

Pinellas County

*315 Court Street
Clearwater, FL 33756*



Minutes - Final

Tuesday, November 15, 2022

2:00 P.M.

**Hybrid In-Person and Virtual Regular Meeting
5th Floor Assembly Room**

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 - 2:02 PM

Present: 6 - Chairman Charlie Justice, Vice-Chair Janet C. Long, Dave Eggers, Rene Flowers, Kathleen Peters, and Karen Williams Seel

Absent: 1 - Pat Gerard

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

Chairman Justice requested a moment of silence in recognition of the life and service of former Commissioner Sallie Parks.

INVOCATION by Father Douglas Remer, St. Giles' Episcopal Church, Pinellas Park.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. National Apprenticeship Week Proclamation:
 - Steve Meier, Interim CEO and Chief Financial Officer, Career Source Pinellas
 - Mark Hunt, Pinellas County Schools
 - Dr. Rebecca Sarlo, Ultimate Medical Academy
 - Shawn McDonnell, International Brotherhood of Electrical Workers
 - Zac Holland, Plumbers & Pipefitters Labor Union No. 123
 - Michael Long, SailFuture Academy
 - Hunter Thompson, SailFuture Academy

Chairman Justice read a proclamation recognizing November 14 through 20, 2022 as Apprenticeship Week in Pinellas County; whereupon, several proclamation recipients provided brief remarks regarding the benefits of apprenticeship programs.

Recognition of Commissioner Karen Williams Seel

Chairman Justice noted that today is Commissioner Seel's last day as a Pinellas County Commissioner; and that the Board would like to formally recognize her service.

Commissioner Long read a proclamation which expressed gratitude for Commissioner Seel's dedicated service.

Chairman Justice shared that Commissioner Seel was selected to receive the Association of Metropolitan Planning Organization's Outstanding Elected Official Leadership award;

and that she was chosen from a nationwide pool of candidates. He also noted that on behalf of the Commission and as a personal tribute to Commissioner Seel, a magnolia tree has been planted at Heritage Village.

Following a video which highlighted Commissioner Seel's numerous accomplishments and service to the community, the members reflected on their experiences working with her.

Meeting Recessed: 2:40 P.M.

Meeting Reconvened: 2:55 P.M.

CITIZENS TO BE HEARD

2. Citizens To Be Heard - Public Comment.

Matthew Yasova-Zaffos, Seminole
Mack Johnson, Largo
David Ballard Geddis, Jr., Palm Harbor (submitted documents)
Greg Pound, Largo

In response to a request by Mr. Yasova-Zaffos to complete a sidewalk along 82nd Avenue in Seminole, Mr. Burton and Public Works Director Kelli Hammer Levy provided information regarding the current amount of sidewalk gaps in the county and the challenges to complete the associated projects.

CONSENT AGENDA - Items 3 through 18

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

**3. Minutes of the regular meeting held August 16, 2022.
The item was approved as part of the Consent Agenda.**

4. Vouchers and bills paid from September 18 through October 15, 2022.Period September 18 - 24, 2022

Accounts Payable - \$14,827,807.99

Payroll - None

Period September 25 - October 1, 2022

Accounts Payable - \$24,046,372.05

Payroll - \$4,057,666.55

Period October 2 - 8, 2022

Accounts Payable - \$52,173,547.94

Payroll - None

Period October 9 - 15, 2022

Accounts Payable - \$11,735,258.51

Payroll - \$5,064,352.63

The item was approved as part of the Consent Agenda.

Reports received for filing:

- 5. Quarterly Donation Listing of \$1,000 or more for the quarter ended September 30, 2022.
The item was approved as part of the Consent Agenda.**
- 6. State of Florida Constitutional Officer Financial Report for 2021-2022 - Pinellas County Supervisor of Elections, pursuant to Section 218.36, Florida Statutes.
The item was approved as part of the Consent Agenda.**
- 7. State of Florida Constitutional Officer Financial Report for 2021-2022 - Pinellas County Tax Collector, pursuant to Section 218.36, Florida Statutes.
The item was approved as part of the Consent Agenda.**

Miscellaneous items received for filing:

- 8. Florida Development Finance Corporation Annual Report for 2021-2022.
The item was approved as part of the Consent Agenda.**
- 9. Southwest Florida Water Management District Fiscal Year 2023 schedule of meetings and map depicting the District's boundaries.
The item was approved as part of the Consent Agenda.**
- 10. Tampa Bay Water 2023 Board meeting schedule.
The item was approved as part of the Consent Agenda.**

11. Eastlake Oaks Community Development District minutes of the meeting held August 11, 2022.
The item was approved as part of the Consent Agenda.
12. Florida Department of Revenue Child Support Program calculations and awarding of incentive funds for Federal Fiscal Year 2020.
The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

13. Quarterly report of claim settlements for the period of July 1, through September 30, 2022.
The item was approved as part of the Consent Agenda.

Animal Services

14. Award of bid to Erickson & Lindstrom Construction Co. for the Animal Services kennel replacement and HVAC renovation.

Contract No. 22-0399-CP (PID No. 004009A) awarded in an amount not to exceed \$3,578,306.00 on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 305 consecutive calendar days.

The item was approved as part of the Consent Agenda.

County Administrator

15. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending October 28, 2022.
The item was approved as part of the Consent Agenda.

Human Services

16. Ranking of firms and agreement with Directions for Mental Health Inc. d/b/a Directions for Living, Inc. for the Pinellas County Empowerment Team 2.0.

(Contract No. 22-0292-P) Ranking of firms and agreement approved in the annual not-to-exceed amount of \$647,500.00, for a total three-year contract amount of \$1,942,500.00. Agreement is effective from October 1, 2022 through September 30, 2025 and contains an option for a 24-month extension. The agency awarded the agreement represents the only submittal following a request for proposal process.

The item was approved as part of the Consent Agenda.

Public Works

- 17. Ranking of firms and agreements with the four highest ranked firms for requirements of disaster debris monitoring and management services.

(Contract No. 22-0601-P) Ranking of firms and agreements with the following highest-ranked firms approved for a five-year estimated expenditure total of \$1,181,510.00. Actual expenditure will be based upon services required during an emergency event. Contract has a term from effective date through December 31, 2027 and contains a provision for annual rate adjustments after the initial 24-month term, as set forth in the Staff Report. This contract is a replacement for a contract that is expiring on December 31, 2022.

- Tetra Tech, Inc.
- Thompson Consulting Services, LLC
- Rostan Solutions, LLC
- True North Emergency Management

The item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

- 18. 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.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

- 19. 2022-2023 Florida Job Growth Grant Fund application and resulting grant applications, grant agreements, and documents designated for the St. Pete-Clearwater International Airport.

Grant proposal approved for submission, requesting \$9.4 million for infrastructure on the former Airco golf course site. Airport to provide \$11.75 million in matching funds.

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:** 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers
Commissioner Peters, and Commissioner Seel
- Absent:** 1 - Commissioner Gerard

20. Ratification of the County Administrator's approval of the emergency agreement with Ajax Paving Industries of Florida, LLC, for Runway 18-36 Pavement Maintenance.

Contract No. 22-0650-E ratified in a not-to-exceed amount of \$2,322,396.21 for a duration of 180 days.

Mr. Burton explained that the emergency agreement was necessary due to design issues on the runway that needed to be fixed immediately; that the previous contractor agreed to pay the amount to make the necessary changes; and that the County will be fully reimbursed.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers
Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Convention and Visitors Bureau

21. Local Arts Agency Funding Agreement with Creative Pinellas Incorporated for marketing and promoting Pinellas County as an arts community and cultural destination during Fiscal Year 2023.

Agreement in the amount of \$978,360.00 approved effective October 1, 2022, for a period of one year.

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

Absent: 1 - Commissioner Gerard

Economic Development

22. Resolution expressing support of Project C2030349259 as a qualified applicant for an Economic Development Ad Valorem Tax Exemption.

Resolution No. 22-99 adopted supporting Project C2030349259 as a qualified applicant pursuant to Section 196.1995, Florida Statutes, and authorizing the applicant to make improvements before an exemption ordinance is adopted.

In response to queries by the members, Economic Development Business Development Division Director Suzanne Christman indicated that per Florida statutes, the applicant will be required to submit payroll records as part of an annual report to verify they are complying with program requirements; that more accurate figures of the economic impact of the project and the tax exemption will be generated following the project's completion; that the City of Pinellas Park is participating through a tax abatement program; and that the current

property tax will continue, and investments in tangible property, such as medical equipment, may be eligible for the exemption.

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

Absent: 1 - Commissioner Gerard

Housing & Community Development

- 23.** Local government verification of contribution form for 2022 Housing Credit Financing applications for the Grand Oaks Apartments affordable housing development project.

Form approved in support of the low-income housing credit application to the Florida Housing Finance Corporation. The County to provide a not-to-exceed amount of \$610,000.00 in matching funds.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Management and Budget

- 24.** Fiscal Year 2022 Board Budget Amendment No. 6 to realign appropriation from General Fund Reserves for the Department of Administrative Services for unanticipated operating expenditures, Building Services Reserves for higher-than-expected contractual services, Water Revenue and Operating Reserves for higher than anticipated repair and maintenance costs, and the Pinellas County Utilities Sewer Interest and Sinking Fund for unanticipated debt service.

Amendment approved for the above-referenced fund realignments as outlined in the Staff Report.

Mr. Burton noted an incorrect listing of a \$250,000.00 realignment amount from the Water Revenue & Operating Fund Reserves to Maintenance North & South and requested that the budget amendment be amended to reflect \$750,000.00 as the correct amount. In response to queries by Commissioner Eggers, Office of Management and Budget Director Chris Rose clarified that the majority of the costs associated with the amendment were reflected in the County budget passed in September; and that staff is monitoring how claims and construction inflation are impacting the Administrative Services department.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

25. Fiscal Year 2022 Board Budget Amendment No. 7 to realign appropriation from various Fund Reserves for Hurricane Ian expenditures.

Amendment approved for the above-referenced fund realignments as outlined in the Staff Report.

In response to queries by the members, Office of Management and Budget Director Chris Rose, with input from Mr. Burton, indicated that the Federal Emergency Management Agency will reimburse 100% of the County's costs associated with the first 30 days of Hurricane Ian, noting that the vast majority of the expenditures occurred at that time.

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

Absent: 1 - Commissioner Gerard

26. Interlocal Agreement with the Pinellas Suncoast Transit Authority for the Clearwater Transit Center Funding.

Agreement approved. Pinellas County to pay a not-to-exceed amount of \$8 million to complete the project and provide contingency funding (total estimated cost, \$44,543,310).

In response to queries by the members, Mr. Burton provided clarifying comments regarding utilizing Penny for Pinellas funds to support the project. Assistant County Administrator Kevin Knutson explained that a County staff member with expertise in construction will sit on a committee to provide guidance on design, construction, and engineering for the project.

Responding to a query by Commissioner Eggers, Pinellas Suncoast Transit Authority (PSTA) Chief Executive Officer Brad Miller indicated that he is confident that the project cost will be at or below the \$44 million projection; that the estimated cost was formulated approximately one month ago; and that PSTA is prepared to adjust the project to stay within the budget, if necessary.

At the request of Chairman Justice, Mr. Knutson clarified that there are several contingencies built into the project to ensure the budgeted funds could cover cost overruns; that County funds will be applied once PSTA expends all other funds; and that the funding request is an "up-to" amount to account for the potential for the project's cost to be lower than estimated.

In response to queries by Mr. Burton and Commissioner Eggers, Mr. Miller related that PSTA currently has a 30% contingency built into the project's budget; that the project would enable the construction of a new transit center to replace the current facility that has existed in downtown Clearwater for more than 40 years; and that PSTA has been trying to secure federal funding for a new transit center for several years. He noted that the current facility is the most popular bus stop in the county; that a new transit center would better accommodate modern buses and trolleys; and that approval of County funding for the project would satisfy

a requirement to build the facility in PSTA's agreement with the City of Clearwater to gain access to the land.

Commissioner Eggers echoed the concerns of Commissioner Peters regarding the redirection of Penny for Pinellas funds away from other projects to support the transit center; whereupon, Chairman Justice spoke about balancing the Penny for Pinellas project list, noting that it is a 10-year program; that some of the listed projects will be funded through grants; and that the City of Clearwater is desperately seeking support with the proposed transit facility.

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

Nay: 2 - Commissioner Eggers and Commissioner Peters

Absent: 1 - Commissioner Gerard

- 27.** Pinellas Community Foundation's recommendation of the award of grant funding for the highest ranked applicants for the first round of small purchases funded by the American Rescue Plan Act Nonprofit Capital Project Fund.

Grant funding approved in the amount of \$750,000.00 to be awarded to the highest ranked small nonprofit organizations with annual operating budgets of \$500,000.00 or less and \$1,500,000.00 to nonprofit organizations with annual operating budgets over \$500,000.00.

Pinellas Community Foundation Director of Grants and Operations David Bender related that the foundation received 80 funding requests during the application period totaling \$6.5 million for small capital purchases; that eligible requests were sent to demographically and geographically diverse committees who met twice during publicly accessible meetings for rating purposes; and that the committees produced the funding recommendations before the Board today, totaling \$2.25 million for 34 requests to be funded.

In response to queries by the members, Mr. Bender explained that applications were ranked based on the extent to which funding could alleviate an organization's unresolved negative economic impacts due to the pandemic; that the foundation considered each nonprofit organization's significance to the community during the scoring process; and that organizations could demonstrate a negative economic impact via inflationary pressures or increased service demands that were not compensated through other means; whereupon, discussion ensued regarding the following and other topics, with input from Messrs. Bender and Burton:

- Application rating criteria
- Proposals of specific nonprofit organizations for use of grant funding
- Next steps for organizations who were not chosen for funding
- Merits of partial funding

During discussion and in response to queries by the members, Mr. Bender, with input from Mr. Burton, indicated that there will be a future discussion with the Board regarding awarding the remaining withheld grant funding; that the foundation met with organizations which were not chosen for funding to deliver comments left by committee members on their applications and to provide technical assistance; and that the committee found the disadvantages of partial funding outweighed its merits.

Upon the Chairman's call for public comment, David Lomaka, Clearwater, appeared and expressed his concerns regarding insufficient funding for senior citizens in need throughout the county and consideration for the Rescue Plan Act Fund funding.

Thereupon, discussion ensued regarding federal regulations on project timelines for funding, food insecurity in the county, and plans for the remaining grant fund. Responding to queries by the members, Mr. Bender highlighted that 78 applications with letters of intent for large projects under the fund, which will be considered by the Board at a later date, have been received, totaling \$83 million in requested funding; that a ranking review committee recommended 23 applications to submit full project proposals, totaling \$25 million requested; and that the committee will rank the full proposals to determine which organizations will receive a share of the \$10 million of available funding.

Chairman Justice remarked on the Board's desire to remain involved in the selection process for funding, commenting that the large project proposals will be discussed at a work session prior to presentation at a regular meeting.

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

Absent: 1 - Commissioner Gerard

- 28.** Resolution supplementing the Fiscal Year 2022 Emergency Communications 911 System Fund Budget for a State of Florida E911 grant to the Safety and Emergency Services Department. Resolution No. 22-100 adopted recognizing and appropriating unanticipated revenue in the amount of \$658,915.95.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Parks and Conservation Resources**29.** Resolution designating Pinellas County as a Bee City USA Affiliate.

Resolution No. 22-101 adopted recognizing the County's commitment to conserve native pollinators through increased educational programs, pollinator habitat creation, and the enhancement and reduced use of pesticides.

At the request of Chairman Justice, Parks and Conservation Resources Director Paul Cozzie explained that the Bee City USA designation is meant to recognize communities which promote and protect pollinators; and that the County will have to fulfill commitments as an affiliate, including to maintain an integrated vegetation management program, promote education through County extension, and to increase the number of wildflowers planted throughout the county. Assistant County Administrator Tom Almonte related that the inaugural Lealman Honey & Arts Festival will take place on February 18, 2023 at Raymond Neri Park from 10 A.M. to 5 P.M.; and that the festival will include live music and activities for families, children, and the community.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Public Works**30.** County Incentive Grant Program Agreement with the Florida Department of Transportation and associated Resolution for design of the Advanced Traffic Management System / Intelligent Transportation System Project on Alderman Road from Alternate U.S. Highway 19 to U.S. Highway 19.

Resolution No. 22-102 adopted approving the agreement (FDOT Financial Project No. 448510 1 34 01, County PID No. 004543A) for grant funding, providing \$185,000.00 in FDOT funding and \$185,000.00 in County matching funds. Agreement term expires April 19, 2025.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

31. Grant agreement with the Florida Department of Environmental Protection for Philippe Park Living Shoreline Oyster Reef Wave Attenuation project.

(PID No. 004178B) Agreement approved in the amount of \$259,200.00, including grant award of \$129,200.00 and an additional amount of \$130,000.00 in County matching funds. Agreement term ends on September 30, 2026.

Upon request by Chairman Justice, Public Works Director Kelli Hammer Levy related that wave action against the shoreline is causing erosion to a large seawall that is protecting a midden; and that the project will attenuate the waves to prevent further erosion.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

32. Local Agency Program Agreement with the Florida Department of Transportation and associated Resolution authorizing construction and construction engineering inspection services for 42nd Avenue North from 46th Street North to 35th Street North roadway and sidewalk improvements.

Resolution No. 22-103 adopted authorizing the BCC Chairman to execute and the Clerk to attest the agreement. Agreement approved (FDOT Financial Project No. 442955 1 58 01, 442955 1 58 02, 44 442955 1 68 01) providing \$658,582.00 in FDOT grant funding. County to fund \$3,335,585.00 for a total project cost of \$3,994,167.00. Agreement term ends November 4, 2024.

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

Absent: 1 - Commissioner Gerard

33. Multimodal priority list application for the Belleair Road Multimodal Improvement Project to receive federal and/or state grant funding administered through Forward Pinellas for construction.

(PID No. 003862A) Grant application approved in the amount of \$3,550,000.00. County to provide \$10,650,000.00 in matching funds for a total construction cost of \$14,200,000.00.

In response to queries by Commissioner Seel, Public Works Engineering Section Manager Tom Washburn provided information regarding the project, clarifying that it would extend the Duke Energy Trail to Taylor Lake Park; that a signalized crossing or full pedestrian signal would be installed to accommodate one or more instances of the trail crossing a roadway; and that the project's design includes considerations for the trail's proximity to residential properties, turn lane improvements, and protecting oak trees in the area.

Responding to queries by Commissioner Eggers, Mr. Washburn indicated that a roadside memorial was posted in the area at the request of the family of a child who was recently killed there; that staff has been collecting vehicle and pedestrian crossing data as part of an evaluation to install safety improvements in the area; and that the data currently supports a crossing closer to U.S. Highway 19 near the trail. He noted that the County has made various safety improvements to the roadway, including the resurfacing of that segment of Belleair Road and the addition of reflective markers to the road and guardrails, as well as thermoplastic pavement markings; and that staff is meeting with Forward Pinellas and the Pinellas County School Board to review bus stops throughout the county and ensure they are well lit.

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

Absent: 1 - Commissioner Gerard

34. Resolution providing authority for the use of golf carts within the Westlake Village subdivision in Palm Harbor.

Resolution No. 22-104 adopted providing for golf cart use on designated roadways in Westlake Village subdivision in Palm Harbor.

In response to queries by Commissioner Eggers, Ms. Levy explained that the community met the safety and road designation criteria for golf cart use; that staff petitioned all property owners in the subdivision to determine whether a majority of the community support the initiative, per the Pinellas County Code; and that most of the petitions received were in favor of the use of golf carts in the area.

Responding to queries by Commissioner Eggers, Mr. Washburn related that there is no direct connection between the subdivision and downtown Palm Harbor; and that staff has identified a route for residents to safely and legally drive their golf carts to downtown.

Upon call by the Chairman for public comment, the following individuals appeared and expressed their support for the resolution:

Bruce Zeit, Palm Harbor, representing Westlake Village Homeowners Association
Kristine Benson, Palm Harbor

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

Aye: 5 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, and Commissioner Peters

Absent: 2 - Commissioner Gerard and Commissioner Seel

- 35.** Settlement agreement and release with HNTB Corporation for the design of the roadway reconstruction and widening of Forest Lakes Boulevard Phase II from Pine Avenue to Race Track Road project.

(PID No. 002110A) Agreement and release approved in the amount of \$313,282.15 due to the County by November 30, 2022.

Mr. Burton indicated that the County and HNTB reached a settlement agreement following litigation claims against HNTB based on the County's additional expenses incurred due to issues stemming from HNTB's roadway design services.

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: 5 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, and Commissioner Peters.
Absent: 2 - Commissioner Gerard and Commissioner Seel

- 36.** State of Florida Department of Economic Opportunity Community Development Block Grant Mitigation Program Subrecipient Agreement for the Joe's Creek Greenway Restoration project.

(Department of Economic Opportunity Agreement No. MT132, County PID No. 004116A) Agreement approved in the amount of \$17,120,395.00. County to provide \$33,832,422.00 in matching funds for an agreement term of 48 months upon execution.

Mr. Burton noted that the County will likely acquire other grants to offset the matching funds cost.

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

Aye: 5 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, and Commissioner Peters
Absent: 2 - Commissioner Gerard, and Commissioner Seel

- 37.** Agreement with ImageTrend, Inc. to purchase a records management system for Safety and Emergency Services Fire/Emergency Medical Services.

Contract No. 22-0748-N approved for a not-to-exceed amount of \$2,995,252.00 over a three-year term.

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: 5 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, and Commissioner Peters
Absent: 2 - Commissioner Gerard and Commissioner Seel

Solid Waste

38. Interlocal Agreement with the City of Tampa for limited solid waste processing services.

Agreement approved for a perpetual term until terminated, in writing, by either party. Out -of-county surcharge fees will be waived.

Mr. Burton related that the County has similar agreements with Hillsborough and Pasco Counties; and that this agreement provides one more outlet for the County in cases where its waste-to-energy facility is not operational.

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: 5 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, and Commissioner Peters

Absent: 2 - Commissioner Gerard and Commissioner Seel

Utilities

39. Cooperative Funding Agreement with the Southwest Florida Water Management District for the John Chesnut Sr. Park Aquifer Storage & Recovery and Aquifer Recharge Project.

(Project No. 004364A) Agreement approved providing \$893,500.00 in SWFWMD grant funding; County match, \$893,500.00; total project cost, \$1,787,000.00. Agreement is effective October 1, 2020 through August 31, 2025.

At the request of Commissioner Eggers, Utilities Director Megan Ross indicated that this project is part of the North County Reclaimed Water Master Plan; that the project will leverage stormwater from Lake Tarpon to supplement the County's reclaimed water system for residents to use on their lawns and gardens; and that the stormwater will not interact with the County's water well sources.

Responding to the Chairman's call for public comment, David Ballard Geddis, Jr., Palm Harbor, appeared and expressed his concerns; whereupon, Ms. Ross provided clarifying comments, emphasizing that the water that is proposed for the supplementation is not reclaimed, as it is from Lake Tarpon; and that it will be utilized to augment the County's reclaimed water system.

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

Absent: 1 - Commissioner Gerard

- 40. First amendment to establish a guaranteed maximum price with Benro Enterprises, Inc. d/b/a Rocha Controls, Inc. for Phase 2 of contracted design-build services to upgrade programmable logic controllers and ancillary components.

(Contract No. 190-0132-NC) Amendment approved for the Maximum Guaranteed Price amount of \$4,567,898.00 for Phase 2 construction services. Revised total contract amount for Phases 1 and 2 is \$5,434,263.00. Amendment extends contract term for 705 consecutive days.

Responding to a query by Commissioner Eggers, Mr. Burton clarified that the agreement's Phase 1 was for project design services, and that the amendment and increase in total contract value encompasses construction services in Phase 2 of the project.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Meeting Recessed: 4:41 P.M.

Meeting Reconvened: 4:55 P.M.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

- 41. Agreement with Redmark Technologies LLC for Redmark technical support hours and software development for the Business Technology Services Department.

(Contract No. 22-0628-N) Agreement approved in a total contract not-to-exceed amount of \$533,011.51 (including 10% owner directed contingency funds in the amount of \$48,455.59). Agreement is effective for a period of 24 months.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Emergency Medical Services Authority

42. Advanced Life Support First Responder Agreement with the Cities of St. Pete Beach and St. Petersburg.

Sitting as the Pinellas County Emergency Medical Services Authority, the Board approved the agreement providing funding in the amount of \$20,702,057.00. The agreement continues the initial five-year term for Advanced Life Support First Responder Agreements, beginning on October 1, 2019 and ending on September 30, 2024, with the option for one additional five-year extension.

Mr. Burton noted that this agreement is the final outstanding First Responder Agreement to be completed.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Fire Protection Authority

43. Fire Protection Services Agreement with the City of St. Petersburg to provide fire protection services within the South Pasadena Fire District.

Sitting as the Pinellas County Fire Protection Authority, the Board approved the agreement providing annual compensation to the City of St. Petersburg in the amount of \$96,000.00. The initial term of the agreement is for two years, commencing retroactively on October 1, 2022 and ending at midnight on September 30, 2024 and may be extended for an additional five-year period upon mutual written agreement.

Responding to a query by Commissioner Peters, Mr. Burton indicated that the City of St. Petersburg is interested in working towards a long-term agreement; and that there is a clause in the agreement which allows for a cancellation at any time.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Housing Finance Authority

- 44. Resolution approving the issuance of Single-Family Mortgage Revenue Bonds by the Housing Finance Authority of Pinellas County to finance Single-Family Mortgage Loans through a joint program with other Housing Finance Authorities in various counties.

Resolution No. 22-105 adopted approving the issuance of bonds in a principal amount not to exceed \$250,000,000.00 in calendar years 2022 through 2025. No County general funds are required.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

COUNTY ATTORNEY

- 45. Proposed initiation of litigation in the case of Pinellas County v. Walter and Dorothy Jankowski, Deceased - action for foreclosure of Special Magistrate liens.

County Attorney authorized to initiate litigation.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

- 46. Proposed ratification of initiation of litigation in the case of Pinellas County v. Mahetab Bitar; County Civil Case No. 22-007149-CO - petition for custody of cruelly or neglectfully treated animals.

Action taken by the County Attorney’s Office with advance approval of the BCC Chairman ratified.

Attorney White noted, for the record, a scrivener’s error related to the resolution number identified in the Board’s agenda memorandum for this case and the same error related to a case that came before the Board on September 8; whereupon, she indicated that the correct number for the resolution is 21-23; and that the error has no effect on the validity of the Board’s actions related to these cases.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

47. Proposed settlement in the case of Charles Knapp v. Pinellas County/Pinellas County Risk Management; Office of the Judges of Compensation Claims Case No. 21-000440RLY.

Proposed settlement approved in accordance with the confidential memorandum dated November 15, 2022.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

48. County Attorney Reports. - None.

COUNTY ADMINISTRATOR

49. County Administrator Reports. - None.

COUNTY COMMISSION

Chairman Justice related that individual reappointment recommendations by Commissioner Gerard in Items Nos. 50, 51, and 52 are being pulled from consideration.

50. Reappointments to the Board of Adjustment and Appeals (Individual reappointments by Commissioners Gerard, Eggers, and Peters).

The following individuals were reappointed for a term of four years, beginning November 8, 2022:

- Jose Bello (Commissioner Peters)
- Alan Bomstein (Commissioner Eggers)

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

51. Reappointments to the Parks and Conservation Resources Advisory Board (Individual reappointments by Commissioners Long, Gerard, Eggers, Peters, and Flowers).
The following individuals were reappointed for a term of one year, beginning on November 4, 2022:

- Bryan Beckman (Commissioner Long)
- Peg Cummings (Commissioner Eggers)
- Steven Ochsner (Commissioner Peters)
- Daniel Savercool (Commissioner Flowers)

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

- 52.** Approve two reappointments to the Pinellas County Historical Commission (Individual reappointments by Commissioners Gerard and Eggers).

Sandy Bozeman was reappointed for a term of four years, beginning on November 8, 2022.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

- 53.** Selection of the 2023 Chair and Vice-Chair.

A motion was made by Commissioner Peters, seconded by Commissioner Eggers, that the selection of the 2023 Chair and Vice-Chair be delayed until the next BCC meeting. She indicated that a delay would allow the two newly-elected Commissioners to vote; whereupon, a discussion ensued, and Commissioners Long, Flowers, and Seel spoke in favor of taking the action today.

Chairman Justice clarified that selection of the next year's Chair and Vice-Chair has typically included newly-sworn Commissioners, but that today's meeting was moved up to avoid it being scheduled during the week of Thanksgiving. He acknowledged the issue of committee and board appointments needing to occur so that the members are prepared to serve beginning in January.

Commissioner Flowers noted that she has removed her candidacy from consideration for the Vice-Chair appointment based on Commissioner Peters' seniority.

Following a lengthy discussion, Chairman Justice suggested that authority be delegated to the current Vice-Chair to coordinate the appointment process for committees and boards, including obtaining input from the two new Commissioners; and that the Vice-Chair present the recommendations to the Board at its December meeting; whereupon, Commissioner Peters amended her motion.

A motion was made by Commissioner Peters, seconded by Commissioner Eggers, that the Board delay selection of the 2023 Chair and Vice-Chair until the December meeting; and that the current Vice-Chair coordinate the appointment process for committees and boards and present the recommendations for appointments at the Board's December meeting. The motion carried by the following vote:

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

54. County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business:
- FAC Conference Sponsorships
 - Skyway Lighting Resolutions (Commissioner Justice)

FAC Conference Sponsorships

no action was taken

Skyway Lighting Resolutions

Resolution No. 22-106 approved supporting the Florida Department of Transportation lighting of the Bob Graham Sunshine Skyway Bridge in recognition of Prematurity Awareness Month on November 21, 2022.

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

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Recognition of Chairman Justice

On behalf of the members, Commissioner Long presented Chairman Justice a token of their appreciation for his leadership and for the thoughtful way that he handled Board meetings throughout the past year. Chairman Justice expressed his pride in serving the people of Pinellas County and as a representative of the Board and County staff.

Chairman Justice recognized Commissioner Gerard for her eight years of service as a County Commissioner and a lifetime of service to Pinellas County and the City of Largo.

Noting that Commissioner-Elect Brian Scott is in the audience, Chairman Justice congratulated him on his victory and indicated that the Board is looking forward to officially welcoming him the following week.

The Commissioners reported on the activities of their assigned boards and committees and discussed various issues, as follows:

Commissioner Eggers

- Metropolitan Planning Organization
- Tampa Bay Water

Commissioner Long

- Jannus Landing Annual Dinner
- Tampa Bay Regional Planning Council Summit May 3-5

Commissioner Seel

- Artistic plaque in honor of former Commissioner Sallie Parks

Commissioner Seel presented the members with mementos and recognized each for their service. She expressed her appreciation to the County Administrator and County Attorney, as well as to County employees for setting the standard of public service in Pinellas County.

A motion was made by Commissioner Seel, seconded by Commissioner Flowers, to accept an offer from the St. Pete-Clearwater International Airport with regard to a plaque honoring former Commissioner Sallie Parks. The motion carried by the following vote:

Aye: 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Gerard

Mr. Burton referenced and gave an overview of a memorandum sent to the Commissioners regarding conference sponsorships and the Convention and Visitors Bureau; whereupon, he recommended that, if the Board opts to provide a sponsorship for the upcoming Florida Association of Counties' (FAC) Legislative Conference being held in Pinellas County, it be taken from the General Fund.

Lengthy discussion ensued regarding the potential benefits of providing a sponsorship, concerns related to establishing a precedent, current annual dues to FAC, and options for a funding source in lieu of a large sponsorship amount.

Following a call by Chairman Justice regarding additional questions, discussion, or a motion, no action was taken on this item.

PUBLIC HEARINGS - There were no public hearings scheduled for this meeting.

ADJOURNMENT - 5:37 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk