

Pinellas County

*315 Court Street
Clearwater, FL 33756*



Minutes - Final

Tuesday, April 26, 2022

2:00 P.M.

**Hybrid In-Person and Virtual Regular Meeting
Public Hearings at 6:00 P.M.**

Board of County Commissioners

*Charlie Justice, Chairman
Janet C. Long, Vice-Chair
Dave Eggers
Rene Flowers
Pat Gerard
Kathleen Peters
Karen Williams Seel*

ROLL CALL - 2:04 P.M.

Present: 7 - Chairman Charlie Justice, Vice-Chair Janet C. Long, Dave Eggers, Rene Flowers, Pat Gerard, Kathleen Peters, and Karen Williams Seel

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Derelynn Revie, Board Records Manager; and Shirley Westfall, Board Reporter, Deputy Clerk

INVOCATION by Rabbi Jenn Mangold, Temple Beth-El, St. Petersburg.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. 2021 Procurement in Excellence Award:
 - Merry Celeste, Division Director, Purchasing and Risk Management
 - Amanda Richardson, Manager of Purchasing Operations, Purchasing
 - William Lawrentz, Manager of Purchasing Support, Purchasing

Chairman Justice invited Ms. Celeste and her staff to the podium and read a proclamation recognizing the staff's diligent work and presented the 2021 Procurement in Excellence Award; whereupon, Ms. Celeste thanked staff and expressed appreciation for the proclamation. Mr. Burton extended his thanks to the Purchasing and Risk Department for their efforts.

2. Earth Day & Arbor Day Proclamation:
Stormwater and Vegetation Division, Public Works
 - Carolyn Cheatham Rhodes, Environmental Program Manager
 - Drew McLean, Operations Manager

Chairman Justice invited Ms. Cheatham Rhodes and Mr. McLean to the podium and read a proclamation recognizing April 22 as Earth Day and April 29 as Arbor Day. He urged citizens to join in supporting the County's Urban Forestry and Natural Resource programs; whereupon, Ms. Cheatham Rhodes thanked the Board and invited citizens to the Pinellas County Arbor Day celebration.

3. Public Service Recognition Week Proclamation:
 - Lisa Arispe, Chair, Employees' Advisory Council

Chairman Justice invited Ms. Arispe to the podium and read a proclamation recognizing the week of May 1 through 7 as Public Service Recognition Week and he thanked all County employees for their hard work; whereupon, Ms. Arispe related that she is honored to represent county employees and work with the Commissioners and Administrators.

CITIZENS TO BE HEARD

4. Citizens To Be Heard - Public Comment.

Todd Pressman, St. Petersburg
David Ballard Geddis, Jr., Palm Harbor
Stacy Geier, Largo
David Happe, Tarpon Springs
Gail Conroy, Redington Shores
Mack Jackson, Largo
Ryan Sullivan, Largo
Greg Pound, Largo
Daniel Amend, Seminole
Craig Murtha, Largo

In response to a query by Mr. Pressman regarding an ordinance regulating mobile home accessories, members requested that staff come back with information with respect to time parameters and potential language.

Responding to Ms. Conroy's stated concerns regarding the mass death of bees, Commissioner Peters related that staff is working to qualify Pinellas County as a Bee Friendly County. Chairman Justice indicated that the County, along with other local governments, had formed a taskforce to aid in the safe use of pesticides.

CONSENT AGENDA - Items 5 through 19

A motion was made by Vice-Chair Long, seconded by Commissioner Flowers, to approve the Consent Agenda. The motion carried by the following vote:

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. Minutes of the regular meeting held February 8, 2022.

The item was approved as part of the Consent Agenda.

6. Vouchers and bills paid from March 20 through 26, 2022.

Period March 20 - 26, 2022

Accounts Payable - \$17,404,226.74

Payroll - None

The item was approved as part of the Consent Agenda.

Reports received for filing:

7. Dock Fee Report for the month of March 2022.

The item was approved as part of the Consent Agenda.

8. Quarterly Report of Routine Dock & Dredge/Fill Permits issued from January 1 through March 31, 2022.

The item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

9. Oath of Office and Public Official Bond for Pinellas Suncoast Fire & Rescue District Commissioner Elizabeth McKenna.

The item was approved as part of the Consent Agenda.

10. City of Dunedin Ordinance 21-32 adopted March 24, 2022, annexing certain real property.

The item was approved as part of the Consent Agenda.

11. Juvenile Welfare Board Certified Annual Financial Statements dated March 30, 2022, and Annual Comprehensive Financial Report for the year ended September 30, 2021.

The item was approved as part of the Consent Agenda.

12. Forward Pinellas Notice of Public Hearing for Amendment of the Countywide Plan Map, held on April 13, 2022.

The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

13. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending March 25, 2022.

The item was approved as part of the Consent Agenda.

14. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending March 31, 2022.

The item was approved as part of the Consent Agenda.

Public Works

15. Joint Participation Agreement with the Florida Department of Transportation accepting funding for purchase of traffic control, detection, and communication equipment for the State Road 60/Gulf to Bay Boulevard from Missouri Avenue to Dr. Kiran C. Patel Boulevard.

(County Project No. 004974A) Agreement approved in the amount of \$1,800,000.00. Equipment to be purchased must be identified and approved by October 1, 2022 and project to be completed no later than December 31, 2023. FDOT will reimburse the County up to \$1,800,000.00 for the purchase of authorized equipment as set forth in the Agreement.

The item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

16. 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

Business Technology Services

17. Award of bid with CDW Government LLC for NetApp Storage Systems.

Contract No. 21-0686-B in the estimated annual expenditure of \$1,545,000.00 for a 36 month total of \$4,635,000.00 awarded on the basis of being the only responsive and responsible bidder due to market conditions. The Contract replaces 178-0127-S with ExtenSys, Inc.

The item was approved as part of the Consent Agenda.

Sheriff's Office

18. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending March 31, 2022.

The item was approved as part of the Consent Agenda.

19. Receipt and file report of the Law Enforcement Trust Fund for the quarter ending March 31, 2022.

The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

20. Award of bid to DS Jordan Construction Inc. for the St. Pete-Clearwater International Airport new freight elevator in terminal.

Contract No. 22-0115-CP (PID No. 004352A) approved in the amount not-to-exceed \$381,731.50 to be completed within 180 consecutive calendar days from issuance of notice to proceed on the basis of being the only responsive, responsible bid received meeting specifications.

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

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

21. Public Transportation Grant Agreement with the Florida Department of Transportation for the design and construction of paving the "Strawberry" economy parking lot at the St. Pete-Clearwater International Airport.

Agreement approved for Phase I of the project. Total costs equal \$550,000.00, with the Grant funding \$275,000.00 and St. Pete-Clearwater International Airport funding the other \$275,000.00. Staff expects an amendment to the agreement next year to fund the remainder of the project. The Grant Agreement expires June 30, 2025.

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

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

- 22.** Public Transportation Grant Agreement with the Florida Department of Transportation for the design and environmental work associated with the terminal building expansion at the St. Pete- Clearwater International Airport.

Agreement approved in the first grant amount of \$1,976,040.00. A total of \$9,976,040.00 to be funded to St. Pete-Clearwater International Airport over the next five years. The Grant Agreement expires June 30, 2026.

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

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

Economic Development

- 23.** Third Amendment to Economic Development Funding Agreement with STAR-TEC Enterprises to provide economic development incubation and acceleration services.

Third amendment approved. Total amount of \$218,750.00, payable in quarterly installments. Agreement term will begin on July 1, 2022 and will remain in effect until September 30, 2023. The Agreement will automatically terminate upon the execution of a Master Lease and Operating Agreement for the Tampa Bay Innovation Center Business Incubator by Pinellas County and STAR-TEC, if executed prior to September 20, 2023.

Mr. Burton indicated that the amendment extends the term of the Agreement to align with completion of the Tampa Bay Innovation Center.

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

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

Human Services

- 24.** Agreement with Operation PAR for contracted substance use services for the Pinellas County Health Program.

Agreement approved allocating annual funding in an amount not-to-exceed \$1,021,750.00, comprised of a grant award from the Health Resources and Services Administration (\$547,750.00), funding from the Low Income Pool Program (\$270,000.00), and Human Services Department General Fund (\$204,000.00), through February 28, 2023. Authority delegated to the County Administrator for agreement renewals and additional funding added to the Agreement.

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

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

25. Subrecipient Agreement with WestCare Gulfcoast-Florida, Inc. for the Fiscal Year 2021 Family Drug Court Grant program.

Agreement approved. WestCare to receive funding in the amount not-to-exceed \$966,944.00 over three years. The County is the recipient of a three-year grant award from the United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (Award No. 15PJDP-21-GG-04515-COAP), which requires an in-kind match totaling approximately \$336,546.00 and will be contributed by the Sixth Judicial Circuit and WestCare Gulfcoast-Florida, Inc.

Commissioner Flowers expressed appreciation to Senator Darryl Rouson for his work related to these types of programs.

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

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

Public Works

26. Local Agency Program Agreement with the Florida Department of Transportation and associated authorizing Resolution for construction of Starkey Road sidewalk from State Road 688/Ulmerton Road to East Bay Drive.

Resolution No. 22-30 adopted approving the agreement (FDOT Financial Project No. 437736 2 58/68 01, County PID No. 004229A) providing up to \$1,899,822.00 in federal grant funds for construction and construction engineering inspection services.

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

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

27. Road Deed Transfer Interlocal Agreement with the City of Pinellas Park for the transfer of specific roadway deeds.

Agreement approved granting transfer of jurisdiction and associated maintenance responsibilities for certain deeds of road segments. Specific deeds to be transferred to the City by the County and to the County by the City are listed in Exhibits A and B, respectively, as part of the supporting documents.

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

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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

CareerSource Pinellas

28. Revisions to the WorkNet Pinellas, Inc. d/b/a CareerSource Pinellas By-Laws.

Revisions approved.

Attorney White noted that her staff is recommending two revisions to the By-Laws. She stated that a sentence providing for the staggered terms of two years had been struck from Article IV, Section 1, Paragraph A; and that staff believes it is an inadvertent striking of language and is therefore recommending that the sentence not be deleted.

Chief Assistant County Attorney Don Crowell indicated that the second recommendation is to add the phrase "for officers other than the Chair" to the third sentence in Article V, Section 3, after the phrase "after two consecutive terms", noting that the Chair is restricted to two terms under State law.

Commissioner Eggers requested that CareerSource provide annual reviews to the BCC, and Attorney Jewel provided input.

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

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

COUNTY ATTORNEY

29. Proposed initiation of litigation in the case of Curtis Stowe v. Chalet Capri Condominium Association, Inc.; HUD Case No. 04-22-8869-8; PC Case No. 22-009 - alleged housing discrimination.

Initiation of litigation approved.

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

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

30. County Attorney Reports. - None.

COUNTY ADMINISTRATOR

31. County Administrator Reports. - None.

COUNTY COMMISSION

- 32.** County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business:
- Approval of CareerSource Legal Counsel (Commissioner Flowers)
 - Bridge Illumination Resolutions (Commissioner Justice)

Bob Graham Sunshine Skyway Bridge

Resolution No. 22-31 approved supporting the Florida Department of Transportation lighting of the Skyway Bridge in recognition of the Tampa Bay Lighting during May 9 - 16, 2022.

Resolution No. 22-32 approved supporting the Florida Department of Transportation lighting of the Skyway Bridge in recognition of Paint the Town Blue honoring National Police Week and Peace Officers Memorial Day during May 11-17, 2022.

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

Senate Bill 524

Attorney White related that SB 524 has recently been signed into law by the Governor.

Commissioner Flowers noted that the bill categorizes counties as to those with term limits and a charter versus those counties who do not have term limits and a charter; that in her opinion, the bill singles out Pinellas County specifically, as it affects no other Florida county; and that she supports the County Attorney in representing the Board, should the members approve litigation in the matter.

Commissioner Peters stated her concerns, indicating that a conflict of interest may be involved for the affected commissioners; that the issue may affect the governing body, but does not appear to affect ongoing County business; and that she questions whether litigation by the County is the best use of its resources.

Lengthy discussion ensued regarding the principle, legality, and ethical process of the bill as well as the merits of any pending litigation.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the Board authorize the County Attorney to challenge the validity of SB 524 as it pertains specifically to Pinellas County for purposes of single member districts, directing the County Attorney's Office to file suit with any cause of action that they deem legally appropriate. The motion carried by the following vote:

Aye: 4 - Chairman Justice, Vice-Chair Long, Commissioner Flowers, and Commissioner Gerard

Nay: 2 - Commissioner Eggers, and Commissioner Peters

Abstain: 1 - Commissioner Seel

CareerSource

Selection of Messer Caparello P.A. as outside legal counsel relating to the response of CareerSource Pinellas' insurance carriers to the \$1.8 million demand from the United States Department of Labor.

A motion was made by Commissioner Flowers, seconded by Commissioner Gerard, that the Board approve the hiring of outside counsel by CareerSource Pinellas due to a conflict of interest of its General Counsel. The motion carried by the following vote:

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

The members provided updates regarding their assigned boards and committees and discussed various topics, as follows:

Commissioner Seel

- Forward Pinellas
- The passing of Gerald Figurski

Commissioner Gerard

- Health and Human Services Leadership Board

Commissioner Long

- Tampa Bay Area Regional Transit Authority

Commissioner Peters

- Pinellas Suncoast Transit Authority
- Dangers of Nitazene synthetic opioids

Meeting Recessed: 3:57 P.M.

Meeting Reconvened: 6:01 P.M.

6:00 PM

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

33. Case No. ZON-21-13 (Philip and Erin Gregory)
 A request for a change of Zoning from R-2, Single Family Residential to R-E, Residential Estate on approximately 1.06 acres located at 8990 131st Street North in unincorporated Seminole.
 (Quasi-Judicial)

Resolution No. 22-33 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. One letter of support has been received. No citizens appeared to be heard.

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

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

34. Case No. ZON-21-14 (Summerset Villas, LLC, c/o Steven DiGiovanni)
 A request for a change of Zoning from R-A, Residential Agriculture to R-5, Urban Residential on approximately 1.97 acres located at 2861 Summerdale Drive in unincorporated Clearwater.
 (Quasi-Judicial)

Resolution No. 22-34 adopted approving the zoning change. 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 Gerard, seconded by Vice-Chair Long, that the item be approved. The motion carried by the following vote:

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

ADJOURNMENT - 6:04 P.M.



Charles Johnson

 Chair

ATTEST: KEN BURKE, CLERK

By *Dee Lynn Lewis*
 Deputy Clerk