

# **Pinellas County**



## **Minutes - Final**

**Tuesday, April 21, 2020**

**2:00 P.M.**

**Virtual Regular Meeting**

## **Board of County Commissioners**

*Pat Gerard, Chair*  
*Dave Eggers, Vice-Chair*  
*Charlie Justice*  
*Janet C. Long*  
*Kathleen Peters*  
*Karen Williams Seel*  
*Kenneth T. Welch*

**ROLL CALL - 2:00 P.M.**

**Present:** 7 - Chair Pat Gerard, Vice-Chair Dave Eggers, Charlie Justice, Janet C. Long, Kathleen Peters, Karen Williams Seel, and Kenneth T. Welch

**Others Present:** Barry A. Burton, County Administrator; Jewel White, County Attorney; Jeanette Phillips, Chief Deputy Clerk; and Jenny Masinovsky, Board Reporter, Deputy Clerk

Office of Technology and Innovation Director Bryan Zumwalt introduced himself and announced that he would be the Technology Moderator for the virtual meeting; and that Chief Assistant County Attorney Don Crowell would serve as Process Moderator; whereupon, he conducted a roll call of the members.

**MOMENT OF SILENCE****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.**

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

1. Case No. CW 20-06 - Pinellas County  
Countywide Plan Map amendment from Recreation/Open Space to Public/Semi-Public, regarding 2.0 acres more or less, located on the east side of McMullen Booth Road, 900 feet north of Curlew Road.

Ordinance No. 20-08 adopted approving Case No. CW 20-06. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received.

Ed Armstrong, Hill Ward Henderson, and Cynthia Tarapani, Tarapani Planning Strategies, indicated that they represent the applicant and offered to answer queries by the members. Mr. Armstrong thanked the Board for allowing the case to proceed in virtual format, and responding to query by Commissioner Welch, confirmed that no changes have been made to the Development Agreement subsequent to its presentation at the Forward Pinellas hearing.

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

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

**Nay:** 1 - Commissioner Welch

## BOARD OF COUNTY COMMISSIONERS

2. Petition of HSLD, LLC to vacate 1.1 feet of a 40-foot-wide drainage easement lying in Lot 62, Saint Joseph Sound Estates, Plat Book 81, Page 63, lying in Section 2-28-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

Resolution No. 20-30 adopted granting the petition. Letters of no objection have been received from the appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff indicated no objection to the vacation request. No correspondence has been received. Clerk authorized to record the resolution.

Nicholas Tenney, Palm Harbor, indicated that he is the petitioner.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

**CONSENT AGENDA - Items 3 through 12**

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

## CLERK OF THE CIRCUIT COURT AND COMPTROLLER

3. Minutes of the regular meeting held March 10 and the emergency meeting held March 13, 2020.
4. Vouchers and bills paid from March 8 through March 28, 2020.

Period: March 8 through March 14, 2020

Accounts Payable - \$16,956,269.05

Payroll - None

Period: March 15 through March 21, 2020

Accounts Payable - \$18,251,600.49

Payroll - \$3,860,683.74

Period: March 22 through March 28, 2020

Accounts Payable - \$13,168,946.76

Payroll - None

Reports received for filing:

5. City of Largo Community Redevelopment Agency Fiscal Year 2018-2019 Annual Report.

## COUNTY ADMINISTRATOR DEPARTMENTS

### Administrative Services

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

Authorization granted. Assets to be liquidated through public auction conducted by Tampa Machinery Auction and Manheim Auctions under provisions of existing contracts. Qualified non-profit agencies are given advance auction notice of certain items. Distribution of proceeds approved as recommended in the Staff Report.

### County Administrator

7. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending March 31, 2020.
8. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending March 31, 2020.

### Public Works

9. Award of bid to American Empire Builders, Inc. for the Westwinds and Crosswinds Drive Bridges Replacement project.

Bid No. 190-0109-CP (PID Nos. 000700A and 000702A) in the amount of \$4,435,138.50 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 780 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

10. Award of bid to MTM Contractors, Inc. for the Sunset Point Sidewalk project - Alternate U.S. Highway 19 to the Pinellas Trail.

Bid No. 190-0095-CP (PID No. 002926A) in the amount of \$752,735.10 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 270 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

11. Award of bid to Ajax Paving Industries of Florida, LLC for asphalt overlay and patching services for Fiscal Years 2020-2023.

Bid No. 190-0086-CP in the amount of \$2,998,725.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 1,095 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

#### Utilities

12. Ranking of firms and agreement with Engineering Design Technologies Corp. for professional engineering services pertaining to the North Water Booster Station Variable Frequency Drives Modifications project at the North Keller Plant.

Ranking of firms and Contract No. 189-0497-NC approved in the amount of \$265,999.50 (including \$20,000.00 for owner contingency services). The design, permitting, bidding, and construction administration phases are expected to be completed within 756 consecutive calendar days. Chair authorized to sign and the Clerk to attest.

### **REGULAR AGENDA**

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

#### COUNTY ADMINISTRATOR DEPARTMENTS

13. Local State of Emergency.

Mr. Burton emphasized the importance of coordinating the County efforts relating to the Local State of Emergency (LSE) with the Governor's order for the state and indicated that if the Governor rescinds his order on April 30, the County will revert to its Safer at Home order. He provided an update on the current status of COVID-19 cases, noting that the County is in a strong position not to exceed its hospital capacity; and that recent outbreaks in local nursing homes resulting in 117 new cases are concerning.

Commissioner Peters noted that the current LSE order does not expire until later in the week; that apart from the recent outbreaks, Florida has already hit its peak of COVID-19 cases; and that there is adequate hospital capacity and plenty of ventilators. She suggested that the item be considered on April 23, at which time the Commission should also consider reopening publicly accessible swimming pools at multi-unit private residences, if data gathered in the next two days allows for it; whereupon, she moved that the item be postponed to April 23, and the motion died for lack of a second.

Mr. Burton indicated that the County is just now receiving the necessary protective equipment supplies; and that while the number of cases and percentage of population testing positive for the virus is below the state average, it is important to be cautious, clarifying that the “peak” refers to hospital utilization, which the County is projected to reach on or about April 24. He related that he will be meeting with Florida Department of Health in Pinellas County Director Dr. Ulyee Choe, Sheriff Bob Gualtieri, and others to discuss additional pertinent data tomorrow.

Responding to queries by the members, Dr. Choe provided information relating to current cases, testing sites, and efforts to prevent the virus spread in the nursing homes and long-term care facilities. He indicated that enhanced testing requires additional supplies; and that his staff will be conducting symptomatic surveillance.

During discussion, some members expressed a desire to have the next meeting on April 28, and Mr. Burton remarked that the timeframe would allow staff to evaluate new case data, input from the cities regarding lifting certain current restrictions, and news from the Governor. Responding to queries by the members, he indicated that information pertaining to rules regarding Coronavirus Aid, Relief, and Economic Security (CARES) Act financial assistance programs is expected by April 25; and that staff is working on an implementation plan, and also on a plan to reopen the economy, pools, and beaches, including various measures for risk mitigation.

Attorney White provided clarification regarding the timeline and impact of various orders adopted since the onset of the COVID-19 pandemic and recommended that the order extending the LSE from April 24 through May 1 be considered today, as it provides extraordinary powers for operating in an emergency event.

Sheriff Gualtieri related that residents are growing defiant to the deputies as a result of continuing restrictions regarding beaches, pools, and businesses; whereupon, Chair Gerard underscored that COVID-19 is a worldwide pandemic; and that the County is striving to protect its residents, and discussion ensued regarding the following:

- Enhanced testing and monitoring of confirmed cases and their contacts
- Imperfect data relating to the number of cases in the County
- Reversing the positive impact achieved through the Safer at Home order by reopening pools or beaches too soon
- Distributing CARES Act funds as quickly as possible
- Giving people a release and the right to use their private property by reopening pools
- An incremental approach to reopening the economy
- Reopening pools and beaches in neighboring counties
- Setting clear expectations on social distancing once businesses reopen
- Coordinating efforts with the state to avoid confusing the public
- Data-driven decision making

Commissioner Peters maintained that based on the latest news conference, it appears that the Governor will be reopening the state next week; and that while the County does not have the authority to reopen the businesses, it should start the incremental reopening with the pools; whereupon, Commissioner Eggers agreed that it will give people the hope they need and suggested that the Board meet on April 24 to extend the LSE and consider reopening of the pools based on the data at that time, and Commissioner Peters concurred.

Responding to queries by Commissioner Eggers, Mr. Burton indicated that certain metrics regarding COVID-19 would be available by April 24, but it will take time to develop informed strategies for how to move forward. Dr. Choe and Sheriff Gualtieri discussed the safety of the reopening, noting that proper data analysis and strong indicators, specifically with regard to the percentage of positive cases over the last 14 days, are imperative; that the impact of such a policy decision will not be known for one to two weeks; and that while an upsurge of infections is certain upon reopening of the economy, it would be within hospital and first responder capacity.

Commissioner Welch stated that he would not support the aforesaid proposition and stressed that staff should focus on providing families and small businesses that have no income with CARES Act funds, noting that 95 percent of Floridians who filed for unemployment have not received it; whereupon, Commissioner Justice remarked that he supports extending the LSE order today, cautioning against the rush to reopen pools.

Emergency Medical Services Medical Director Dr. Angus Jameson warned that the risk of a second wave of the pandemic, as experienced in other countries, is a great concern, and urged the members to mobilize resources in support of nursing homes and long-term care facilities.

Responding to Chair Gerard's call for citizens wishing to be heard, the following individuals expressed their concerns:

Maria Gotsis, Safety Harbor  
Amish Patel, Clearwater  
Tara Pickens, Clearwater  
Brandy Long, residence not provided  
Axl David, Clearwater  
Sheryl Cory, Clearwater  
Jonathan Loos, Madeira Beach  
Ken DuLac, St. Petersburg  
Joan Anderson, Pinellas County  
Jennifer Harmon, Dunedin  
Neil Valk, Crystal Beach  
Matt Matthews, Palm Harbor

**A motion was made by Commissioner Peters, seconded by Vice-Chair Eggers, that the item be deferred to Friday, April 24, 2020. The motion was denied by the following vote:**

**Aye:** 2 - Vice-Chair Eggers, and Commissioner Peters

**Nay:** 5 - Chair Gerard, Commissioner Justice, Commissioner Long, Commissioner Seel, and Commissioner Welch

**A motion was made by Commissioner Welch, seconded by Commissioner Justice, that the order extending the Local State of Emergency be approved as presented. The motion carried by the following vote:**

**Aye:** 6 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Seel, and Commissioner Welch

**Nay:** 1 - Commissioner Peters

Resolution No. 20-31 approved ratifying, restating, readopting, and extending the local state of emergency established in Resolution No. 20-16, as well as all resolutions and orders issued pursuant thereto, until 3:00 P.M. on May 1, 2020.

In response to citizens' comments, Commissioner Justice emphasized that businesses were allowed to operate under the County's Safer at Home order, indicating that it was the Governor's Executive Order that required businesses not defined as essential to close.

### Administrative Services

- 14.** Change Order No. 8 to the contract with American Facility Services, Inc. for requirements of janitorial services at various County buildings.

(Contract No. 167-0450-B) Change Order approved increasing the contract amount by \$116,947.55 (revised contract total, \$15,158,287.55; revised annual amount \$3,031,657.51) effective through June 30, 2023, providing for services at three new locations.

Responding to query by Commissioner Eggers, Director of Real Estate Management Andrew Pupke clarified that the change order presented today is separate from an emergency contract for enhanced cleaning methods related to COVID-19, and Mr. Burton provided input.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch



Airport

15. Florida Department of Transportation Public Transportation Grant Agreement for the purchase of Exit Lane Anti-Pass Back Technology at the St. Pete-Clearwater International Airport.

(FDOT Financial Project No. 446923-1-94-01; Contract No. G1K05; County Project No. 004351A) Agreement in the amount of \$400,000.00 approved. Estimated total project cost, \$850,000.00.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

Planning

16. Resolution approving the required 5-year update and adoption of the 2020 Pinellas County Local Mitigation Strategy, also known as the All Hazards Mitigation Plan.

Resolution No. 20-32 adopted approving the plan effective May 6, 2020 through May 5, 2025.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

Public Works

17. Change Order No. 1 to the contract with Granite Inliner, LLC for storm sewer cured-in-place pipelining services.

(Contract No. 167-0513-CP) Change Order approved increasing the contract amount by \$2,100,000.00 for a revised total of \$9,417,845.00, effective through February 2021.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

18. Sole source purchase agreement with Atos IT Solutions and Services, Inc., as requested by the Business Technology Services Department, for Voice Over Internet Protocol telecommunications equipment and services.

Contract No. 190-0127-SS approved for a five-year term total of \$4,405,126.00. Chair authorized to sign and the Clerk to attest.

In response to query by Commissioner Peters, Business Technology Services Chief Information Officer Jeff Rohrs related that the contract was advertised for competitive bid on April 17, 2019; and that only one response met the requirements.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

CareerSource Pinellas

19. 2020 - 2024 Local Workforce Services Plan as submitted by WorkNet Pinellas, Inc. d/b/a CareerSource Pinellas.

Plan approved as required by the Federal Workforce Innovation and Opportunity Act of 2014 and the State of Florida, effective July 1, 2020 through June 30, 2024.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

## COUNTY ATTORNEY

20. Proposed settlement in the case of Lisa Ferrel v. Pinellas County; Circuit Civil Case No. 19-006260-CI-8 - allegations of negligence resulting in personal injuries.

Settlement approved in accordance with the confidential memorandum dated April 21, 2020.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

21. County Attorney Reports - None.

#### COUNTY ADMINISTRATOR REPORTS

22. County Administrator Reports.

Following brief discussion and upon consensus of the members, Mr. Burton indicated that the April 30 Work Session will be rescheduled as a Regular Meeting to be held on Tuesday, April 28, at 9:30 A.M.; and that a decision whether to meet again later that week can be made at that time.

#### COUNTY COMMISSION

23. Appointment to the Pinellas Opportunity Council (Board of County Commissioners as a whole).

Kyle Martin appointed as a Public Sector representative to fulfill an existing term ending on December 31, 2023.

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

**Aye:** 7 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, Commissioner Peters, Commissioner Seel, and Commissioner Welch

24. County Commission New Business Items.

The members commented on various topics, as follows:

##### Commissioner Peters

- Big Storm Brewing producing hand sanitizer for donation to local facilities

##### Commissioner Long

- Tampa Bay Area Regional Transit Authority, Pinellas Suncoast Transit Authority
- Florida Unemployment System

##### Commissioner Seel

- Thanks for response to COVID-19
- Request for update regarding assisted living facilities

##### Commissioner Eggers

- Tampa Bay Water Board
- Respect for law enforcement personnel

Discussion ensued regarding the CARES Act funding, and Mr. Burton related that staff has outlined a plan to provide assistance to local residents and businesses; that the guidelines have not yet been received from the Federal Government; and that the programs may be available for approval at the April 28 meeting.

In response to query by Commissioner Welch, Mr. Burton related that the Reopen Florida Task Force has been divided into three committees, which are meeting daily; that the County is monitoring the proceedings; and that more information should be available by the weekend or early next week.

Commissioner Peters suggested that individuals seeking unemployment assistance visit [myfloridahouse.gov](http://myfloridahouse.gov), and Chair Gerard noted that residents can also contact CareerSource Pinellas for a paper unemployment application.

**ADJOURNMENT - 4:14 P.M.**

\_\_\_\_\_  
Chair

ATTEST: KEN BURKE, CLERK

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