

Pinellas County

*315 Court Street
Clearwater, Florida 33756*



Minutes - Final

Tuesday, February 25, 2020

2:00 P.M.

Public Hearings at 6:00 P.M.

BCC Assembly Room

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; Norm Loy, Manager, Board Records Department; and Amelia Hanks, Board Reporter

INVOCATION by Pastor Bill Losasso, New Path Community Church, Lealman.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Newspaper in Education Week Proclamation:
- Jodi Pushkin, Manager, Tampa Bay Times

Chair Gerard invited Ms. Pushkin to the podium and provided background information recognizing the initiative of the American Press Institute; whereupon, she presented a proclamation recognizing March 2 through 6, 2020 as Newspaper in Education Week.

2. Partner Presentation:
- Angeline Scotten, Biological Scientist IV, Division of Habitat and Species Conservation, Florida Fish and Wildlife Conservation Commission

Ms. Scotten referred to a PowerPoint presentation titled *Coyotes in Florida* and provided information regarding the spread of coyotes across America, coyote biology, coyote attacks, preventing problems with coyotes, and the presence of coyotes in Clearwater, and Director of Animal Services Doug Brightwell provided input. Discussion ensued, and Ms. Scotten and Mr. Brightwell responded to queries by the members.

CITIZENS TO BE HEARD

3. Public Comment.

David Ballard Geddis, Jr., Palm Harbor, re built-up/set-up perniciousness

CONSENT AGENDA - Items 4 through 11 (Item 7 addressed under Regular Agenda)

A motion was made by Commissioner Seel, 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

4. Minutes of the regular meeting held January 28, 2020.
5. Vouchers and bills paid from January 12 through January 18, 2020.

Period: January 12 through January 18, 2020

Accounts Payable - \$20,110,289.90

Payroll - None

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

6. Quarterly report of claim settlements for the period of October 1, 2019 through December 31, 2019.

Report of claim settlements requiring the mutual consent of the County Administrator or his designee and the County Attorney in the range of \$25,001.00 to \$50,000.00 received for filing. Three claims settled for a total amount of \$120,000.00.

County Administrator

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

Public Works

9. Award of bid to Kamminga and Roodvoets, Inc. for the 62nd Avenue North sidewalk and intersection improvement project.

Bid No. 189-0381-CP (PID Nos. 003306A and 000957A) in the amount of \$1,810,662.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 365 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

COUNTY ATTORNEY

10. Notice of new lawsuit and defense of the same by the County Attorney in the case of Margaret Burris v. Pinellas County; Circuit Civil Case No. 19-007335-CI-13 - allegations of negligence resulting in personal injuries.

- 11. Notice of new lawsuit and defense of the same by the County Attorney in the case of James B. Wilson v. Pinellas County; Middle District of Florida Case No. 8:20-cv-00135-TPB-SP - allegations of violations of the Fair Labor Standards Act.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Administrative Services

- 7. Ranking of firms and agreement with Stantec Consulting Services, Inc. for conceptual facility planning and real estate financial consulting services.

Ranking of firms and Contract No. 190-0055-P approved in a not-to-exceed amount of \$1,251,174.00 for a 60-month term. Chair authorized to sign the agreement and the Clerk to attest.

Mr. Burton related that the various entities within County Government occupy over 1.4 million square feet; and that the study will review the various functions, locations, and needs to provide facility planning recommendations for the next decade.

Responding to queries by Commissioner Justice, Mr. Burton indicated that potential new locations will be considered at a later date; that the consultant will work with staff throughout the process; and that recommendations will be based on customer needs. Discussion ensued, and Administrative Services Director Joe Lauro and Real Property and Facility Management Division Director Andrew Pupke provided input.

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

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

- 12. Second Amendment to the Maintenance and Management Agreement with Palm Harbor Community Services Agency, Inc. for Pop Stansell Park, located at 797 Florida Avenue, Palm Harbor.

Amendment approved assigning responsibility for future capital improvement replacements to the County.

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

Human Services

- 13.** Grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Care for the Homeless program.

Grant award approved providing funding in the amount of \$1,527,190.00 for the second year of a three-year project period from March 1, 2019 through February 28, 2022. County Administrator delegated authority for adjustments and supplemental awards during the period of March 1, 2020 through February 28, 2021.

A motion was made by Commissioner Welch, seconded by Commissioner Peters, 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

- 14.** Resolution reaffirming the policies of the Pinellas County Comprehensive Plan, including the East Lake Overlay, that restrict density in the north portion of Planning Sector Two to .5 unit per acre and formally requesting that the Pinellas Planning Council add a Residential Rural (.5 unit per acre) land use map category to the Countywide Plan Rules.

Resolution No. 20-9 adopted requesting the addition of the Residential Rural category and amendment of the Countywide Plan Map for the parcels identified in Attachment A.

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

Public Works

- 15.** County Incentive Grant Program Agreement with the Florida Department of Transportation for the construction of an Advanced Traffic Management System/Intelligent Transportation System project on 49th Street North/County Road 611 from 46th Avenue North to Gulf to Bay Boulevard/State Road 60.

Resolution No. 20-10 adopted approving the agreement (FDOT Financial Project No. 437047 1 54 01, County PID No. 002600A) for grant funding in an amount not to exceed \$1,548,300.00, 50 percent of the estimated construction cost. Chair authorized to sign the agreement and the Clerk to attest. Clerk authorized to record the resolution.

A motion was made by Commissioner Seel, seconded by Commissioner Long, 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

- 16.** Florida Department of Environmental Protection Grant Subrecipient Agreement between the County and the City of Dunedin for funding of the Lofty Pines Septic to Sewer project in unincorporated Pinellas County near the City of Dunedin.

Subrecipient Agreement approved for grant funding in the amount of \$500,000.00 (FDEP Agreement No. LPA0036). City to provide \$1,614,210.00 towards the project costs; no County match required. Chair authorized to sign and the Clerk to attest.

A motion was made by Commissioner Peters, seconded by Commissioner Justice, 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

- 17.** Grant Agreement with the Florida Department of Environmental Protection for septic to sanitary sewer collection system conversion in the Lofty Pines area of unincorporated Pinellas County near the City of Dunedin.

FDEP Agreement No. LPA0036 approved for grant funding in the amount of \$500,000.00.

A motion was made by Commissioner Peters, seconded by Commissioner Justice, 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

Utilities

- 18.** First Amendment to the Agreement with Garney Companies, Inc. d/b/a Garney Construction for design-build services for the New Headworks and Grit Removal Facility, located at the South Cross Bayou Water Reclamation Facility.

(Contract No. 178-0001-NC) Amendment in the amount of \$24,710,828.00 approved for Phase 2 construction services (total Phases 1 and 2, \$27,160,153.00). Work to be substantially completed within 720 consecutive calendar days from the notice to proceed date. Chair authorized to sign and the Clerk to attest.

In response to query by Commissioner Eggers, Mr. Burton indicated that projected wastewater rate increases are due to capital construction costs and environmental protection regulatory requirements.

A motion was made by Commissioner Peters, 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

- 19.** Proposed settlement in the case of Valerie Craig and Brian Craig, her husband v. Pinellas County, et al.; Circuit Civil Case No. 19-003731-CI-7.

Settlement approved in accordance with the confidential memorandum dated February 25, 2020.

A motion was made by Commissioner Peters, 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

- 20.** Proposed initiation of litigation in the case of Jeannie Vargas v. Jeffery Sojack; HUD Case No. 04-19-8272-8; PC Case No. 19-067 - alleged housing discrimination.

A motion was made by Commissioner Peters, 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.** Proposed initiation of litigation in the case of Pinellas County v. Eric Scott Lloyd - action for injunctive relief.

A motion was made by Commissioner Peters, 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

- 22.** County Attorney Reports - None.

COUNTY ADMINISTRATOR REPORTS

- 23.** County Administrator Reports.

Mr. Burton reported that he and Chair Gerard observed the Utility Department's In-Service Day, which consisted of emergency preparedness training.

COUNTY COMMISSION

- 24.** Appointment to the Tourist Development Council (Board of County Commissioners as a whole).

Mike Williams appointed to fulfill the balance of a vacated term to end on October 31, 2020, following a ballot vote.

25. County Commission New Business Items.

The members commented on various topics, as follows:

Commissioner Welch

- Urban League Whitney M. Young Empowerment Luncheon
- 2020 U.S. Census

Commissioner Eggers

- Toronto Blue Jays Spring Training opener and stadium renovation project
- Retirement of Jerry Custin

Commissioner Long

- Tour of Lake Seminole dredging project
- Retirement of Tim Nickens from Tampa Bay Times

Meeting Recessed: 3:08 P.M.

Meeting Reconvened: 6:01 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

26. Case No. Q ZON-20-1 (Gateway MHP, Ltd)

A request for a zoning change from R-4, One, Two and Three Family Residential (1.4 acres) and C-2, General Commercial and Services (4.2 acres) to RMH, Residential Mobile/Manufactured Home on approximately 5.6 acres located at 10100 Gandy Boulevard in unincorporated St. Petersburg.

Resolution No. 20-11 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. One letter requesting further information regarding the application has been received. No citizens appeared to be heard.

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

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


Absent: 1 - Commissioner Peters

ADJOURNMENT - 6:04 P.M.



Chair

ATTEST: KEN BURKE, CLERK

By 

Deputy Clerk

