

# **Pinellas County**

*315 Court Street, 5th Floor Assembly Room  
Clearwater, Florida 33756*



## **Minutes - Final**

**Tuesday, April 25, 2017**

**2:00 PM**

**BCC Assembly Room**

## **Board of County Commissioners**

*Janet C. Long, Chairman  
Kenneth T. Welch, Vice-Chairman  
Dave Eggers  
Pat Gerard  
Charlie Justice  
John Morroni  
Karen Williams Seel*

**ROLL CALL - 2:03 P.M.**

**Present:** 6 - Chairman Janet C. Long, Vice-Chairman Kenneth T. Welch, Dave Eggers, Pat Gerard, John Morroni, and Karen Williams Seel

**Absent:** 1 - Charlie Justice

**Others Present:** James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Lynn Abbott and Christopher Bartlett, Board Reporters, Deputy Clerks.

**INVOCATION - Reverend Clarence Williams with Greater Mt. Zion A.M.E. Church in St. Petersburg****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Doing Things! Employee Recognition - Yuan-Chen Kung, Human Services.

Chairman Long and Mr. Woodard recognized Human Services Case Manager Yuan-Chen Kung, relating that she is an 11-year employee who facilitates health care for those in need, processes records requests for the homeless with the Mobile Medical Unit, and works at the Homeless Leadership Board on their annual point-in-time survey, noting that she is well known for delivering first-class service and her passion on behalf of her clients; whereupon, a video was shown highlighting the services she provides.

2. Age Friendly Community Presentation.

Mr. Woodard discussed Pinellas County's Age Friendly Community initiative and provided background information on the Commission's partnership with the American Association of Retired Persons, AARP. Chairman Long discussed the Board's objectives to improve the lives of its aging citizens. She related that Pinellas County is honored to be designated as an Age Friendly Community and recognized the presenting partners; whereupon, Jeff Johnson, State Director, AARP Florida, presented a certificate to Chairman Long and thanked the Board and Mr. Woodard for their commitment to the program.

3. Partner Presentation:  
U.S. Coast Guard Air Station Clearwater - Capt. Edward W. Sandlin, Commanding Officer.  
Item deferred.

**CONSENT AGENDA - Items 4 through 27 (Items 17, 21, and 22 addressed under Regular Agenda)**

**A motion was made by Commissioner Morroni, seconded by Commissioner Gerard, that the Consent Agenda items be approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seal

**Absent:** 2 - Vice-Chairman Welch, and Commissioner Justice

#### CLERK OF THE CIRCUIT COURT AND COMPTROLLER

4. Minutes of the regular meeting held March 21, 2017.
5. Vouchers and bills paid from March 5 through March 18, 2017.

Period: March 5 through March 11, 2017

Payroll - \$3,307,004.67

Accounts Payable - \$12,740,580.22

Period: March 12 through March 18, 2017

Payroll - None

Accounts Payable - \$21,295,612.40

#### Reports received for filing:

6. City of Dunedin Community Redevelopment Agency Annual Report for Fiscal Year (FY) 2015-2016.
7. City of Largo Community Redevelopment Agency Annual Report for FY 2015-2016.
8. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Annual Report for the year ending December 31, 2016.
9. Palm Harbor Community Services Agency, Inc. Financial Statements for FY ended September 30, 2016, with Independent Auditor's Report thereon.
10. Dock Fee Report for the month of March 2017.
11. Quarterly Report of Routine Dock and Dredge/Fill Permits issued from January 1 to March 31, 2017.

#### Miscellaneous items received for filing:

12. City of Clearwater Ordinance No. 8997-17 adopted March 2, 2017, annexing certain property.
13. City of Safety Harbor Ordinance No. 2017-10 adopted April 3, 2017, annexing certain property.
14. City of Tarpon Springs Ordinance No. 2016-15 adopted March 21, 2017, annexing certain property.

## COUNTY ADMINISTRATOR DEPARTMENTS

### Animal Services

15. Revised License and Rabies Vaccination Certificate.

### County Administrator

16. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending March 31, 2017.

### Economic Development

18. Submission of an Application for Federal Assistance to the U.S. Economic Development Administration for the Tampa Bay Innovation Center Incubator.
19. Authority to advertise a public hearing to be held on June 20, 2017 regarding a proposed ordinance approving an exemption from certain ad valorem taxation for Power Design, Inc. pursuant to the County's economic development ad valorem taxation program.

### Public Works

20. Ranking of firms and agreement with Atkins North America, Inc. for professional engineering, planning, and environmental services for the Anclote River Watershed Management Plan.  
Ranking of firms and Contract No. 167-0002-NC approved in the amount of \$883,760.00 (includes basic and contingency services not to exceed \$808,760.00 and \$75,000.00, respectively); term is 36 consecutive calendar months from the notice to proceed date. Chairman authorized to sign the agreement and the Clerk to attest.
23. Local Agency Program agreement with the Florida Department of Transportation for the CR 752/Tampa Road median modification project.  
Resolution No. 17-21 adopted approving the agreement (FDOT Financial Project No. 439458 1 58 01; County PID No. 003127A) for grant funding in the amount of

\$263,800.00 with no additional cost to the County; project limits are from Sandpiper Court to Cornerstone Center. Chairman authorized to sign and the Clerk to attest.

### Real Estate Management

24. Ranking of firms and agreement with Accurate Controls Inc. of Wisconsin for design-build services for the County Justice Center security system replacement project.

Ranking of firms and Contract No. 167-0065-P approved in the amount of \$1,363,731.03; work is to be completed no later than December 31, 2017. Chairman authorized to sign the agreement and the Clerk to attest.

25. Declare surplus and authorize the sale of miscellaneous County-owned equipment and vehicles.

Excluding any interested governmental or not-for-profit agencies, assets to be liquidated through public auction conducted by Tampa Machinery Auction, Manheim, and GovDeals.com under provisions of existing contracts. Distribution of proceeds approved as recommended in the Staff Report.

### AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

#### Sheriff's Office

26. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending March 31, 2017.
27. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending March 31, 2017.

### **REGULAR AGENDA**

#### ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

#### County Administrator

17. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending March 31, 2017.

Commissioner Gerard indicated that she would abstain from discussing and voting on the item due to a conflict of interest, and in accordance with the provisions of the Standards of Conduct Law, submitted a Memorandum of Voting Conflict form, which has been made a part of the record.

**A motion was made by Commissioner Eggers, seconded by Commissioner Morroni, that the item be approved. The motion carried by the following vote:**

**Aye:** 4 - Chairman Long, Commissioner Eggers, Commissioner Morroni, and Commissioner Seel

**Absent:** 2 - Vice-Chairman Welch, and Commissioner Justice

**Abstain:** 1 - Commissioner Gerard

### Public Works

- 21.** Award of bid to Suncoast Development of Pinellas County, Inc. for the intersection improvement project on 102nd Avenue North at 113th Street.

Bid No. 167-0147-CP (PID No. 001896A) in the amount of \$922,969.18 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is to be completed within 360 consecutive calendar days. Chairman authorized to sign the agreement and the Clerk to attest.

At the request of Commissioner Seel, Traffic Engineering Manager Ken Jacobs provided a schematic and a brief description of the work to be completed, noting that the project is divided into two areas; and that work includes adding a turn-lane, reconfiguring intersections, and resurfacing.

During discussion and responding to queries by Commissioner Seel and Chairman Long, Mr. Jacobs related that the long-standing issue of pedestrian movement will be corrected by adding crosswalks; that there are upcoming projects designed to alleviate traffic along 102nd Avenue; and that the intersections at 113th Street and Park Boulevard will be reevaluated once the nearby mall approaches full build-out.

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

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

- 22.** Award of bid to Hubbard Construction Company for FY 2017-2018 countywide pavement resurfacing projects.

Bid No. 167-0179-CP (PID No. 002221A) in the amount of \$3,544,608.11 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is to be completed within 550 consecutive calendar days with no provision for term extension. Chairman authorized to sign the agreement and the Clerk to attest.

At the request of Commissioner Eggers, Traffic Engineering Manager Ken Jacobs discussed the multi-project contract and sources of funding, noting that the County has committed to expend approximately \$8.5 million for the paving program this fiscal year; that the resurfacing of countywide roads is funded through Penny for Pinellas; and that the paving of unpaved roads in unincorporated segments of the county is funded by Municipal Services Taxing Unit (MSTU) taxes.

In response to comment by Commissioner Seel, Mr. Jacobs provided information regarding the pavement preservation prioritization process, noting that the County maintains 2,600 miles of roadway; that pavement condition is inspected annually, gauged, and assigned a pavement condition index; that values range from 0 to 100; that the average County index is 70; and that maintenance at that level ensures adequate funding for repaving on an annual basis; whereupon, Commissioner Eggers provided input.

**A motion was made by Commissioner Eggers, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

## COUNTY ADMINISTRATOR DEPARTMENTS

### Building Services

- 28.** Purchase authorizations with Carahsoft Technology Corporation for the Accela Civic Platform Land Management Technology Upgrade project and Selectron Technologies, Inc. for the Selectron Relay Platform.

Statements of Work related to the purchase authorizations approved, as follows. Chairman authorized to sign the agreements and the Clerk to attest.

- Contract No. 167-0244-G for Accela Civic Platform in an amount not to exceed \$2,415,467.76 as per the pricing, terms, and conditions of General Services Administration (GSA) Contract No. GS-35F-0119Y for a term of 25 months from the authorized start date.
- Contract No. 167-0248-G for the Selectron Relay Platform in an amount not to exceed \$86,333.55 as per the pricing, terms, and conditions of GSA Contract No. GS-35F-0315X for a term of 24 months from the authorized start date.

Mr. Woodard introduced the item and related that the software upgrade project will replace software that has been in place since 2002.

Building Division Chief David Howdeshell conducted a PowerPoint presentation titled *Doing Things! Accela Civic Platform Technology Project*, which has been made a part of the record, and provided an overview of the project, including platform benefits, business case, and costs, highlighting its alignment with the Strategic Plan. He presented background information regarding Permits Plus, Building Services' current land management software, and related that the County has experienced many difficulties with its use.

At this time, Chairman Long requested a copy of Mr. Howdeshell's presentation and deviated from the agenda to address Item No. 34.

Later in the meeting, Mr. Howdeshell briefly reiterated project costs, relating that the total cost of the project is approximately \$8.8 million over five years; and that it would be cost neutral after year 7. He discussed issues related to reporting data, configuration changes, and software hosting, noting that self-hosting was determined to provide the best support at this time; and that the costs for years 6 and 7 are unknown due to the likely change from self-hosting to cloud-hosting; whereupon, he provided information regarding funding and anticipated departmental usage.

In response to queries by Commissioners Welch and Eggers, Mr. Howdeshell indicated that he has worked on the project since 2008 and provided information related to the project's web accessibility, number of included licenses and restrictions, the process for document digitization, conversion of historical data, and implementation and production dates, relating that, once approved, project implementation is estimated at 25 months.

Chairman Long expressed concern regarding the contract timeline and the ability to adapt to changing technology; whereupon, Mr. Howdeshell provided background information pertaining to the progressive business practices of the vendor, noting that the civic data company currently has 2,200 global users; that the software is updated a minimum of once a year; and that the software has a 15- to 20-year product life.

**A motion was made by Vice-Chairman Welch, seconded by Commissioner Eggers, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

## COUNTY ATTORNEY

- 34.** Proposed settlement in the case of GCS Energy Recovery of Pinellas, Inc., a Delaware Corporation, v. Pinellas County, a Political Subdivision of the State of Florida - Circuit Civil Case No. 2014-005220-CI-13.

Settlement approved in accordance with the confidential memorandum from County Attorney James L. Bennett dated April 25, 2017.



Chairman Long deviated from the agenda to address this item in order to minimize fees for outside counsel. Responding to query by Commissioner Eggers, Attorney Greg Stewart of Nabors Giblin Nickerson, Tallahassee, indicated that the plaintiff was the operator of the Pinellas County Waste-to-Energy Plant; and that the litigation involved contract disputes and certain issues relating to the procurement process, and discussion ensued; whereupon, Commissioner Welch provided brief comments and thanked Attorney Stewart and staff for their efforts.

**A motion was made by Commissioner Gerard, seconded by Vice-Chairman Welch, that the settlement be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

### Emergency Management

- 29.** Memorandum of Understanding with the Pinellas County School Board for enhancements and retrofits to increase shelter capacity and capability of Largo High School.

Memorandum of Understanding approved providing \$515,867.11 to ensure emergency water supply and proper air ventilation and to upgrade the generator to run for a minimum of eight hours at full capacity, yielding 5,000 shelter spaces.

Commissioner Gerard thanked Assistant County Administrator John Bennett for confirming the opportunity, noting that the School Board is being reimbursed for work performed at the new high school.

**A motion was made by Commissioner Morroni, seconded by Commissioner Eggers, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

- 30.** Resolution adopting the County's Comprehensive Emergency Management Plan.

Resolution No. 17-22 approved adopting the Plan pursuant to the requirements of Florida Administrative Code 27P-6.

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

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

Public Works

- 31.** Florida Shared-Use Nonmotorized Trail Network agreement and maintenance memorandum of agreement with the Florida Department of Transportation for funding to complete the north end of the Pinellas Trail Loop.

Resolution No. 17-23 adopted authorizing the Chairman to execute and the Clerk to attest the agreement (FDOT Financial Project No. 440093 1 54 01) providing grant funding in the amount of \$5,700,000.00.

**A motion was made by Commissioner Morroni, seconded by Vice-Chairman Welch, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

- 32.** Change Order No. 3 to increase the contract with Layne Inliner, LLC for requirements of stormwater pipeline repair utilizing cured in place pipelining.

(Bid No. 134-0177-CP; PID No. 002064A) Change Order approved increasing the contract amount by \$400,000.00 (revised total expenditure, \$3,054,339.64); work is to be completed by July 22, 2017.

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

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

## COUNTY ADMINISTRATOR

- 33.** County Administrator miscellaneous: None.

## COUNTY ATTORNEY

- 35.** Proposed settlement in the case of Charles Allen v. Pinellas County; Workers' Compensation, Office of the Judges of Compensation Claims Case Number 16-021126SLR.

Settlement approved in accordance with the confidential memorandum from County Attorney James L. Bennett dated April 25, 2017.

**A motion was made by Vice-Chairman Welch, seconded by Commissioner Morroni, that the settlement be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

**36.** County Attorney miscellaneous: None.

#### COUNTY ADMINISTRATOR REPORTS

**37.** County Administrator reports: None.

#### CITIZENS TO BE HEARD

**38.** Public comment.

Doug Bevis, City of Oldsmar Mayor, re Mayors' Council

David Ballard Geddis, Jr., Palm Harbor, re dry toilets - recycle everything

Lenore Faulkner, Madeira Beach, re education excellence for all students

Greg Pound, Largo, re families

#### COUNTY COMMISSION

**39.** County Commission Board Reports

- Capital Projects Funding Recommendations from the Tourist Development Council.

#### **Fiscal Year 2017 Capital Project Funding Program Recommendations from the Tourist Development Council**

Chairman Long indicated that the Tourist Development Council (TDC) is recommending funding of the following projects after carefully reviewing applications, presentations, and conversations with the applicants and staff:

- City of Dunedin/Toronto Blue Jays (\$46.5 million)
- Clearwater Marine Aquarium (\$26 million)
- American Craftsman Museum (\$6 million)
- City of Clearwater, Ruth Eckerd Hall (\$4.9 million)
- City of Clearwater, Countryside Sports Complex (\$1.937 million)
- City of Clearwater, Eddie C. Moore Complex (\$495,000)

During discussion and in response to queries by the members, Mr. Woodard stated that he is asking the Board to provide guidance as to which projects should move forward; that staff would then begin negotiating the terms for each project; and that the negotiated terms and conditions will be brought back to the Board for a final vote. He indicated that the staff negotiating the terms would vary depending on the project; that Visit St. Petersburg/Clearwater President and CEO David Downing and Chief Operating Officer Tim Ramsberger would likely be included; and that Capital Project Funding Consultant Dennis Long, who has played a role in facilitating the process, could transition to more of a County advocate to assist in the negotiations.

Responding to queries by Commissioner Gerard, Chairman Long related that the TDC is using new guidelines; that the guidelines will be revised after this round of funding has completed, which will help streamline the process for future funding opportunities; and that TDC bylaws, which currently do not exist, will be created in terms of how the TDC should operate.

In response to query by Commissioner Seel, Mr. Long indicated that the original request for the Countryside Sports Complex was \$2.5 million; and that due to match requirements and included land values, the amount has been adjusted to about \$1.9 million, which is the present net value. He noted that the City of Clearwater would start the project in 2018 and finish in 2019; and that it is likely the funding would be paid in two installments; whereupon, Commissioner Seel distributed a document titled *Potential Capital Funding Payment Schedule - Tourist Development Tax* to the members, a copy of which has been made a part of the record.

Responding to queries by Commissioner Welch, Mr. Downing noted that the request from the American Craftsman Museum was for \$12 million; that the original recommendation was for \$6 million; that alternative amounts of \$2 million and \$6 million were considered at the next meeting with each motion ending in a tie vote; and that the final recommendation reverted to \$6 million. He indicated that the applicant has related that the project will go forward even at half of the original funding request, and discussion ensued.

In response to query by Commissioner Welch concerning fiscal oversight of the multi-year contributions, Mr. Woodard related that the funding is set up as a reimbursement program; that the applicant will be required to submit the appropriate documentation to show the expenditures have occurred; and that this would apply to all of the projects with the exception of the City of Dunedin, which involves long-term financing with debt service payments.

Discussion ensued concerning the process of moving forward to the negotiation stage; whereupon, Chairman Long called for citizens wishing to be heard and the following individuals appeared and stated their support:

George Cretekos, City of Clearwater Mayor  
Steven Sandbergen, Dunedin  
John Keller, Dunedin

Dan Robison, Clearwater, Dunedin Chamber of Commerce Chairman  
Mark Shapiro, Toronto Blue Jays President and CEO  
Julie Ward Bujalski, City of Dunedin Mayor  
Katie Ducharme, Dunedin  
Charlie Gerdes, City of St. Petersburg Councilmember  
Roger Ross, St. Petersburg, Morean Arts Center  
Paula Parrish, St. Petersburg, Morean Arts Center  
Michael Pastreich, The Florida Orchestra President and CEO  
Zev Buffman, Clearwater, Ruth Eckerd Hall President and CEO

Following public comments, Commissioner Welch indicated the following:

- Pinellas County is fortunate to have Tourist Development Tax (TDT) dollars to invest in the economy and tourism, as some other counties do not have that option.
- Several years of discussion and leadership were needed for the TDC and its partners to reach the current agreement on how to invest in capital projects, and it now allows for the funding of many great projects.
- TDT dollars are restricted by the State of Florida for specific uses and cannot be used for housing, fixing the sewers, police officers, and other similar needs of the community.
- Recognizing that funding for Major League Baseball and other sport leagues is a competitive situation in the State of Florida, he has shared with the Toronto Blue Jays organization his desire to see a slight increase in the organization's contribution level which would allow a corresponding reduction in County funding.

Commissioner Seel noted that only schematics for the stadium have been received at this point; and that there may be room to negotiate contribution levels amongst all three parties. She indicated that ownership of the stadium should be addressed, as it could eliminate the need for the city to pay property tax; and that other stadiums in Florida had ownership investment around 30 percent, and discussion ensued.

Thereupon, the members indicated by unanimous agreement that the following projects were supported by the Commission:

- City of Dunedin/Toronto Blue Jays (\$46.5 million)
- Clearwater Marine Aquarium (\$26 million)
- City of Clearwater, Ruth Eckerd Hall (\$4.9 million)
- City of Clearwater, Countryside Sports Complex (\$1.937 million)

Following discussion, the Commissioners indicated by majority agreement (5-1, Commissioner Gerard dissenting) that the City of Clearwater, Eddie C. Moore Complex project was also supported.

Discussion ensued concerning the American Craftsman Museum funding request. Commissioner Seel noted her gratitude for the project's investment in the community and indicated that she would not support a capital grant at this time; that the applicant is likely moving forward even without the grant funding; and that she would prefer to support the project with marketing funds or other means, and Commissioner Morroni and Chairman Long concurred.

Commissioner Gerard stated that she supports the project. Commissioner Welch indicated that the original project has been expanded; that the original cost of \$40 million has increased to \$90 million; that the funding request is only for \$6 million and is the lowest ratio of any of the other projects; and that the reimbursement of \$2 million per year over three years will be fiscally monitored; whereupon, he stated that he supports the project, and Commissioner Eggers concurred.

Discussion ensued, and Mr. Downing provided input; whereupon, the members agreed to defer a decision on the American Craftsman Museum funding request until a later meeting when all seven Commissioners are present.

### **County Commission Board Reports**

#### Commissioner Morroni

- Value Adjustment Board: Commissioner Gerard was re-elected Chairman.
- Human Rights Board: The next meeting is scheduled for June 7.
- Forward Pinellas: Reported on his visit to St. Louis with Executive Director Whit Blanton and others to participate in a peer exchange concerning best practices and lesson learned on large-scale transportation projects such as the I-64 corridor in St. Louis and the Tampa Bay Exchange project. A Regional Transportation Workshop is scheduled for May 12.

#### Commissioner Eggers

- Tampa Bay Water: Water rates will remain the same over the next year, two new positions have been filled, and efforts to contain the contaminated water in an east Hillsborough County sinkhole have so far been successful.

#### Commissioner Welch

- WorkNet Pinellas: Changes regarding auditor selection have been approved and will now go to the WorkNet Executive Committee. There are plans to update the bylaws in the future.
- Mental Health Case Management Committee: Discussed high utilization in regards to Baker Acts and other mental health issues for the purpose of submitting a proposal for a case management program to reduce related costs.

- Business Technology Services: Office of Management and Budget Director Bill Berger provided a Hyperion budget status update and noted that the budget process remains two months behind schedule; whereupon, Mr. Woodard discussed last week's Economic Innovation Summit and a presentation from the City of Gainesville regarding innovative uses of technology within government, and discussion ensued.

#### Commissioner Seel

- AmSkills: Approved the creation of a foundation to allow fundraising in support of the program. Pinellas County will be the first to launch a dual enrollment and pre-apprenticeship program.
- Homeless Leadership Board: Shared the latest housing inventory count.
- Juvenile Welfare Board: Received a recommendation for the prevention of child abuse and neglect.

#### Commissioner Gerard

- Pinellas County Child Care Licensing Board: The next meeting will be held April 26 and she expects to be named Chairman. The Board is looking to hire a new Executive Director.
- Public Safety Coordinating Council: The Board received only two responses for Special Council and will go out to bid a second time to hopefully increase the number of respondents. A special meeting has been scheduled for April 27 to review a grant proposal.
- Youth Advisory Committee: The Committee will present its year-end report to the BCC on May 23.

#### Chairman Long

- Tampa Bay Regional Planning Council: Will present the Future of the Region Awards at a breakfast on Friday, April 28.
- Tourist Development Council: The capital funding guidelines are being updated and will be presented to the BCC in the future. The process for evaluating elite funding requests has begun.
- Canvassing Board: The next meeting is scheduled for April 27.

#### 40. County Commission miscellaneous.

The members offered their condolences and prayers to former Property Appraiser Pam Dubov for the loss of her husband.

Commissioner Eggers

- Thanked the City of Belleair Beach for hosting ethics training.
- Thanked the Florida Holocaust Museum for an invitation to read names commemorating the six million Jews that were killed.
- Noted appreciation for the County's Employee Recognition program.
- A local fundraiser raised nearly double the amount of its goal in support of a man seriously injured in a car accident.

Commissioner Welch

- Represented the Commission at the Faith and Action for Strength Together (FAST) event last night at Tropicana Field.

Commissioner Gerard

- Attended Habitat for Humanity dedications 407 and 408 in Ridgecrest.

Chairman Long

- Attended grand opening and ribbon-cutting at the new Fire Station No. 32 in Seminole.
- Discussed a letter from Congressman Jolly's office regarding the Veterans Memorial Reef project and request for approximately \$50,000 in seed money to complete the planning and design, which would come from the Solid Waste Artificial Reef Program, and discussion ensued.

Brighter Futures Florida Director and Congressman Jolly's former Chief of Staff J.D. White discussed the concept of the memorial project; whereupon, Mr. Woodard indicated that the project could be included as part of the budget decision packages if the members agree to support it.

- Congratulated Commissioner Welch and his family for being honored as Family of the Year at the 2017 Men and Women of Distinction Awards ceremony.

**Meeting Recessed: 5:32 P.M.**

**Meeting Reconvened: 6:02 P.M.**



**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

Deviating from the agenda, Chairman Long indicated that the public hearings would be addressed in reverse order.

- 44.** Ordinance amending County Code providing for locations, zoning, operating conditions, and number of medical marijuana dispensing facilities and treatment centers (final hearing).

Hearing deferred until after the conclusion of the current State Legislative session on May 5 (barring an extension) and rescheduled for May 23. Two hundred ten emails have been received.

Mr. Woodard noted that this is the second hearing on the matter; that staff provided a presentation to the Board at the first meeting; and that the Board requested a live Geographic Information System (GIS) map for this meeting that would model the proposed 500-foot physical distance requirement in the ordinance.

Planning Director Renea Vincent used the GIS map to display different areas of the county and pointed out the locations of schools and churches and where medical marijuana facilities would be allowed using the proposed rules and current zoning. In response to queries by the members, she indicated that integrated facilities which cultivate, process, and distribute the product could be located in industrial M-1 and C-3 zoning; and that free-standing retail could be located in C-2 zoning if granted a Special Exception; whereupon, she continued to show different scenarios using various GIS parameters and discussion ensued.

Responding to queries by Commissioner Welch, Ms. Vincent indicated that there are many parcels with acceptable zoning that also meet the distance requirement; that the parcels would still require the correct layout and other variables before a facility would be approved; and that having two facility options for distribution will ensure that a consumer in need is not impeded in accessing the product at the retail level.

In response to queries by the members, Ms. Vincent stated that staff adopted methodology similar to what is used for regulating alcohol, adult uses, and other things of that nature; whereupon, Commissioner Gerard noted that unlike alcohol and adult uses, medical marijuana is a prescription medicine; that marijuana does not kill people; and that she is against limiting facilities to only free-standing buildings.

Responding to query by Commissioner Welch, Special Assistant to the County Administrator Canaan McCaslin noted that there are currently seven entities registered

with the State; that the current bill on the Florida Senate floor allows for five additional entities to be registered; and that there is a provision to allow four more entities for every 75,000 registered patients. He noted that the House bill does not include the same provisions; and that there will be negotiations between the Senate and the House to work out the differences.

Discussion ensued concerning the free-standing building requirement, the use of current regulations to control advertising and signage, and how regulations could change should recreational marijuana use become legal in the future.

Commissioner Gerard indicated that each city will have its own ordinance and will likely regulate things in different ways; and that it would be more consistent if the Board could pass a countywide ordinance to help limit confusion for business owners and consumers. Ms. Vincent noted that staff has been asked to present the County's ordinance to the Planners Advisory Committee (PAC); that working with PAC has provided information on where the municipalities are headed; and that currently there are a fair amount of differences between each entity involved, and discussion ensued.

Mr. Woodard related that the proposed ordinance is subject to the policy decisions of the Board; and that the language of the ordinance can be altered to better suit the approach the Board wishes to adopt.

Chairman Long called for citizens wishing to be heard, and the following individuals provided their comments and concerns:

Beth Leytham, The Leytham Group, Tampa (against)  
Jessica Spencer, St. Petersburg (undecided)  
Teresa Miller, St. Petersburg (undecided)  
Todd Pressman, Palm Harbor (undecided)  
Zachary Svabeck, Seminole (undecided)  
Kathy Wach, Largo (against)  
Lynn Posyton, Clearwater (against)  
Greg Simek, St. Petersburg (support)  
David Ballard Geddis, Jr., Palm Harbor (undecided)

Commissioner Morroni related that setting the number of facilities allowed by population to a higher ratio could increase the chances of profitability among the facilities; that the State Legislature often makes significant decisions near the end of its session; and that he would be in favor of the Board waiting on the matter until after the Legislative session concludes on May 5, and several members noted their agreement.

Commissioner Seel indicated that pursuing regulations on a countywide basis would make more sense, and Commissioner Morroni concurred. Commissioner Welch noted that the matter could be discussed with the Mayors' Council.

Responding to query by Commissioner Gerard, Attorney Bennett noted that the County has no zoning authority outside of its jurisdiction; and that each municipality would need

to agree to the same parameters in order to adopt similar ordinances, and discussion ensued.

Commissioner Morroni moved, seconded by Commissioner Seel, that the matter be deferred to the May 9 or May 23 hearing, and discussion ensued; whereupon, Attorney Bennett noted that a single date is needed in order to not have to advertise the hearing again.

**A motion was made by Commissioner Morroni, seconded by Commissioner Seel, that the Board defer the matter to its regular meeting on May 23. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

**43. Q Z/LU-5-3-17 (Anclote Road Industrial Park, Inc.)**

A request for a zoning change from M-1, Light Manufacturing and Industry to R-5, Urban Residential (11.23 acres) and a land use change from Employment to Residential Low (11.23 acres), and a development agreement limiting the use of the industrial portion (24.86 acres) of the subject property (parcel 02/27/15/90810/000/0010) (36.09 acres) to those uses permitted by the Employment Future Land Use Map category, requiring a minimum 20-foot separation between industrial and residential principal use structures, and limiting building intensities and height to those permitted by the property's zoning and land use designations on approximately 36.09 acres located at 500 Anclote Road in the unincorporated area of Tarpon Springs.

Resolution No. 17-24 adopted approving the application and development agreement pending State approval of the proposed ordinance, and authorization granted to transmit the proposed ordinance to the State Land Planning Agency. No correspondence has been received. No citizens appeared to be heard.

Zoning Manager Glenn Bailey referred to aerial maps and photographs, provided background information, and described the surrounding property. He noted that the applicants are proposing a mixed-use project; that the industrial portion would remain Employment for at least ten years; and that the development agreement would require that road and utility infrastructure be in place on at least ten acres of the Employment property before granting any certificate of occupancy on the residential parcel.

Mr. Bailey related that the City of Tarpon Springs has indicated its support of the proposal with the development agreement restrictions; that the Local Planning Agency recommended approval of the application by unanimous vote; and that staff also recommends approval of the request.

Responding to queries by the members, Mr. Bailey discussed the Employment portion of the property and the types of businesses that are allowed in the category. He noted that after the initial ten years has passed, the property could be left as Employment or could be changed to another category; that there are existing homes in the area; and that the

subject property has remained vacant for decades. Mr. Woodard indicated that the project could attract people who desire to live near where they work; and that Anclote Road needs major improvements which could be considered for the upcoming Penny for Pinellas, and discussion ensued.

Upon Chairman Long's call for the applicant, Katie Cole, Clearwater, appeared and stated that she represents the contract purchasers of the property. Ms. Cole referred to plan diagrams and indicated that Phase I of the project would include 15 one-acre lots; and that the developers would likely complete the infrastructure on nearly 15 acres of the industrial property, exceeding the ten-acre requirement in the development agreement.

In response to queries by the members, Ms. Cole related that plans for Phase II are unknown at this time; and that the applicants intend to maintain a balance that would increase employment; whereupon, she requested the Board's approval of the request.

Later in the meeting, Mr. Woodard clarified that staff will transmit the proposed ordinance to the State, and that it would likely come back to the Board in July.

**A motion was made by Commissioner Eggers, seconded by Vice-Chairman Welch, that that the resolution be adopted, the development agreement be approved, and authorization be granted to staff to transmit the proposed ordinance to the State Land Planning Agency. The motion carried by the following vote:**

**Aye:** 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Commissioner Justice

**42. Q Z-4-3-17 (Country Day World School, LLC)**

A request for a zoning change from C-1, Neighborhood Commercial to C-2, General Retail Commercial and Limited Services on approximately 0.5 acre located 185 feet east of the southeast corner of the Walsingham Road and 131st Street North intersection in the unincorporated area of Largo (a portion of parcel 17/30/15/70632/100/0802).

Resolution No. 17-25 adopted. No correspondence has been received.

Mr. Bailey referred to aerial maps and photographs, provided background information, and described the surrounding property. He related that the proposed use is for a Dunkin' Donuts fast-food drive-through restaurant; that the Local Planning Agency recommended approval of the request by unanimous vote; and that staff also recommends approval.

Responding to queries by Commissioner Seel, Mr. Bailey indicated that access from the property to Ulmerton Road would be subject to the site plan review process.

Upon the Chairman's call for persons wishing to be heard, Derek Oberschall, CSC Properties, Clearwater, stated that he represents the applicant and is the developer on

the project; and that he is available to answer any questions.

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

**Aye:** 5 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, and Commissioner Seel

**Absent:** 2 - Commissioner Justice, and Commissioner Morrioni

- 41. Resolution supplementing the FY 2017 Sewer Interest and Sinking Fund Budget for unanticipated receipts and realigning funds within the FY 2017 Sewer Revenue and Operating Fund Budget.

Resolution No. 17-26 adopted. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard indicated that a charge related to outstanding sewer bonds was moved from the previous fiscal year to the current year due to a timing issue; that \$2.2 million will be realigned from sewer reserves to facilitate the County’s obligation on the principal and interest payments; and that there are no changes to the sewer fund budget or the net debt service commitment overall.

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

**Aye:** 5 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, and Commissioner Seel

**Absent:** 2 - Commissioner Justice, and Commissioner Morrioni

**ADJOURNMENT - 7:51 P.M.**

ATTEST: KEN BURKE, CLERK

By \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman