difficulties when responding to a patient. Mr. McPherson stated that he is spearheading the process with the Department of Environmental Protection to receive permission to modify the dune. He explained that he feels input from the Fire Commission is important. Chief Davidson confirmed that PSFRD has fortunately not experienced any impediments but agreed it is possible and is willing to write a letter of support. Further discussion ensued on the origin of the sand dunes.

Lisa Cercek – 1736 Adams Circle S, Largo, FL 33771 – Ms. Cercek distributed a letter she wrote to the Commission which she then read aloud. In her letter, Ms. Cercek explained that her family business office has been in Indian Shores for 32 years and recently moved locations in December 2023. She stated that she was asked by someone in January if she was retiring, at which time she was shown a Facebook post made in the group “Indian Rocks Beach Life.” She explained that the

post discussed six condominium associations and indicated that the property manager had retired – four of which were her accounts. Ms. Cercek stated that she met with Chief Davidson in January to discuss the post, at which time he acknowledged that, while the post does show the name Doug Higley, he told her that the post was not made by an assistant chief or by the fire department, nor is that type of activity conducted on its official social media pages. Ms. Cercek claimed that she spoke with Nicola McConnell from Professional Condo Concepts and that Ms. McConnell stated that they had been receiving phone calls about Ms. Cercek's retirement status. Ms. Cercek stated that she confirmed with Ms. McDonnell that her office moved but all other contact information remained the same. Ms. Cercek claimed that this misrepresentation of her retirement status has caused serious economic damage to her business and that the spread of false information must stop. She added that if staff and District representation do not stop making misrepresentations and unfounded statements about her business and employment status, she will have no other choice than to seek legal representation. Ms. Cercek added that life safety is very important to her. She also stated that she wanted her letter to be read into public record and to let the Board know that she is upset.

Chair Snelling stated that he and Chief Davidson have discussed the incident and it is being handled internally. Chair Snelling offered an apology for any statements made.

Ms. Cercek discussed her history with Assistant Chief Doug Higley over the last year.

Attorney Albinson reiterated that the post was not made by the Pinellas Suncoast Fire & Rescue District. He acknowledged that the post does list Doug Higley's name, but the printout provided by Ms. Cercek shows the logo for Lealman Fire District, and there is no way to confirm at this time whether the post was even made by a member of PSFRD.

Fire Chief Davidson stated that the post was made while he was in Tallahassee and he had asked Division Chief Schwab to look into the matter and have the post removed, if possible, and the post was removed immediately. Chief Davidson stated that the employee was counseled and coached following this incident. Chief Davidson added that he believes some things stated by Ms. Cercek to be inaccurate regarding their meeting in January. He explained that he told Ms. Cercek that the Facebook group the post was made in was a personal page and not a page of the District; however, he did order for the post to be removed and he informed her at that time that he was handling the issue internally. He added that the post did not mention PSFRD nor did it mention Ms. Cercek's name. Chief Davidson stated that the District has spoken to Ms. Nicola McConnell who stated that she never reached out to Ms. Cercek. The Chief stated that Ms. Cercek, during their meeting in January, requested this issue be escalated to a higher level, at which time he said he invited her to the Commission meeting that same night. He explained that he could not remember off the top of his head where the meeting location was and went to check, at which time he felt very berated by Ms. Cercek for not having that information readily available. He added that he also offered her Attorney Albinson's contact information. Chief Davidson stated that he has not heard anything further from Ms. Cercek since that date. He explained that the employee Ms. Cercek is referring to is currently on leave related to a separate issue. Chief Davidson did add that the employee had attempted to make contact with Ms. Cercek after receiving an email stating that she was leaving to obtain information for the future companies; however, Ms. Cercek refused to provide that information to him because she did not like the automatic emails she was receiving from the Brycer

system, which led to the resulting Facebook post in an attempt to obtain the correct information. Chief Davidson agreed there was a personality conflict but he had thought he had rectified it to the best of his ability.

Attorney Albinson reiterated that there is no way to know if Doug Higley actually made the Facebook post, but he does know that it was not posted by PSFRD and it was not posted on any website or social media page controlled by PSFRD. Mr. Albinson stated that he agrees someone owes Ms. Cercek an apology but he cannot be clear on who that is until the facts are fully known. Chief Davidson added that he has personally apologized to Ms. Cercek and will apologize again and confirmed that is not how PSFRD conducts business.

DISCUSSION ITEMS: None.

ADJOURNMENT

The Workshop was adjourned at 6:32 p.m.

REGULAR MEETING CALLED TO ORDER

ADDITIONS OR DELETIONS TO AGENDA:

MONTHLY BUSINESS:

1. Approval of Minutes: January 16, 2024 Workshop and Regular Meetings
January 29, 2024 Special Meeting

Discussion: None.

A motion to approve the minutes of the January 16, 2024 Workshop and Regular Meetings and the January 29, 2024 Special Meeting.

MOTION: COMMISSIONER GARDELLA SECOND: COMMISSIONER KOSKINAS

All in favor, MOTION PASSED unanimously.

2. Treasurer's Report: January, 2024

Discussion: Secretary/Treasurer Schear stated that the investment program is in accordance with policy at \$11.2 million held in interest earnings accounts and \$308,000 in non-interest checking. General fund: Tax receipts through January 31, 2024 total \$6.88 million. The FEMA claim for reimbursement for Hurricane Idalia is in process, totaling \$252,000. Fiscal year Prevention revenue is \$57,000. General fund expenditures are within budget. Capital projects fund: Year to date expenditures total \$250,000 for scheduled lease payments on Squad 26 and Engine 27, plans review table for Fire Prevention, and fire equipment to be reimbursed under the AFG grant.

A motion to approve the January, 2024 Treasurer's Report.

MOTION: COMMISSIONER KOSKINAS SECOND: COMMISSIONER MCKENNA

All in favor, MOTION PASSED unanimously.

3. Correspondence: None.

GENERAL REMARKS FROM THE AUDIENCE: None.

REPORTS:

1. **COMMISSION:** Secretary/Treasurer Schear stated that he had invited Mr. Gary McPherson to this meeting after learning that the sand dune issue is of great concern to many residents of Indian Shores. He added that there are unfortunately two groups involved in this issue with very differing viewpoints, but the life safety issue is a definite concern for the fire department.

Secretary/Treasurer Schear stated that he provided a document to Chief Davidson that discusses concerns related to building high-risk construction projects such as fire stations in high-risk areas due to rising water or areas prone to damages from natural causes, and one of the potential sites for Station 26 is identified in that report.

Commissioner Gardella stated that he would like to make comments on the station build RFP and RFQ. He and Chair Snelling agreed that discussion should take place before the agenda items.

2. **ATTORNEY:** Attorney Jeff Albinson stated that he has been working with Chief Davidson on two employment-related issues, which will be discussed in more detail once the investigations have been completed.

3. **CHIEF'S REPORT:** Chief Davidson introduced Rachel Palmer, the District's part-time administrative finance assistant who started in December.

Chief Davidson stated that union negotiations will continue this Thursday at 9:00 a.m. at Christ the King Lutheran Church.

The Chief said that he was in Tallahassee for legislative appropriations week of January 8th. The District's project for a new fire administration building has been approved by both the House and the Senate with the final amount is being negotiated this week. He explained that if this project makes the final list, then the last step is making it through vetoes from the Governor's Office. He added that Senator Nick DeCegli and House Representative Kimberly Berfield sponsored this project for the District.

Chief Davidson stated that the District is in the process of applying for this year's FEMA Assistance to Firefighters Grant (AFG). He said that the request includes diesel exhaust filters as a cancer preventative measure, as well as the funding of paramedic school for four new personnel, with the total request totaling approximately \$150,000. Commissioner Gardella asked if the filter is something that is added to the trucks; Division Chief Patrick Schwab confirmed that they are another exhaust filter past the filter that catches the carcinogens that come out of the tailpipe.

Chief Davidson stated that he is working on pending disciplinary action that is still under formal investigation, and another disciplinary action that will conclude tomorrow morning, both

of which he stated he will discuss in more detail once the investigations are finalized.

As for community events, Chief Davidson stated that the District participated in a recent beach cleanup at Belleair Beach Causeway; on March 9th personnel will take part in Rotary Runs the Beach; that same afternoon is Greenfest in Indian Rocks Beach; on March 23rd staff will be attending the John Morroni Foundation dinner that honors first responders; and, the District will also be participating in the St. Patrick's Day festival on March 16th in Indian Shores.

ACTION ITEMS:

23-45 Church of the Isles Property

Fire Chief

Discussion: Chief Davidson explained that the District has been working with Church of the Isles for the last year and a half to purchase part of their property and it is now time to make a formal offer. The Chief stated that, after seeking advice from Commissioner Gardella, he would like to make an offer of the appraisal price of \$410,000 plus closing costs. He added that the appraisal company has confirmed that the appraisal price is still valid. Commissioner Gardella explained that documentary stamp tax and title insurance ranges from approximately \$5,500 to \$6,000. Commissioner Gardella asked if someone is needed to prepare paperwork on behalf of District. Chief Davidson said that he will have to speak to Attorney Albinson on the best course of action, but the first step is to come to an agreement on price. Attorney Albinson stated that, at this time, the District needs to send a formal offer letter to determine if the church is willing to sell at that price and, if not, what they come back with. He added that the District will also need to contact a real estate attorney and said that, at some point, the Board may need to discuss this in a shade session, but right now the offer is just based on the professional appraisal. Chief Davidson also stated that he has verified the zoning with the City and has also had a meeting with the planner to ensure that the number of parking spots they will be left with is sufficient, which they verified.

A motion to authorize the Chief to send a formal letter to Church of the Isles for the proposed purchase price of \$410,000 and up to \$6,000 in closing costs.

MOTION: COMMISSIONER MCKENNA SECOND: COMMISSIONER SCHEAR

All in favor, MOTION PASSED unanimously.

24-06 Public Facilities Annual Notice of Change

Fire Chief

Discussion: Chief Davidson stated that this document is the updated annual notice the District is required to complete every year per Florida Statutes Chapter 189.

A motion to approve the Public Facilities Annual Notice of Change.

MOTION: COMMISSIONER GARDELLA SECOND: COMMISSIONER KOSKINAS

All in favor, MOTION PASSED unanimously.

**23-42 Request for Proposal (RFP) #24-002
Delivery of 3 Fire Stations via P3**

Fire Chief

Discussion: Attorney Jeff Albinson explained that the Board can choose to speak on action items #23-42 and #23-43 together or separately but will need to vote on them individually. He stated that scoring sheets will be collected after discussion. Chair Snelling stated that the two action items will be discussed at the same time to effectively compare the options.

Commissioner Gardella stated that the presentations made to the Board by the three design-build companies and the P3 company were very thorough and professional. He discussed that this relationship is one that is going to develop over the course of the next eight to ten years in this District due to the significant construction projects involving three to four new fire stations, which means it is important to be tied in with a company that has a great track record locally. He explained that it is his opinion that everybody benefits if the District chooses a local company for these projects. Commissioner Gardella stated that he feels Sweet Sparkman and Creative Contractors hit the ball out of the park with their presentation and appreciates that the lead architect and CEO were present and excited about the project. He added that their firm has completed numerous public facilities and fire stations over the years. Commissioner Gardella explained that the relationship a local company will have with local contractors and subcontractors is very important right now and he doesn't believe the District should be considering a firm if their home office is not in Pinellas County, as is the situation with Fortress Secured. He added that Sweet Sparkman is the only firm that offered the option for the crews to remain in Station 28 during construction, which could save the District up to \$300,000. Commissioner Gardella said that he understands that one of the considerations for the P3 is the help with the financing aspect and the option of no money up front; however, he said that he does not feel those things are important, as the District has the ability to secure financing before construction begins. He added that each one of the companies said that it will be six to eight months before construction will begin, which is enough time for the District to solicit an RFP for financing. Additionally, he explained that the same information staff would have to supply for an RFP is the same information that would need to be supplied to Fortress Secured, so it would not be a significant burden to solicit financing options. Commissioner Gardella stated that for these reasons, combined with the fact the District has \$3 million available right now from the County, he believes that the Board should consider selecting Sweet Sparkman and Creative Contractors.

Secretary/Treasurer Schear explained that he takes a different viewpoint than Commissioner Gardella. He stated that he feels the District is in a position economically similar to what it is in in terms of operation. He explained that, operationally, there is nowhere to go if assistance is needed from the west, which means the District must be self-sufficient. Economically, if the District runs out of money, there is nowhere to go. He discussed that it took ten years to get to the point at which the District has a reasonable cash flow available, and if it runs out of money during these projects, there is nowhere to go – the District cannot go back to the voters for another source of funding. Secretary Schear said that choosing to go with a P3 company gives the District a fixed fee and a finite investment. Additionally, he added, the projects are turnkey, and the District will not still have to seek out televisions, bedding, computers, etc., which means that as soon as the project is finished, personnel can move in. He stated that Fortress Secured also has a good track record, have their own subcontractors and construction crew, and are experienced with fire stations

and other public facilities. Secretary Schear further explained that, like the other companies, they promise a fixed time frame, but they also have a record of finishing in that time frame. He said he feels that there is less risk to the District in terms of timing and also economically, and added that he would like to see as much creative financing as possible, as the District cannot go back to the constituents for more money. Secretary/Treasurer Schear explained that it is for these reasons he recommends that the Board select Fortress Secured.

Commissioner Gardella stated that he disagrees with Secretary/Treasurer Schear because the District has the ability to do this without the P3 financing due to the ad valorem revenue, and added that the \$3 million from the County is a significant down payment to build an \$8 million station, Commissioner Gardella added that verbiage can be added into the contract on the front end regarding recouping overages. Additionally, he added, Fortress Secured has never built anything in Pinellas or Hillsborough.

Commissioner Koskinas said that her decision was between Fortress Secured and Sweet Sparkman, but her final decision was made after some comments at the end of the presentations. She explained that, in her line of work, she sees a lot of increased cost estimates for construction – material costs that the customer has no control over, especially after natural disasters – and, with Fortress, the District is locked into a price, regardless of those increases. She added that there is also no need to worry about negotiating a contract. Additionally, she explained that Fortress works with these manufacturers on a regular basis and has the materials on-hand, so they are not paying the increased costs. Commissioner Koskinas continued that it is so difficult to budget for new construction right now because of the costs and access to materials, which is what she said tipped the scale for her in favor of Fortress.

Vice Chair McKenna stated that she agrees with selecting Fortress Secured based on their reputation and the satisfaction experienced by the fire departments that they have worked with. She added that she does appreciate local businesses, but Fortress offers a complete package deal that will allow the District to work more quickly and ensure that District staff is not inundated with financing and all other aspects of managing these projects.

Commissioner Gardella reiterated that the staff will need to provide the same financial information regardless of which company is chosen. He stated that he also feels that the scoring sheet is not fair because of the financing aspect. District Administrator Kim Hampton added that the Commission was instructed to allot the same amount of points across the board for financing to ensure scoring was fair and equitable.

Chief Davidson reminded the Commission that the District hired its own independent architect, ZHA, Inc., who works solely for the District to oversee the projects. The Chief then introduced Matt Ganz with ZHA.

Mr. Ganz discussed that ZHA represents many municipalities across Florida and has worked with Fortress in the past, as well as with many design-build companies. Mr. Ganz explained that every contractor can build a fire station, but he feels what is important right now for the District is the timing and financial input of a company like Fortress. Mr. Ganz also added that, while they are not from Pinellas County specifically, Fortress is a Florida-based company. He further explained

that Fortress has an impressive pool of preferred vendors, which, as Commissioner Koskinas noted, is how they get better pricing. Mr. Ganz stated that he has worked with many procurement and construction options, including P3, and added that I-4 was a P3 project they oversaw. He said that he likes that the P3 is a partnership and that they do the work for you, such as providing expertise in the financial arena. He said that they typically get materials and complete the work more quickly than other companies.

Commissioner Gardella asked Mr. Ganz if he was a paid consultant for Fortress, which Mr. Ganz said he was not. Commissioner Gardella stated that he believes the District hired ZHA because they had done business with Fortress before. Mr. Ganz stated that he has done business with a lot of different companies since working for ZHA. Commissioner Gardella asked Mr. Ganz what he sees the benefit of the P3 to be compared to design-build. Mr. Ganz explained that they are both “design-build,” but the P3 brings the financial aspect, they have more leverage, and have similar projects going on. He added that they have public safety items on hand that other contractors don’t. Commissioner Gardella said that it is a different concept, but the local companies have systems and relationships already in place as well, and they have often been in business locally for 50 to 70 years. Mr. Ganz said that Commissioner Gardella has very valid points and that he wants the District to make the best decision possible. He said if the financing, stations being move-in ready, and a lesser burden on the staff are important, then he does feel that is when the P3 makes sense. He added that design-build projects need more people involved and involve far more meetings.

Chief Davidson reiterated that he works for the Board and the Board makes the decision. He added that it is his understanding that nothing will happen until money is secured, which could take up to six months, and then begins the process of permitting and design after the funds are secured. Commissioner Gardella said that those things can happen simultaneously, and financing will not be that long of a process. Mr. Ganz said that there are a lot of other steps, such as the need to get an architect involved. Commissioner Gardella said that once the final plans are done, within 30 to 45 days the District will receive an answer on financing. Chair Snelling said that is putting the cart before the horse – the District needs a contract first to have plans done, and plans will not begin until the District can show it has the money or financing in hand. Commissioner Gardella said that the District has money to offer up front. Chair Snelling asked Finance Director Erin Brooks to weigh in. Director Brooks stated that in speaking with the District’s current lenders and legal staff, the process is going to take at least six months. She added that she cannot speak to whether firms would agree to starting plans with no financing in place; these are unknowns that she stated that she does not have firm answers or timelines on at this point. Director Brooks explained that the District does have \$3 million in the bank, but is only in the first year of ad valorem so there is no history or positive track record.

Mr. Ganz discussed that he believes the District would need to hire another person if the Board chooses an option other than the P3 because the existing staff would be overburdened. He added that municipalities hire P3 companies because their staff does not have the time to manage a construction project on top of their daily functions, and the P3 company comes in to virtually manage it for them. Mr. Ganz also stated that the P3 offers a guaranteed maximum price, whereas the District will not know what the real numbers will be on the front end with a design-build company.

Chair Snelling stated that this project has been put off for over a year and personnel deserve to be in new fire stations that are up to code. Commissioner Gardella said that he agrees that there should be no further delays and feels that the project will be delivered in the same timeframe whichever route is selected. Chair Snelling said that he must take into consideration that the District's Finance Director learned that the financing can take up to six months. Commissioner Gardella stated that he does not believe that to be factual. Finance Director Erin Brooks stated that one of her concerns is that the District recently has issued RFPs and received no proposals. Commissioner Gardella stated that he has spoken to three banks that would submit proposals immediately. Director Brooks stated that she has a limited scope of knowledge regarding this type of project and does not feel confident making a decision internally, whereas Fortress has an expanded scope on the process. She added that she spoke to the District's current lenders as she is not allowed to direct solicit banks, so she stated she is unaware of an expedited timeline that Commissioner Gardella may be aware of.

Vice Chair McKenna added that all three of the design-build companies that made presentations offered projects that were over the District's budget, and at the end of their presentations, all stated that they could deliver the project within the budget. She expressed that she does not trust that, and Fortress did provide an original proposal within the District's budget.

Commissioner Koskinas said that one of her concerns is that the District is going to begin the project and come out of pocket for all of the up-front costs, and then find out that banks are not willing to provide the financing due to the District operating in the red for so many years, and require the District to wait more time to be able to provide a longer history of ad valorem revenue. Commissioner Gardella stated that, unfortunately, the ad valorem revenue is not coming off the books. Commissioner Koskinas stated that there are not three years of positive financial history.

Fire Chief Davidson stated that staff will do whatever the Board directs them to do.

Chair Snelling stated that the District hired ZHA to provide guidance and information. Mr. Ganz stated that ZHA is comfortable with either method.

REMARKS FROM THE AUDIENCE:

Kelly Cisarik – 448 Harbor Drive South, Indian Rocks Beach, FL 33785 – Ms. Cisarik stated that the District is not going to build three fire stations at the same time, as they are not able to all be shut down at the same time, and therefore this will be a staggered project. She said that her concern with Fortress is that they are an LLC, meaning that if they cannot hold to the quote they provided, they have limited liability and can claim bankruptcy and reorganize. She also said she is unaware if the District has any control over selecting subcontractors, but feels that it should. Ms. Cisarik said that if the Board chooses the design-build route, once the first fire station has been completed, the District will have equity in that project, and can look into securing financing for future stations via bond offerings.

Attorney Jeff Albinson and Finance Director Erin Brooks used a spreadsheet to tally the final score based on the scoring sheets completed by each individual Commissioner.

Attorney Albinson explained that he collected each Commissioner's score sheet and pulled out the individual voting amounts and totaled the points for each under design-build and then the P3, and these will be the totals that are read into the record. Mr. Albinson noted a discrepancy in Secretary/Treasurer Schear's scoring on the financing portion when compared to the other four Commissioners, and so he converted Secretary Schear's score in such a way to be consistent with the other Commissioners.

The votes were as follows:

Sweet Sparkman – 375 points

Biltmore – 351 points

LEMA – 342 points

Fortress Secured – 397 points

Attorney Albinson summarized that, of the three design-build companies, Sweet Sparkman scored the highest; of all four proposals, Fortress Secured scored the highest overall.

A motion to proceed with Fortress Secured, LLC to do construction for the District.

MOTION: COMMISSIONER SCHEAR SECOND: COMMISSIONER MCKENNA

Commissioner Gardella opposed; MOTION PASSED 4 – 1

23-43 Request for Qualifications (RFQ) #24-001

Fire Chief

Delivery of a New Fire Station via Design-Build (Station #28)

Discussion: [This item was discussed in conjunction with Action Item #23-42.]

A motion to proceed with Sweet Sparkman and Creative Contractors to do construction for the District.

MOTION: COMMISSIONER GARDELLA SECOND: COMMISSIONER KOSKINAS

Commissioners Snelling, McKenna, Schear, Koskinas opposed; MOTION FAILED 1 – 4

[Attorney Albinson had explained during this vote that if a Commissioner chooses to second a motion, it does not mean that they must vote in favor of that motion, but it does allow for a full voice vote to be taken.]

A motion to close RFQ #24-001 and reject all proposals.

MOTION: COMMISSIONER KOSKINAS SECOND: COMMISSIONER MCKENNA

Commissioner Gardella opposed; MOTION PASSED 4 – 1

Fire Chief Davidson inquired as to whether a motion was needed to allow him to enter into negotiations and start the process with the company that has been selected by the Board.

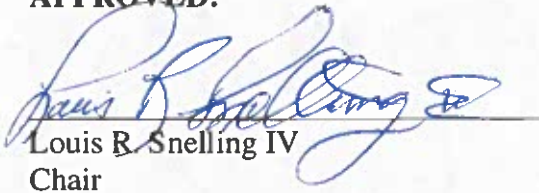
A motion to authorize the Fire Chief to enter into negotiations and start the process with Fortress Secured.

MOTION: COMMISSIONER SCHEAR SECOND: COMMISSIONER MCKENNA

Commissioner Gardella opposed; MOTION PASSED 4 – 1

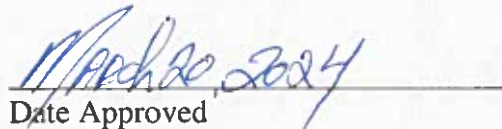
There being no further business to come before the Board, the meeting was adjourned in due form at 7:38 p.m.

APPROVED:


Louis R. Snelling IV
Chair

ATTEST:


Kimberly G. Hampton
District Administrator


Date Approved