

Pinellas County

*333 Chestnut Street, Palm Room
Clearwater, FL 33756*



Minutes - Final

Tuesday, October 31, 2023

9:30 A.M.

Hybrid In-Person and Virtual Regular Meeting

Board of County Commissioners

*Janet C. Long, Chair
Kathleen Peters, Vice-Chair
Dave Eggers
René Flowers
Charlie Justice
Chris Latvala
Brian Scott*

ROLL CALL - 9:34 A.M.

Present: 7 - Chair Janet C. Long, Vice-Chair Kathleen Peters, Commissioner Dave Eggers, Commissioner René Flowers, Commissioner Charlie Justice, Commissioner Chris Latvala, and Commissioner Brian Scott

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Derelynn Revie, Board Records Manager; and Tammy Burgess, Board Reporter

INVOCATION by Sherry Nicholas, Faith Family Outreach Church, Clearwater**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Veterans Day Proclamation:**

Pinellas County Veterans Services

- Reggie Fujimoto, Director
- James Foster, Veterans Services Officer 2
- Scott Glaeser, Veterans Services Officer 1
- Aletha Allen, Veterans Services Officer 1
- Tina O'Shields, Veterans Services Officer 1
- Jeremy Bayless, Veterans Services Officer 1

Chair Long invited Messrs. Fujimoto, Foster, Glaeser, and Bayless, and Meses. Allen and O'Shields to join her at the podium and read a proclamation recognizing November 11, 2023, as Veterans Day; whereupon, Mr. Fujimoto provided brief remarks.

2. Domestic Violence Awareness Month Proclamation:

- Nick DiCeglie, President and CEO, Hope Villages of America
- Lariana Forsythe, CEO, Community Action Stops Abuse (CASA)

Chair Long invited Senator DiCeglie and Ms. Forsythe to join her at the podium and read a proclamation recognizing October as Domestic Violence Awareness Month; whereupon, Senator DiCeglie and Ms. Forsythe provided brief remarks.

CITIZENS TO BE HEARD**3. Citizens To Be Heard - Public Comment.**

Art Fyilent, St. Petersburg
Kimberly Chandler, Seminole
Trisha Kirby, Clearwater
Andrea Wells, Clearwater
Veronica Sanchez, Land O Lakes (submitted documents)
David Ballard Geddis, Jr., Palm Harbor (submitted documents)
Greg Pound, Largo
Dara Crystal, Palm Harbor
Bryan Santa Maria, Tampa
Lawrence Nicholas, Jacksonville

Mike Merrill, Jacksonville
Kate MacFall, Tallahassee

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

4. Case No. FLU-23-05 (4685 Park Street, LLC)
A request for a Future Land Use Map amendment from Residential Urban to Commercial General on approximately 0.19 acres located at 4685 Park Street in west Lealman. (Companion to Item No. 5)

Ordinance No. 23-22 adopted approving Case No. FLU-23-05. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence was received, and no citizens appeared to be heard.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

5. Case No. ZON-23-06 (4685 Park Street, LLC)
A request for a Zoning change from R-4, one, two, and three Family Residential to E-2, Employment-2 on approximately 0.19 acres located at 4685 Park Street in west Lealman. (Quasi-Judicial) (Companion to Item No. 4)

Resolution No. 23-96 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence was received, and no citizens appeared to be heard.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

6. Case No. FLU-23-03 (Community Assisted & Supported Living, Inc.)
A request for a change to the Future Land Use Map from Residential Suburban to Residential Low on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole, through Katie Cole, Esq, & Angela Rauber, Esq. Will, Ward, Henderson, PA, Representatives. (Companion to Item No. 7)

Ordinance No. 23-23 adopted approving Case No. FLU-23-03. Eleven emails and a petition with 338 signatures in opposition have been received by the Clerk.

Attorney White provided information regarding the procedure of the public hearing, highlighting that proceedings for Item Nos. 6 and 7 will be conducted together, but require two separated votes; that the primary consideration for today is to determine if the requests are consistent with the Comprehensive Plan; that the basis of the Board's decision on Item No. 6 is legislative in nature and must be rationally related to a legitimate governmental interest; that the Board's decision on Item No. 7 is quasi-judicial in nature and should be made based on competent, substantial, fact-based testimony; and that if the request for a change to the Future Land Use Map (FLUM) amendment is denied, the zoning decision is moot.

Attorney White indicated that any ex parte communications that have taken place outside of this proceeding should be disclosed at this time; whereupon, Commissioner Scott related that he visited the property, was greeted by several residents, and participated in brief conversation regarding the proposed land use and neighborhood compatibility.

At the request of Attorney White, the Commissioners provided confirmation that any communication that they received in writing has been filed with the Board Records Department.

Planning Manager Glenn Bailey indicated that he will be presenting information related to this item and its companion Item No. 7; whereupon, Ms. Revie read Item No. 7 into the record and administered the oath to those individuals wishing to speak.

Mr. Bailey provided information regarding the history of the case and related that the current request includes a conditional overlay reducing the number of proposed units to 20 and increasing the rear setback from 120 feet to 200 feet, and a development agreement that makes the concept plan binding. Referring to a PowerPoint presentation containing maps and photographs, he presented information regarding the location of the subject property, surrounding land uses, potential traffic impacts, and flood risks, indicating that the FLUM amendment would increase density from 2.5 to 5 units per acre; and that the applicant intends to apply for an affordable housing density bonus which would allow up to 20 single-story residential, independent dwelling units for a maximum of 24 persons with development disabilities, as defined by Florida Statute.

Mr. Bailey related that the subject property is in a transitional location between large residential estate lots and the commercial node; and that the Development Review Committee and the Local Planning Agency (LPA) recommended approval.

In response to queries by the members, Mr. Bailey provided clarifying comments regarding the case and indicated that the development agreement is part of the approval process for the zoning amendment; that opaque fencing and certain landscaping are required by the Land Development Code; that the units will be rented or leased to individuals; and that the existing structure on the property will be used as an amenity center for the residents.

Angela Rauber, Tampa, appeared and related that she represents the applicant; and that updates have been made to the application in response to concerns brought forth during previous hearings. Referring to a PowerPoint presentation and a copy of Chapter 419 of Florida Statutes, she provided further information regarding the request.

Robert Pergolizzi, Clearwater, appeared and reviewed surrounding land uses in detail and related that the FLUM with the conditional overlay is compatible with adjacent zoning districts and development in the area. He provided additional information regarding the conditional overlay, indicating that it limits the number of residents to 24; that the setbacks have been increased; and that the building height is limited to 35 feet.

Ms. Rauber related that the concept plan within the development agreement includes the calculated affordable housing bonus; and that there is no intent to increase what has already been proposed.

Community Assisted & Supported Living, Inc. (CASL) CEO, Scott Eller, Seminole, appeared and responded to queries by the members regarding the existing structure on the property, other facilities that CASL operates, CASL's experience with developing near existing neighborhoods, and future residents.

Barbara Braun, Sarasota, appeared and indicated that individuals who would reside in the proposed homes are those with developmental disabilities, as defined by Florida Statutes; that potential residents would qualify for the proposed housing through a community-based waiver program, which includes a support coordinator and additional services based on the individual's needs, not inclusive of live-in support; and that the homes will be rented at a 12-month lease term; whereupon, Mr. Bailey responded to queries by Commissioner Eggers regarding zoning districts adjacent to the property.

In response to the Chair's call for public comment, the following individuals appeared and expressed their concerns pertaining to traffic, maintenance, stormwater drainage, safety, property values, density, and incompatibility with the neighborhood:

Robert Healy, Seminole (spoke on behalf of others in attendance)
Glen Getchell, Seminole
Donna Chisholm, Seminole (spoke on behalf of others in attendance)
Peter Alonso, Seminole
Jonathan Jones, Seminole
Patricia Gaston, Seminole
Cody Chisholm, Seminole
Lisa Stewart, Seminole
Amy Christiansen, Seminole
Delane Davis, Seminole
Jon Jantomaso, Seminole
Patrick Spillman, Seminole

During public comment and in response to a query by Commissioner Flowers, Attorney White confirmed that two separate votes should be taken on Item Nos. 6 and 7; and that all those wishing to speak on either item should do so at this time.

In rebuttal, Ms. Rauber and Mr. Pergolizzi provided remarks regarding significant changes made to the request due to concerns expressed by neighbors, fence requirements, and stormwater drainage.

CASL Attorney Steven Polin, Washington, D.C., appeared and discussed the Fair Housing Act relative to the proposed housing project, indicating that prospective residents would have been screened and evaluated as persons able to live independently.

Meeting Recessed: 12:34 P.M.

Meeting Reconvened: 12:55 P.M.

Chair Long concluded the public comment portion of the public hearing and queried the Commissioners on how they would like to move forward; whereupon, Mr. Bailey responded to queries by Commissioner Peters regarding open space/preservation areas remaining in south county; whereupon, discussion ensued.

During discussion, Commissioners Eggers, Peters, and Scott related that they would not support the request and cited concerns including the proposed development's inconsistency with the character of the neighborhood, preservation of large lot neighborhoods and green space, and traffic concerns.

Commissioner Eggers made a motion, which was seconded by Commissioner Peters, that Case No. FLU-23-03 be denied; whereupon, Commissioner Justice indicated that he is sympathetic with the changes that nearby property owners may experience, but that there is an incredible need in Pinellas County for affordable housing, and Chair Long concurred.

Upon call for the vote, the motion failed by a vote of 3 to 4, with Chair Long and Commissioners Flowers, Justice, and Latvala casting the dissenting votes; whereupon, Attorney White suggested that an alternative motion be made and Commissioner Flowers made a motion to approve Case No. FLU-23-03.

A motion was made by Commissioner Flowers, seconded by Commissioner Latvala, that the item be approved. Following brief comments from the members, the motion carried by the following vote:

Aye: 4 - Chair Long, Commissioner Flowers, Commissioner Justice, and Commissioner Latvala

Nay: 3 - Vice-Chair Peters, Commissioner Eggers, and Commissioner Scott

Following brief discussion, Mr. Burton indicated that staff will bring forward the topics of affordable housing and the remaining preservation areas in south county at a future BCC Work Session; whereupon, Attorney White advised that, since Item No. 6 was approved, action must be taken on Item No. 7.

7. Case No. ZON 23-03 (Community Assisted & Supported Living, Inc.)

A request for a change of Zoning on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole from Residential Estate to Multi-family Residential - Conditional Overlay with the Conditional Overlay and an associated Development Agreement limiting the number of residential dwelling units to a maximum of 20 that will include a combination of one and two bedroom units in single story accessory residential structures, to be occupied as independent housing for a maximum of 24 Persons with Developmental Disabilities, as defined by Florida Statute Section 393.063(1), with supportive housing services for onsite residents only. The existing two-story structure is allowed to remain. Required minimum setbacks shall be 25 feet front, 15 feet sides, and 200 feet rear. (Quasi-Judicial) (Companion to Item No. 6)

Resolution No. 23-97 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. Eleven emails and a petition with 338 signatures in opposition have been received by the Clerk. Citizens wishing to speak on this item were heard during Item No. 6.

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

Aye: 4 - Chair Long, Commissioner Flowers, Commissioner Justice, and Commissioner Latvala

Nay: 3 - Vice-Chair Peters, Commissioner Eggers, and Commissioner Scott

8. Case No. LDR-22-01 (Second Public Hearing)

An ordinance of Pinellas County, Florida, providing for the amendment of Chapter 134 - General and Administrative Provisions, Chapter 138 - Zoning, Chapter 154 - Site Development, Right-of-Way Improvements, Subdivisions, and Platting, and Chapter 158 - Floodplain Management of the Pinellas County Land Development Code. (Legislative)

Ordinance No. 23-24 adopted amending the Land Development Code. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

In response to queries by Commissioner Eggers, Building and Development Review

Services Director Kevin McAndrew provided clarifying comments regarding the proposed amendment and discussed the updates he identified as most meaningful updates, noting that the updates will be beneficial to the development community; and that staff will return in 2024 with additional proposed updates to improve the Land Development Code.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

9. Case No. LDR-23-02 (Second Public Hearing)

An ordinance of Pinellas County, Florida, providing for the amendment of Chapter 138 - Zoning of the Pinellas County Land Development Code, providing revised authority and meeting notice procedures for the Development Review Committee. (Legislative)

Ordinance No. 23-25 adopted amending the Land Development Code. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

10. Petition of Pinellas County Housing Authority to vacate Monroe Court, Washington Drive, Lincoln Place, and Jefferson Circle (12375 Jefferson Circle), as dedicated in Official Records Book 4719, Page 1833, lying in the northwest ¼ of Section 09-30-15, Pinellas County, Florida. (Legislative)

Resolution No. 23-98 adopted granting the petition. Letters of no objection have been received from the appropriate parties. All interested individuals have been notified as to the date of the public hearing. One letter in opposition to the petition was received.

Upon the Chair's call for public comment, Jeremy Coul, Lutz, appeared and expressed that he represents the Pinellas County Housing Authority; and that he is available to answer any questions.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

11. Petition to vacate by Timothy James Chapko and Tammy Jo Chapko, a portion of the 20-foot drainage easement lying along the south boundary of lot 10 (3170 Honeysuckle Road), Oakdale Manor addition, Plat book 45, Page 82, Lying in section 05-30-15, Pinellas County, Florida. (Quasi-Judicial)

Resolution No. 23-99 adopted granting the petition to vacate a portion of the 20-foot drainage easement. No correspondence has been received.

Timothy Chapko, Largo, appeared virtually and provided information regarding the request.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

12. Petition to vacate by Gerald W. Trammell and Johanna I. Wescott, the west 23.40 feet of the east 97.15 feet of the south 12.00 feet of the 40-foot easement lying within lot 63 (607 8th Street), St. Joseph Sound Estates, Plat Book 81, Pages 63 and 64, lying in section 02-28-15, Pinellas County, Florida. (Quasi- Judicial)

Item deferred.

13. Variance request from Kelly Lee McFrederick and Jack Rice to the County Code of Ordinances for docking facilities at 3612 East Maritana Drive, St. Pete Beach.

Variance request approved. One email in opposition, two emails with supporting documents, and one voicemail in support have been received by the Clerk.

Referring to a PowerPoint presentation containing photographs, Environmental Program Manager Julee Simms provided background information regarding the subject property's prior permit applications, Water and Navigation regulations, and governing codes, noting that in an effort to prevent private docks from evolving into rental or slip leasing operations, the Code states that a dock shall not be designed or constructed to accommodate more than two boats for permanent mooring.

Ms. Simms related that the variance request proposes a 56-square-foot aluminum catwalk and a 160-square-foot floating dock; that when staff conducted a site inspection for the application, they found the floating dock already installed and six tie poles, which were supposed to be removed; and that because the tie poles constitute a wet slip, the property now has three boat slips where only two are allowed; whereupon, she provided several proposed alternatives to resolve the matter, including blocking off the original boat slip with boards.

Ms. Simms indicated that in order to grant a variance, a positive finding of fact to all variance criteria is required; that staff did not see a positive finding of fact for three of six relevant criteria; that the applicant argues that a hardship should be recognized in light of the boathouse's historic designation by the City of St. Pete Beach; that persuasive case law from other states indicates that a historic designation is not grounds for a hardship; and that the applicant did not apply for the historic designation until after being made aware of the Code compliance issue.

Ms. Simms related that staff recommends denial of the request; that if the Board agrees with staff's recommendation, a second variance would need to be proposed by the applicant; and that staff would recommend approval of that second variance request under the condition that the applicant complies with Code regulations related to dock repair and reconstruction in the future.

Responding to queries by the members, Ms. Simms provided information regarding the tie poles, roofing options, proposed alternatives, the floating dock, and other topics, indicating that the situation related to Code violations existed when the applicant purchased the house; that when someone requests to construct three boat slips, staff generally works with them to redesign to allow only two vessels to moor permanently; and that if the Board approves the variance request for three slips, it could set a precedent.

Lauren Rubenstein, St. Petersburg, referred to a PowerPoint presentation containing photographs and indicated that she represents the applicants. She provided clarifying comments regarding the presence of the tie poles and reviewed the permitting history of the parcel and the timeline of the current variance request, indicating that commercial use of the dock is not being requested or proposed; that the floating dock is needed to safely access the owner's boat; that the floating dock was approved by the City of St. Pete Beach; and that the height of the boathouse's roof cannot accommodate a boat lift underneath it, resulting in only two functional boat slips on the property.

Referencing the three variance criteria that staff indicated have not been met, Ms. Rubenstein discussed special conditions, unnecessary hardship, and necessary minimum code deviation, emphasizing that the locally designated historic structure on the property fulfills the special conditions criterion; that the literal interpretation of the Code would require the demolition of the historic boathouse in order to utilize the two functional boat slips that exist on the property, which constitutes an unnecessary hardship; and that the requested variance is the only Code deviation that would allow the property owners to preserve the historic structure and still utilize the two permitted functional boat slips on the property.

Ms. Rubenstein informed the members that over 30 letters of support and a petition with 48 signatures in favor of the variance have been received; whereupon, she introduced Kelly Lee McFrederick-Rice, St. Pete Beach, as one of the property owners. Ms. McFrederick-Rice discussed the historic significance of the property, the neighborhood's use of the dock, safety hazards when accessing the boat via the dock, and the use of the property for charitable purposes. Thereupon, Commissioner Justice moved that the variance be approved.

Responding to the Chair's call for public comment, David Ballard Geddis, Jr., Palm Harbor, expressed his opinion.

Attorney White clarified that the motion on the floor is to approve the variance request of the property owner, which would allow three slips per staff's characterization; whereupon, discussion ensued regarding Florida Department of Environmental Protection regulations, potentially setting a precedent for three boat slips per property, the property's historic designation, and other topics.

During discussion, Commissioner Peters expressed concern regarding setting a precedent, and Attorney White clarified that anyone can request a third boat slip currently, but that the Board would have to determine whether other applicants could demonstrate similar and distinguishable circumstances, such as those that the applicant has provided.

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

Aye: 6 - Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Nay: 1 - Vice-Chair Peters

CONSENT AGENDA - Items 14 through 29 (Items Nos. 28 and 29 addressed under Regular Agenda)

Vice-Chair Peters made a motion, seconded by Commissioner Scott, that the Consent Agenda items be approved. The motion carried by the following vote:

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

- 14. Minutes of the regular meeting held September 19, 2023.

The item was approved as part of the Consent Agenda.

- 15. Vouchers and bills paid from September 24 through October 7, 2023.

Period September 24 - September 30, 2023

Accounts Payable - \$47,490,594.22

Payroll - \$4,383,647.03

Period October 1 - October 7, 2023

Accounts Payable - \$60,509,031.05

Payroll - None

The item was approved as part of the Consent Agenda.

Reports received for filing:

16. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-24 dated October 2, 2023 - Audit of Consumer Protection's Internal Controls over DAVID Information.
The item was approved as part of the Consent Agenda.

17. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-25 dated October 4, 2023 - Inspector General's Observation of the Parks and Conservation Resources Botanical Gardens Annual Physical Inventory of Fixed Assets.
The item was approved as part of the Consent Agenda.

18. Southwest Florida Water Management District Fiscal Year 2024 Schedule of Meetings and map depicting the District's boundaries.
The item was approved as part of the Consent Agenda.

19. Dock Fee Report for the month of September 2023.
The item was approved as part of the Consent Agenda.

20. Quarterly Report of Routine Dock & Dredge/Fill applications from July 1 through September 30, 2023.
The item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

21. Clearwater Cay Community Development District Fiscal Year 2024 Meeting Schedule.
The item was approved as part of the Consent Agenda.

22. City of Clearwater Ordinance Nos. 9684-23 and 9694-23 adopted September 7, 2023, annexing certain properties.
The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

23. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending September 30, 2023.
The item was approved as part of the Consent Agenda.

Utilities

- 24. Ranking of firms and agreement with Kimley-Horn and Associates, Inc. for professional engineering services pertaining to the Septic to Sewer Conversion Project for properties located in the City of Tarpon Springs.

(Contract No. 23-0289-RFP-CCNA-Non-Continuing) Ranking of firms and agreement approved in the amount of \$2,414,401.00. All work is expected to be completed within 430 calendar days from the notice to proceed.

The item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

- 25. Receipt and file report of civil lawsuits filed against Pinellas County as delegated to the County Attorney.

The item was approved as part of the Consent Agenda.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Housing Finance Authority

- 26. Housing Finance Authority of Pinellas County Resolution No. 2023-17 adopting and approving Fiscal Year 2022-23 General Fund and Housing Trust Fund Budget Amendments, as approved by the Housing Finance Authority Board of Directors.

The item was approved as part of the Consent Agenda.

- 27. Housing Finance Authority of Pinellas County Resolution No. 2023-18 adopting and approving Fiscal Year 2023-24 General Fund, Housing Trust Fund, Land Assembly Fund and St. Petersburg Land Assembly Fund Operating Budgets, as approved by the Housing Finance Authority Board of Directors.

The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

- 28. Receipt and file report of the Law Enforcement Trust Fund for the quarter ending September 30, 2023.

In response to a query by Commissioner Flowers regarding a potential conflict of interest, Attorney White clarified that Commissioner Flowers does not need to recuse herself from voting.

A motion was made by Commissioner Scott, seconded by Vice-Chair Peters, that items 28 and 29 be approved. The motion carried by the following vote:

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

29. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending September 30, 2023.

Responding to a query by Commissioner Eggers regarding Item Nos. 28 and 29, Office of Management and Budget Director Chris Rose, with input from Mr. Burton, provided information regarding the balance of previously appropriated funds.

COUNTY ADMINISTRATOR DEPARTMENTS

Economic Development

30. Application for a funding modification under the Penny for Pinellas Employment Sites Program.

Application approved for a funding modification reducing the funding request from \$327,000.00 to \$165,000.00.

Mr. Burton explained that the applicant modified their funding request from the original amount of \$327,000.00 to \$165,000.00 due to their plan to construct a 10,000 square foot building in two phases.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Emergency Management

31. 2023 Statewide Mutual Aid Agreement with the State of Florida, Division of Emergency Management.

Agreement approved enabling reciprocal emergency aid through the State of Florida, Division of Emergency Management, following a major disaster. The agreement will replace a current agreement.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Housing & Community Development

32. Affordable housing program project funding recommendation for Longlake Preserves townhome project by Habitat for Humanity of Pinellas and West Pasco Counties.

Recommendation approved for funding in the amount of \$2,000,000.00 for 54 townhomes in Largo serving households earning at or below 120% of the area median income. Total estimated project cost is \$18,233,660.00. County Administrator authorized to negotiate and approve the terms, conditions, and final funding amount not to exceed the BCC-approved amount. Staff will complete additional due diligence activities, as set forth in the Staff Report.

Commissioner Eggers requested that staff provide information at a future BCC meeting regarding funding awarded by the County for affordable housing projects, differentiating between those allocated for rental properties and homeownership initiatives.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

33. Affordable housing program project funding recommendation for Fairfield Avenue Apartments by Fairfield Avenue Apartments LLC.

Recommendation approved for funding in a not-to-exceed amount of \$12,400,000.00 for 264 multi-family apartment units in St. Petersburg with 53 units serving households earning less than 50% of area median income (AMI), 67 units serving households earning less than 80% AMI, and 144 units serving households earning less than 120% AMI. The total estimated project cost is \$87,900,000.00. County Administrator authorized to negotiate and approve the terms, conditions, and final funding amount not to exceed the BCC-approved amount. Staff will complete additional due diligence activities, as set forth in the Staff Report.

Upon the Chair's call for public comment, Brian Aungst, Jr., Clearwater, appeared and expressed that he represents the applicant; and that he is available to answer any questions.

Responding to a query by Commissioner Justice, Planning Division Manager Bruce Bussey provided an update on the project timeline, noting that he anticipates that staff has approximately six months worth of additional due diligence to complete prior to the project's closing; whereupon, Mr. Aungst indicated that that site plan approval was received from the St. Petersburg City Council over a year ago; and that the applicant anticipates beginning construction in January. Thereupon, he thanked the County for taking the lead on housing affordability.

Responding to queries by the members, Mr. Bussey provided clarifying comments regarding the project, explaining that unexpected inflation and cost increases have impacted the project; and that if approved, the maximum funding amount would be \$12,400,000.00, with any additional funding requests requiring Board approval.

Thereupon, Chair Long acknowledged Senator Jeff Brandes, and Commissioner Peters thanked him and Mr. Aungst for their work on this project.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Human Services

- 34.** Contract with the State of Florida Department of Health for the operation of the Florida Department of Health in Pinellas County.

Contract approved for Fiscal Year 2024 in an amount not to exceed \$7,770,320.00, generated by a dedicated millage rate of 0.0713 mills levied countywide.

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

Aye: 6 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Absent: 1 - Commissioner Flowers

Public Works

- 35.** Assignment of Special Registration Number and Release of Present Registration Number for the Mosquito Control Helicopter.

Request approved to transfer Federal Aviation Administration registration number N14806 to a new helicopter.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 36.** Resolution declaring a portion of County owned property as public right-of-way.

Resolution No. 23-100 adopted dedicating a portion of County-owned property along 134th Avenue North as a public right-of-way.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

- 37.** Third Amendment to the purchase authorization agreements with SHI International Corp, and CDW Government LLC for information technology solutions and services.

(Contract No. 21-0201-PB) Amendment approved increasing the contract amount by \$2,100,000.00 for a revised combined total not-to-exceed amount of \$11,500,000.00 (SHI, \$1,100,000.00; CDW, \$1,000,000.00).

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Fire Protection Authority

38. Fire Protection Services Agreement with the City of St. Petersburg to provide fire protection services within the Gandy and Highpoint East Fire Control Districts.

Sitting as the Pinellas County Fire Protection Authority, the Board approved the agreement. The initial term of the agreement is for five years, commencing on October 1, 2023, and ending at midnight on September 30, 2028. The agreement may be extended for an additional five-year period upon mutual written agreement.

Responding to a query by Commissioner Peters, Safety and Emergency Services Director Jim Fogarty provided background information regarding the prior and proposed agreements.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

COUNTY ATTORNEY

39. County Attorney Reports - None

COUNTY ADMINISTRATOR

40. County Administrator Reports

Beach Nourishment Update

Mr. Burton related that Public Works Director Kelli Hammer Levy will be traveling to Washington, D.C., to meet with congressional staff regarding issues related to beach renourishment and the U.S. Army Corps of Engineers; and that correspondence has been sent to other County Administrators requesting that they participate in a joint effort to resolve the issues.

Tri-County BCC Meeting

Mr. Burton noted that the tri-county meeting with Hillsborough and Pasco Counties will be taking place on Friday, November 3, at the Port of Tampa Bay.

Proposed Legislation

Mr. Burton informed the Board that a proposed bill in the upcoming legislative session would provide retirees with a 3% cost-of-living adjustment, which would present a significant cost to the County in the amount of \$21.6 million.

COUNTY COMMISSION

41. County Commission New Business:

Pertinent and timely Committee/Board updates, policy considerations, administrative/procedural considerations, and other new business.

Chair Long requested a moment of silence for Mel Sembler, former United States Ambassador to Italy and Australia, who recently passed away.

The Commissioners provided updates regarding their assigned boards and committees and discussed various issues as follows:

Commissioner Latvala

- Pawn Stars episode filmed in St. Petersburg and which will air on the History Channel
- Wishing residents a happy and safe Halloween
- Clearwater Jazz Holiday
- Pinellas Animal Foundation BOWser and CATsino Ball
- National Aviation Academy and United Airlines Career Pathway Partnership launch event
- Condolences to the family and friends of Casey Cox, former MLB player and Pinellas County resident

Commissioner Eggers

- Gratitude to Senator Ed Hooper and State Representative Adam Anderson for their efforts in renaming a portion of Alternate U.S. Highway 19 to SPC Zachary L. Shannon Memorial Highway
- Honor Flight on October 24, 2023
- Discussions with individuals in the animal welfare community regarding SPCA Tampa Bay
- Charter Review Committee
- Veterans Day celebrations

Commissioner Peters

Commissioner Peters requested that the following individuals be appointed to the Youth Advisory Committee:

Cash Reese
Matthew Wallace
Madalyn Waugh
Nguyen Joseph

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- Tour of the Baypointe Stormwater Conservation Area

Commissioner Scott

- Visit to Foodie Labs in St. Petersburg
- Visit to The James Museum of Western & Wildlife Art
- Tour of Miracles Outreach Community Development Center
- Dedication of a portion of Alternate U.S. Highway 19 to SPC Zachary L. Shannon Memorial Highway
- St. Pete Exchange Club Monthly Luncheon
- State Delegation meeting at St. Petersburg College
- Visits to The Sound in Clearwater

Commissioner Flowers

- Clearwater Jazz Holiday
- Pinellas Suncoast Transit Authority
- Creative Pinellas
- Met Robin Nicholson, the new Director of The James Museum of Western & Wildlife Art
- Bay Area Women’s Empowerment Expo
- State Delegation meeting at St. Petersburg College
- Tom Moriarty’s 40-year service anniversary with R’Club Child Care, Inc.
- Appearance on Mayor Dan Saracki’s podcast, *Experience Oldsmar with the Mayor*
- 100 Women in White event at Bethel AME Church
- 2024 MLK Dream Big Parade
- National Council of Negro Women
- Induction of grandson into the 5000 Role Model of Excellence program at Tyrone Middle School

Commissioner Justice

- National Aviation Academy and United Airlines Career Pathway Partnership launch event

Commissioner Long

- Tourist Development Council
- Creative Pinellas
- One Pinellas Business Alliance gala
- Appearance on *The Skinny* at WMNF 88.5 FM Tampa

ADJOURNMENT - 3:28 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk