

ROLL CALL - 9:31 A.M.

- Present: 7 Chairman Charlie Justice, Vice-Chair Janet C. Long, Dave Eggers, Rene Flowers, Pat Gerard, Kathleen Peters, and Karen Williams Seel
- Others Present:Barry A. Burton, County Administrator; Jewel White, County Attorney; Derelynn Revie,
Board Recorders Manager; and Shirley Westfall, Board Reporter, Deputy Clerk

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND AWARDS

- **1.** Purple Heart Day Proclamation:
 - Eric Nestler, 16th District Vice Commander American Legion Post 238 Commander
 - -Purple Heart Recipients and American Legion Members
 - -Ms. Ondrea Albert, Executive Board Member, Post 158, Treasure Island
 - -Mr. David Clinger, Adjutant Member, Post 238, Safety Harbor
 - -Mr. Mal Clingan, Executive Board Member and Chaplin of the American Legion Riders Post 275, Dunedin

Chairman Justice invited the Purple Heart recipients and American Legion members present to the podium, presented background information regarding the Military Order of the Purple Heart, and read a proclamation recognizing August 2 as Purple Heart Day; whereupon, those in attendance provided brief remarks.

PUBLIC HEARINGS

All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.

BOARD OF COUNTY COMMISSIONERS

2. Ordinance amending Chapter 42 of the Pinellas County Code adopting a Tenants Bill of Rights requiring the provision of information renters' rights under federal, state, and local law, prohibiting discrimination based on source of income, requiring notice of late fees, and requiring notice of rent increases.

Ordinance No. 22-27 adopted. Sixteen emails in support and 30 emails in opposition to the ordinance have been received.

Mr. Burton introduced the item; whereupon, Planning Division Manager Evan Johnson indicated that following the June 21 public hearing on the ordinance, staff was requested to conduct follow up on several items, including a comparison of the County's proposed ordinance to an ordinance adopted by the City of St. Petersburg, impacts to cost and/or availability of insurance coverage related to inclusion of tenants possessing a Housing Choice Voucher (HCV), clarification of income standards related to individuals holding an HCV, and coordination with municipal partners.

Referring to a PowerPoint presentation titled *Tenant Bill of Rights, Source of Income Anti-Discrimination, Notice of Late Fees, and Notice of Rent Increase Ordinance*, Mr. Johnson summarized the revisions which have been made to the proposed ordinance, and Housing and Community Development Director Carol Stricklin provided the following details regarding the City of St. Petersburg ordinance and County staff recommendations:

- A Notice of Rent Increase has been added and would apply to increases over 5 percent. Notification timeframes would be tiered based upon the length of a lease.
- Staff does not recommend addressing the practice of landlords restricting leasing to HCV holders due to potential insurance coverage impacts and costs. While staff recognizes that this practice is taking place, there is insufficient data to determine its extent. Monitoring of the issue will continue and will be brought back to the Board if a future modification is needed.
- Staff has added language to revise income standards to be based only on the amount of rent that the HCV holder is able to pay. The City of St. Petersburg ordinance uses the entire amount of rent as the income standard for potential tenants and is not being recommended for the County.

Responding to queries by Commissioners Eggers and Seel, Ms. Stricklin, with input by Mr. Burton, indicated that the standard practice for qualifying for a lease is for the prospective tenant to possess an income of two and one half to three times the total amount of the rent; that the income standard being recommended is that an HCV holder would be held to two and one half or three times the amount of the voucher as opposed to the full amount of the rent; and that the intent of the income standard language is not designed to allow a landlord to be assured that there is sufficient income for a tenant's additional expenses; whereupon, a discussion ensued.

In response to a query by Commissioner Peters, Mr. Johnson referred to the rent and income standard examples included in the PowerPoint presentation, explaining that they demonstrate actual calculations related to HCV holders and the method that Housing Authorities use to issue a voucher, including family size, gross income amount, area median income and maximum rent obligation, potential additional sources of assistance, and the amount of money that will be left over for expenses.

Commissioner Flowers remarked that the United Stated Department of Housing and Urban Development (HUD) has not increased its HCV rates to keep up with the current cost of apartment rentals; and that it is a national issue; whereupon, Mr. Johnson related that language was added to the proposed ordinance which indicates that a tenant would be responsible for all lease requirements, such as a security deposit.

Responding to a query by Commissioner Flowers, Ms. Stricklin indicated that staff has contacted the Florida Office of Insurance Regulation and has held a conversation with the Bay Area Apartment Association regarding the practice in the insurance industry resulting in landlords denying rentals to tenants based on their source of income due to potential impacts in cost of insurance, reiterating that staff does not recommend that a blanket exception regarding insurance cost increase be added to the proposed ordinance, Commissioner Gerard recommended obtaining written clarification from the Florida Insurance commissioner regarding the legality of addressing the issue in the proposed ordinance, and Commissioner Long suggested that the Board include addressing regulation of insurance premiums in its legislative recommendations.

Discussion ensued, and Ms. Stricklin provided the following information related to the members' comments and queries:

- Staff is satisfied that the Housing Authorities' budget worksheet considers reasonable expenses for tenants.
- Staff is engaged in discussions with the City of St. Petersburg regarding the components of its ordinance, particularly related to the source of income and insurance topics. The City is currently considering the Notice of Rent Increase provision. Discussions will continue, and the City has committed to continuing to evaluate consistency between the two ordinances.

Upon call by the Chairman for public comment, the following individuals appeared and expressed their concerns:

Jay Thompson, St. Petersburg Jalessa Blackshear, St. Petersburg William Kilgore, St. Petersburg, representing St. Petersburg Tenants Union Chris Conlen, St. Petersburg Eric Garduno, Tampa, representing Bay Area Apartment Association Tim Snelgrove, Largo Jordan Brooks, Sun City Center Sebastian Harris, Seminole Greg Pound, Largo David Ballard Geddis, Jr., Palm Harbor Tony Williams, St. Petersburg Nick Carey, St. Petersburg Wanda McCawthan, Largo, representing Friends of Ridgecrest Eliseo Santana, Clearwater Jack Wallace, St. Petersburg, representing St. Petersburg Tenants Union Angela Reno, Largo Karla Correa, St. Petersburg, representing St. Petersburg Tenants Union Jody Shirley (address not provided)

In response to a query and concerns expressed by Commissioner Flowers, Ms. Stricklin related that the proposed ordinance does not contain language regarding the topic of deposit amounts, which landlords charge for rental units. Eric Garduno, Tampa, was requested by the Chair to return to the podium; whereupon, he clarified that the three times amount with regard to income standard related to monthly rent, is not an amount which a tenant must pay. Commissioner Flowers shared that housing vouchers are issued for 12-month periods; and that voucher holders are then re-certified annually by the Housing Authorities.

Responding to a query by Commissioner Flowers and a clarification request by Chairman Justice, Attorney White indicated that the County Charter contains enumerated countywide powers; and that she would want to investigate whether the topic of the proposed ordinance would fit squarely within one of those powers, such as consumer protection; whereupon, she explained that a countywide ordinance that does not link to a Charter power can be passed; and that it would only be ineffective if one of the County municipalities formally opt out or pass its own ordinance which contains inconsistencies with a County ordinance; whereupon, she confirmed that the ordinance being proposed is countywide; and that, if passed, would be set forth in a new provision to the Pinellas County Code of Ordinances.

In response to a query by Commissioner Seel, Mr. Johnson explained that HUD maintains certain rent levels that are allowed; that staff maintains fair-market rent detail for different sections of the County; and that if a HCV holder locates a market-rate rental unit within the amount that HUD will allow, that landlord would need to accept that applicant as legitimate; whereupon, he noted that the proposed ordinance does not require any landlord to lower rent in order to accept a voucher.

Commissioner Seel expressed a concern regarding unintended consequences resulting from the proposed ordinance and support for being more in line with the City of St. Petersburg's ordinance; whereupon, in response to a query by Commissioner Long, Mr. Burton related that the city managers who were in attendance at a recent meeting are aware of today's proposed ordinance; that their primary questions revolved around who would enforce it; that enforcement would be the responsibility of the County's Consumer Protection division; and that Hillsborough County and the City of St. Petersburg have received very few complaints since passing their ordinances.

Commissioner Eggers expressed concerns regarding unintended consequences, as well as support for the Board to move forward with the City of St. Petersburg's ordinance as a first step.

Responding to a request for clarification and concerns by Commissioner Peters, Ms. Stricklin and Mr. Johnson provided the following information:

- Hillsborough County has received less than 20 complaints over approximately one year.
- The proposed ordinance does not mandate that a landlord accept a voucher if it affects the amount being charged for rent, but does define an HCV as one legal, lawful source of income.
- Provided a voucher holder can pay the amount of rent being charged for a unit and can meet all other lease requirements, the landlord would have to accept the applicant in the same way that would be done for any other applicant going through the process.
- The proposed ordinance attempts to address the discrimination that could legally occur since source of income is not protected under the Fair Housing Act.

Commissioner Flowers shared that she recently met with representatives of the Community Law Program; that the group represented 450 tenants over the past year; and that they were able to obtain some resolution in areas such as rent increases and extension of timeframes for vacating units.

In response to a query by Commissioner Eggers, Mr. Johnson indicated that staff is analyzing data regarding the conversion of apartment complexes into condominiums, but that no clear picture has emerged as to how that could be affecting the current rental market; whereupon, Sebastian Harris, Seminole, was asked to return to the podium. Mr. Harris related that his work involves investment sale of apartment communities throughout Pinellas County; that he sees apartment complexes changing ownership, as opposed to being converted to condominiums; and that in this area, to the best of his knowledge, there is more value for an owner to sell an entire complex than there would be to sell individual units as condominiums.

Responding to a query by Commissioner Seel, Mr. Burton indicated that the Housing Compact group has just become organized; whereupon, Commissioner Seel remarked that it would seem that taking the proposed ordinance to the group would have been logical, since its intent is to bring some consensus amongst the cities.

Commissioner Flowers requested that a six-month update regarding the results of the ordinance be provided to the Board; that staff remain apprised of the outcomes of the Hillsborough County and the City of St. Petersburg ordinances; and that she would like for the Board to consider future dialogue related to potentially addressing the concerns with the insurance industry.

In response to a query by Commissioner Eggers, Mr. Burton indicated that questions from municipalities regarding the details of the ordinance should be directed to Ms. Stricklin; whereupon, Commissioner Seel suggested that a proactive, informational letter, possibly under the Chairman's signature, be sent to all cities.

A motion was made by Commissioner Gerard, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

- Aye: 5 Chairman Justice, Vice-Chair Long, Commissioner Flowers, Commissioner Gerard, and Commissioner Seel
- Nay: 2 Commissioner Eggers and Commissioner Peters

Meeting Recessed: 11:58 A.M.

Meeting Reconvened: 12:32 P.M.

CITIZENS TO BE HEARD

3. Citizens To Be Heard - Public Comment.

David Ballard Geddis, Jr., Palm Harbor (submitted documents) Greg Pound, Largo Mack Johnson, Largo Alex Thompson, Palm Harbor

CONSENT AGENDA - Items 4 through 7

A motion was made by Commissioner Eggers, seconded by Vice-Chair Long, that the Consent Agenda items be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

COUNTY ADMINISTRATOR DEPARTMENTS

Human Services

 Ranking of firms and agreement with Gulf Coast Jewish Family and Community Services, Inc. d/b/a Gulf Coast JFCS for First Responders - Comprehensive Addiction and Recovery Act Grant - Quick Response Team services.

(Contract No. 22-0163-P) Ranking of firms and agreement approved in the annual amount of \$355,499.00, for a total contract value of \$1,421,996.00, provided through the First Responders federal grant. No County match is required. Agreement is effective from August 2, 2022 through September 29, 2025.

The item was approved as part of the Consent Agenda.

Public Works

5. Award of bid to Tom's Sod Services, Inc. and Quality Sod and Landscape, LLC d/b/a Florida ULS Operating, LLC for annual requirements of sod.

Contract No. 22-0282-B awarded in the estimated annual amount of \$592,753.50 for a sixtymonth term total of \$2,963,767.50 on the basis of being the lowest responsive, responsible bids meeting specifications. The contract replaces the current contract executed on May 23, 2017.

- Tom's Sod Services, Inc. in the amount of \$2,923,142.50 for the five-year term, for services as set forth in the Staff Report.
- Quality Sod and Landscape, LLC d/b/a Florida ULS Operating, LLC in the amount of \$40,625.00 for the five-year term, for services as set forth in the Staff Report.

The item was approved as part of the Consent Agenda.

<u>Utilities</u>

6. Award of bid to Fortiline Waterworks and Ferguson Enterprises, Inc. d/b/a Ferguson Waterworks for industrial plumbing supplies.

Contract 22-0123-B awarded in an amount not to exceed \$2,778,285.24 for a 24-month term (\$384,559.38 to Fortiline Waterworks and \$2,393.725.85 to Ferguson Enterprises, Inc. d/b/a Ferguson Waterworks) on the basis of being the two lowest responsive, responsible bids received. This contract contains a provision to allow for two 24-month term extensions, with annual price adjustment, and replaces two contracts with other vendors, as detailed in Staff Report.

The item was approved as part of the Consent Agenda.

7. Award of bid to Johnson Controls, Inc. for preventative maintenance and repairs of the HVAC chiller system at the Utilities water quality laboratory.

Contract No. 22-0076-M awarded in the not-to-exceed amount of \$1,367,850.00 (estimated annual expenditure, \$273,570.00) for a 60-month term awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. The contract replaces the existing contract expiring in November 2022. The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Human Services

8. Funding Agreement with Gulfcoast Legal Services, Inc. for legal aid services.

Agreement approved in an amount not to exceed \$396,780.00 to provide funding for legal assistance to eligible residents of the County in the areas of family law, elder law, consumer law, housing law, tax law, and public benefits advocacy.

A motion was made by Commissioner Peters, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Solid Waste

9. Annual certificate of the Lealman Solid Waste Collection and Disposal District Non-Ad Valorem Assessment Roll.

Certificate approved for the assessment roll period of January 1 through December 31, 2022. Chairman authorized to certify the roll to the Tax Collector prior to September 15, 2022.

Mr. Burton noted that the monthly assessment fee will remain at \$16.00.

A motion was made by Vice-Chair Long, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Utilities

10. Agreement with Condy Holdings, LLC d/b/a Carus, LLC for the proprietary corrosion control chemical blend used in the Pinellas County Utilities Water System.

(Contract No. 21-0694-N) Agreement approved in an amount not-to-exceed \$658,320.00 for a two-year term through June 30, 2024. This contract replaces the current contract which expired on June 30, 2022.

A motion was made by Commissioner Peters, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel **11.** Agreement with Nalco, an Ecolab Company LLC for the purchase of Nalmet 1689 - Wastewater Treatment.

(Contract No. 22-0225-N) Agreement approved in the amount of \$1,498,505.29 for an estimated annual expenditure of \$299,701.06 over five years. This contract replaces the current contract which expired on July 5, 2022.

A motion was made by Commissioner Gerard, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

12. Increase of funding request for Utility Work by Highway Contractor Agreement and Three-Party Escrow Agreement with the Florida Department of Transportation for State Road 55/U.S. Highway 19 project from State Road 580 to Northside Drive.

(FDOT Federal Project ID D721-023B; FDOT; County PID No. 001522A) Funding request approved in the amount of \$1,506,022.15 for a final project cost of \$10,395,062.15; wire transfer to the Florida Department of Transportation to be delivered by August 30, 2022.

In response to a query by Commissioner Eggers, Mr. Burton clarified that the County's utilities fund will supply the additional monies.

A motion was made by Vice-Chair Long, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

13. Increase of funding request for Utility Work by Highway Contractor Agreement and Three-Party Escrow Agreement with the Florida Department of Transportation for the State Road 55/U.S. Highway 19 project from Northside Drive to County Road 95.

(FDOT Federal Project ID D721-035B; County PID No. 001523A) Funding request approved in the amount of \$3,284,828.45 for a final project cost of \$9,717,353.45; wire transfer to the Florida Department of Transportation (FDOT) to be delivered by August 30, 2022.

Commissioner Seel remarked on the 30% project cost increase and its impact on FDOT's governmental partners and the citizens.

A motion was made by Commissioner Peters, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

 Aye:
 7 Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

14. Purchase Authorization with Carahsoft Technology Corporation for Accela licensing and maintenance services.

Contract No. 22-0475-G approved in an amount not to exceed \$5,421,053.89 through June 29, 2029.

A motion was made by Commissioner Peters, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Emergency Medical Services Authority

15. Reappointments to the Emergency Medical Services Advisory Council.

Sitting as the Emergency Medical Services Authority, the Board approved the reappointments of the following individuals for two-year terms ending July 2024:

- Larri Gerson reappointed as a Citizen Representative.
- Scott Ehlers and Anthony Tedesco reappointed as the City of Clearwater Fire Chief representative and alternate representative, respectively.
- Terry Tokarz and Doug Zimmerman reappointed as the EMS Coordinator representative and alternate representative, respectively.
- Dr. Eric Carver reappointed as the St. Petersburg College President's representative.
- Nancy Hopkins reappointed as the Emergency Nurses' Association representative.

A motion was made by Commissioner Gerard, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

16. Appointments to the Emergency Medical Services Medical Control Board.

Sitting as the Emergency Medical Services Authority, the Board approved the appointment and reappointments of the following individuals for two-year terms ending July 2024:

- Dr. Roberto Bellini reappointed as an Emergency Physician representative.
- Dr. Krista Gillis reappointed as a Trauma Center Emergency Physician representative.
- Dr. Taylor Smith appointed as a Trauma Center Emergency Physician alternate representative.

A motion was made by Commissioner Peters, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Fire Protection Authority

17. Amendment No. 1 to the Fire Protection Services Agreement between the Lealman Special Fire Control District and Pinellas County to provide funding for the replacement of a fire apparatus to serve the Tierra Verde Fire District.

Amendment approved in an amount not to exceed \$1,300,000.00.

A motion was made by Commissioner Peters, seconded by Vice-Chair Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

COUNTY ATTORNEY

18. Proposed ratification of initiation of litigation in the case of Pinellas County v. Matthew and Ashley Isel (injunctive relief).

Action taken by the County Attorney's Office with advance approval of the BCC Chairman ratified.

A motion was made by Commissioner Peters, seconded by Vice-Chair Long, that the item be approved. The motion carried by the following vote:

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Nay: 1 - Commissioner Eggers

19. Resolution approving early extension of 2022 tax rolls.

Resolution No. 22-61 adopted directing the Property Appraiser to extend the 2022 tax rolls and deliver them to the Tax Collector on or before October 7, 2022, upon authority of Section 197.323, Florida Statutes, and directing the Clerk to deliver the resolution to the Property Appraiser.

A motion was made by Vice-Chair Long, seconded by Commissioner Peters, that the item be approved. The motion carried by the following vote:

Aye:

7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

20. County Attorney Reports. - None.

COUNTY ADMINISTRATOR

21. County Administrator Reports:

- Fiscal Year 2023 maximum millage rates for certification to the Property Appraiser.

Mr. Burton explained that the maximum millage rates need to be set before budget hearings take place in September; that staff provided a list of the maximum rates, some of which are higher than what is being proposed; that the Board's action will establish a maximum amount and will be able to pass a millage rate of a lesser amount; and that with the approval of the members, he will post the rates following the meeting; whereupon, in response to queries by Commissioner Eggers, Mr. Burton clarified that the proposed maximum millage rate is 4.9136; that the proposed budget has a lower millage rate of 4.7398; and that questions raised by the Board at a previous meeting regarding alternative funding options for transportation infrastructure will be discussed at the budget hearing.

A motion was made by Vice-Chair Long, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Nay: 1 - Commissioner Eggers

COUNTY COMMISSION

22. County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business:

Bob Graham Sunshine Skyway Bridge

Resolution No. 22-62 approved supporting the Florida Department of Transportation lighting of the Skyway Bridge in recognition of Breast Cancer Awareness Month during October 1-8, 2022.

A motion was made by Commissioner Gerard, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel The Commissioners provided updates regarding their assigned boards and committees and discussed various topics, as follows:

Commissioner Long

- Protecting taxpayers from climate-related adaptation costs
- Pinellas Suncoast Transit Authority
- Passing of former Seminole Councilmember Hayward Hartman

Commissioner Flowers

- Pinellas Suncoast Transit Authority
- Career Source Pinellas

Commissioner Eggers

• County housing issues

ADJOURNMENT - 1:02 P.M.



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ATTEST: KEN BURKE, CLERK

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Deputy Clerk