

Pinellas County

*315 Court Street
Clearwater, FL 33756*



Minutes - Final

Tuesday, June 21, 2022

2:00 P.M.

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 - 2:02 P.M.

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

Absent: 1 - Dave Eggers

Others Present: Barry A. Burton, County Administrator; Amanda Coffey, Managing Assistant County Attorney; Derelynn Revie, Board Records Manager; and Sarah Rathke, Board Reporter, Deputy Clerk

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

1. National Mosquito Control Awareness Week Proclamation:
Public Works
 - Chris Bolin, Mosquito Control Technician
 - Matt Laverdure, Crew Chief 1
 - Alissa Berro, Mosquito Control Section Manager

Chairman Justice invited Ms. Berro and her staff to the podium and read a proclamation recognizing June 19 through 25, 2022 as National Mosquito Control Awareness Week. He urged citizens to contact the department with any service needs; whereupon, Ms. Berro recognized the aforementioned staff members and expressed appreciation for the proclamation.

2. Independence Day Proclamation
Chairman Justice invited Second Vice President of the Sons of the American Revolution - Clearwater Chapter Harry Fuller to the podium and read a proclamation recognizing July 4, 2022 as Independence Day. Mr. Fuller thanked the members for their continued support.
3. Partner Presentation:
David Green, Executive Director, Tampa Bay Area Regional Transit Authority (TBARTA)

Referring to a PowerPoint presentation, Mr. Green provided information regarding the Authority, including funding and operating expenses, partnerships, challenges, and priorities, and noted that TBARTA is important for regional collaboration and solving transit issues for the benefit of local agencies and county residents. He thanked the members for their continued support since the inception of TBARTA.

In response to queries and concerns by Commissioner Long, Mr. Green related that the lack of local funding and regional cooperation has been the biggest challenge; that local funding is needed in order to obtain state and federal funding to implement services and projects. Commissioner Long related that U.S. Department of Transportation Secretary Pete Buttigieg recently encouraged local governments to submit suggestions on how to shorten the process of obtaining federal transportation funding.

Responding to a query by Commissioner Seel, Mr. Green indicated that TBARTA has been approved the past three years for State funding for the agency's operations, only for it to be vetoed by the Governor's Office; and that budget concerns will be addressed at TBARTA's July meeting.

CITIZENS TO BE HEARD

4. Citizens To Be Heard - Public Comment.

David Ballard Geddis Jr., Palm Harbor (submitted documents)
Cory J. Garland, Largo
Greg Pound, Largo
Matthew Isel, Crystal Beach

CONSENT AGENDA - Items 5 through 15 (Item Nos. 12 and 15 addressed under Regular Agenda)

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

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

Absent: 1 - Commissioner Eggers

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. Voucher and bills paid from May 15 through 28, 2022.

Period May 15 - 21, 2022

Accounts Payable - \$14,798,656.29

Payroll - None

Period May 22 - 28, 2022

Accounts Payable - \$15,628,949.18

Payroll - \$3,982,542.46

The item was approved as part of the Consent Agenda.

Reports received for filing:

6. Dock Fee Report for the month of May 2022.
The item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

7. City of Seminole Ordinance No. 07-2022 adopted May 10, 2022, annexing certain properties.
The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

8. Declare surplus and authorize the sale or donation of miscellaneous County-owned equipment.

Surplus declared and the sale or donation authorized. The miscellaneous assets are to be liquidated through public auction conducted by GovDeals.com under provisions of the existing approved contract, excluding donations to interested governmental entities, non-for-profit agencies, or Social Action Funding List designees. Distribution of proceeds approved as recommended in the Staff Report.

Inclusive with this surplus cycle, 478 Fire Rescue and Sunstar ballistic vests will be donated to the City of Tampa, which is working with a charitable organization to send the supplies to Ukraine for use by local law enforcement.

The item was approved as part of the Consent Agenda.

County Administrator

9. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending May 31, 2022.
The item was approved as part of the Consent Agenda.

Management and Budget

10. Resolution supplementing the Fiscal Year 2022 General Fund Budget for unanticipated revenue and realigning appropriation from reserves for unanticipated expenditures.

Resolution No. 22-45 adopted appropriating unanticipated revenue in the amount of \$1,257,450.00 and realigning \$539,290.00 from Reserves for Contingencies as set forth in the Staff Report.

The item was adopted as part of the Consent Agenda.

Public Works

11. Award of bid to Keystone Excavators, Inc. for Stormwater Local Group-M7 to Remove and Replace Cinnamon Hill Outfall to Sugar Bear Trail.

Contract No. 22-0331-CP (PID No. 2625C15) awarded in the amount of \$417,439.50 on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 180 consecutive calendar days.

The item was approved as part of the Consent Agenda.

Utilities

13. Award of bid to Granite Inliner, LLC for the sanitary sewer infrastructure rehabilitation in the vicinity of three areas: 109th Street (Seminole), 74th Avenue (Seminole), and 37th Street North (Lealman).

Contract No. 22-0199-CP (PID No. 002747GHI) awarded in the amount not to exceed \$1,596,616.00 on the basis of being the lowest responsive, responsible bid received. All work is expected to be completed within 365 consecutive calendar days.

The item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

14. 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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Safety and Emergency Services

12. Ranking of firms and agreement with EMS Management & Consultants, Inc. for ambulance billing services.

Contract No. 22-0167-P approved for a total estimated amount not to exceed \$6,747,584.02, with a five-year contract term. The contract replaces a current contract held by EMS Management & Consultants, Inc. since 2017.

Responding to a query by Commissioner Seel, Mr. Burton related that the new contract amount reflects a 2.1% increase over the current contract.

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 Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Eggers

Business Technology Services

15. Ranking of firms and agreements with the six highest-ranked firms for requirements of information technology staff augmentation services.

Responding to queries by Commissioner Seel, Mr. Burton indicated that the item should be deferred to a future BCC meeting to allow staff time to obtain additional information.

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

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

Absent: 1 - Commissioner Eggers

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

16. Grant application for federal assistance submission to the Federal Aviation Administration for the design of new taxiways at the St. Pete-Clearwater International Airport.

Grant application approved for submission in the amount of \$637,672.00; total project cost of \$708,524.00 includes contributions of \$35,426.00 from the Florida Department of Transportation and \$35,426.00 from St. Pete-Clearwater International Airport.

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

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

Absent: 1 - Commissioner Eggers

17. Resolution authorizing continuation of a \$4.50 Passenger Facility Charge at the St. Pete-Clearwater International Airport.

Resolution No. 22-46 adopted authorizing the Airport to submit Passenger Facility Charge Application No. 6 to the Federal Aviation Administration (FAA) to allow continued collection of Passenger Facility Charge Fees to fund FAA projects. Total revenue to be collected in the new application is \$6,454,000.00, through February 1, 2024.

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

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

Absent: 1 - Commissioner Eggers

Economic Development

18. Conditional approval of funding under the Penny for Pinellas Employment Sites Program.

Funding conditionally approved following the successful completion of due diligence to comply with the program guidelines, and authority delegated to the County Administrator to negotiate and execute the agreement and associated documentation, as set forth in the Staff Report, for the following project:

- Edge Central Development Partners, LLC in the amount of \$3,000,000.00.

Director of Economic Development Dr. Cynthia Johnson related that the item pertains to the Orange Station project; and that it was placed on hold at the April 12, 2022 BCC meeting to obtain additional information.

In response to queries by Commissioner Seel, Redevelopment Manager Teresa Brydon related that if the project is successful, Phase 2 will include much needed office space. Commissioner Flowers requested information regarding the amount of funds being paid by the County and the City.

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

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

Absent: 1 - Commissioner Eggers

Housing & Community Development

19. Affordable Housing Program loan approval for Whispering Pines Apartments by Pinellas Affordable Living.

Recommendation approved for a forgivable 30-year deferred affordable housing development loan in the amount of \$680,000.00 through State Housing Initiatives Partnership funds. County Administrator authorized to execute loan documents.

Mr. Burton noted that the total project cost is approximately \$5.5 million.

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 Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Eggers

Management and Budget

20. Non-competitive purchase agreement with Pinellas Community Foundation for American Rescue Plan Act Nonprofit Capital Projects Fund.

(Contract No. 22-0557-N) Agreement approved. Pinellas County Community Foundation to receive funding in an estimated expenditure amount not to exceed \$1,033,000.00 for administering a Nonprofit Capital Project Fund to support the purchase, construction, or refurbishment of capital assets by nonprofit organizations affected by the COVID-19 pandemic. Agreement will be effective through December 31, 2026. The County is the recipient of funding through the Coronavirus State and Local Fiscal Recovery Fund, established by the American Rescue Plan Act of 2021.

Responding to a request by Commissioner Seel and a query by Chairman Justice, Mr. Burton indicated that the Needs Assessment referenced in the Staff Report will be provided to the members; that time will be needed for establishing the program parameters; and that he will provide a specific timeline for implementation of the program at an upcoming meeting.

Commissioner Gerard expressed appreciation to the Foundation for its continued willingness to provide assistance.

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

Aye: 5 - Vice-Chair Long, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Nay: 1 - Chairman Justice

Absent: 1 - Commissioner Eggers

Parks and Conservation Resources

21. Grant agreement between Pinellas County and the Florida Department of Environmental Protection for the acquisition of Gladys Douglas Property.

Grant agreement approved for a Florida Legislature Line-Item Appropriation in the amount of \$1,500,000.00. The funding will be utilized to offset the cost of approximately 14.84 pre-acquired acres of the property.

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

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

Absent: 1 - Commissioner Eggers

Public Works

22. Road Transfer Interlocal Agreement with the City of St. Petersburg for the transfer and acceptance of specific roadway segment and easements on 62nd Avenue North.

Agreement approved transferring roadway segments and easements as set forth in the Staff Report and a one-time payment to the City of St. Petersburg in the amount of \$250,000.00 for a joint water quality stormwater improvement project along 62nd Avenue North.

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

Absent: 1 - Commissioner Eggers

Utilities

23. Agreement with Badger Meter, Inc. to install an Advanced Metering Infrastructure system for water and reclaimed water utilities. (Companion to Item No. 24)

(Contract No. 21-0057-P) Ranking of firms and award of agreement approved in the amount of \$62,845,720.73 for a term of four years from notice to proceed date.

In response to a query by Commissioner Peters, Utilities Director Megan Ross indicated that no cost to customers will be incurred related to drinking water, since the project involves a replacement of the existing meters; that reclaimed water will be charged on a metered rate basis; and that she is uncertain as to whether there will be an option for customers to opt into remaining on the flat rate for reclaimed water.

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 Flowers, Commissioner Gerard, and Commissioner Peters

Nay: 1 - Commissioner Seel

Absent: 1 - Commissioner Eggers

- 24.** Amendment No. 2 to the Agreement with Vertex Data Utility Services, LLC for the upgrade to the customer information system software as a service functionality to provide Advanced Metering Infrastructure capabilities. (Companion to Item No. 23)

(Contract No. 189-0221-A) Amendment approved increasing the contract amount by \$3,600,000.00 for a revised total contract amount of \$22,475,053.01, effective through July 22, 2029.

David Ballard Geddis, Jr., Palm Harbor, appeared and expressed his concerns.

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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

CareerSource Pinellas

- 25.** Appointments to WorkNet Pinellas d/b/a CareerSource Pinellas Board of Directors (Board of County Commissioners as a whole).

The following appointments were approved for two-year terms expiring June 30, 2024:

- Angel Barton and Michelle E. Radcliffe as Business category representatives
- William Holland and Shawn McDonnell as Workforce category representatives

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 Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel
Absent: 1 - Commissioner Eggers

- 26.** Reappointments to WorkNet Pinellas d/b/a CareerSource Pinellas Board of Directors (Board of County Commissioners as a whole).

Celeste Fernandez, David Fetkenher, Mark Hunt, Dr. Rebecca Sarlo, Elizabeth Siplin, Kenneth Williams, and Glenn Willocks reappointed for two-year terms expiring June 30, 2024.

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

27. Memorandum of Understanding between WorkNet Pinellas, Inc. d/b/a CareerSource Pinellas and Florida Department of Education, Division of Vocational Rehabilitation.

Memorandum of Understanding approved effective July 1, 2022 through June 30, 2024.

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

Absent: 1 - Commissioner Eggers

28. Program Year 2022-2023 Planning Budget for WorkNet Pinellas, Inc. d/b/a CareerSource Pinellas.

Budget for the year beginning July 1, 2022 approved for submission to the Florida Department of Economic Opportunity.

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 Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Eggers

Pinellas County Community Redevelopment Agency

29. Agreements with Habitat for Humanity of Pinellas County, Inc. and Rebuilding Together Tampa Bay, Inc. for the Lealman Community Redevelopment Area Housing Programs. (Companion to Item No. 30)

(Contract No. 22-0058-LI) Sitting as the Community Redevelopment Agency, the Board approved the agreements with Habitat for Humanity of Pinellas County, Inc. to administer the Housing Investment Program and with Rebuilding Together Tampa Bay, Inc. to administer the Housing Rehabilitation Program, with specifications for each program set forth in the Staff Report. Agreements are for three-year terms, with a total combined funding of up to \$3,650,000.00. The two agencies approved represent the only submittals following a Letter of Intent procurement process.

Responding to queries by the members, Assistant to the County Administrator Chris Moore, with input by Assistant County Administrator Tom Almonte, provided the following information:

- Based upon scope of work for each home, it is anticipated that approximately 35 homes will be rehabilitated under the Housing Rehabilitation Program, with an allowance of up to \$50,000 per property.
- Construction of approximately 35 single-family homes is anticipated through the Housing Investment Program, which will provide a subsidy of up to \$55,000 per

property. Properties with liens or which are severely blighted have been identified as part of this Program, and negotiations can occur with homeowners related to liens on their properties.

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 Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Eggers

- 30.** Declare five fee owned County properties as surplus, approve a resolution donating the properties to Habitat for Humanity of Pinellas and West Pasco Counties, and execute the County Deeds and Land Use Restriction Agreement in accordance with Section §125.38, Florida Statutes. (Companion to Item No. 29)

Resolution No. 22-47 adopted declaring five County properties as surplus and authorizing their donation. Chairman authorized to execute the deeds and Land Use Restriction Agreement. Properties are located within the Lealman Community Redevelopment Area's boundaries and will be utilized for construction of single-family homes serving households earning less than 120% of the Area Median Income.

Responding to a query by Commissioner Flowers, Assistant to the County Administrator Chris Moore confirmed that staff worked with the Facilities and Real Property Division to confirm that these five properties were not included on a list of properties previously brought before the Board.

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

Absent: 1 - Commissioner Eggers

COUNTY ATTORNEY

- 31.** Proposed ratification of initiation of litigation in the case of Pinellas County v. Terrell Coley; County Court Case No. 22-003216-CO - animal cruelty.

Action taken by the County Attorney's Office with advance approval of the Board of County Commissioners (BCC) Chairman ratified.

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

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

Absent: 1 - Commissioner Eggers

32. County Attorney Reports. - None.

COUNTY ADMINISTRATOR

33. County Administrator Reports. - None.

COUNTY COMMISSION

34. Appointment to the Solid Waste Technical Management Committee (Board of County Commissioners as a whole).

Tracy Meehan appointed to a two-year term beginning July 1, 2022, following a ballot vote.

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

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

Commissioner Seel

- Forward Pinellas

Commissioner Gerard

- Request for staff research of a ban on rabbits retail

Commissioner Long

- Tampa Bay Area Regional Transit Authority (federal transit capital funds formula change)

Commissioner Justice

- Tourist Development Council

Commissioner Flowers

- Funding for MLK Dream Big Parade

Meeting Recessed: 3:22 P.M.

Meeting Reconvened: 6:01 P.M.

6:00PM

PRESENTATIONS

36. Youth Advisory Committee Presentation

Youth Advisory Committee (YAC) Chair Leah Wissing and University of Florida/Institute of Food and Agricultural Sciences County Extension Director Jeffrey Gellermann introduced themselves; whereupon, Ms. Wissing conducted a PowerPoint presentation titled *Presentation to the Pinellas County Board of County Commissioners* and discussed the following topics pertaining to the Committee activities:

- Meeting locations
- Subcommittees
- Community and volunteer opportunities

In response to queries by Commissioner Long, Ms. Wissing related that she attends Largo High School; and that the 28 YAC members attend schools across the county.

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

37. Resolution revising the Solid Waste Tipping Fee for Fiscal Years 2023, 2024, and 2025.

Resolution No. 22-48 adopted approving revised fees for disposal of approved solid waste at the Solid Waste Disposal Facilities. No correspondence has been received. No citizens appeared to be heard.

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

Absent: 1 - Commissioner Eggers

38. Ordinance amending Chapter 42 of the Pinellas County Code adopting a Tenants Bill of Rights requiring the provision of information renters' rights under federal, state, and local law, prohibiting discrimination based on source of income, and requiring notice of late fees. Hearing continued until July 19, 2022. Twenty-three emails in opposition were received.

Chairman Justice indicated that 40 emails in favor of the proposed ordinance were received at the BCC Office.

Housing and Community Development Director Carol Stricklin conducted a PowerPoint titled *Tenant Bill of Rights, Source of Income Anti-Discrimination and Notice of Late Fees Ordinance* and explained that the purpose of the proposed ordinance is to reduce evictions and

homelessness by providing protection to residential tenants in Pinellas County; that during the preparation of the ordinance, there was significant engagement with stakeholders such as the Bay Area Apartment Association, the Homeless Leadership Alliance, affected housing authorities, and municipalities; and that the ordinance mirrors provisions included in Hillsborough County; whereupon, she discussed the following major stipulations and most recent modifications in the ordinance:

- Elucidating the non-applicability to short-term rentals
- Requiring that prior to the commencement of a rental term, tenants must receive a notice of rights approved by the County Administrator that identifies protections available to them under federal, state, and local law
- Expansion of the County anti-discrimination code relating to prohibiting discrimination based upon public assistance
- Clarifying that repairs by landlords based on inspections are not a requirement under the purposes of the ordinance, but a requirement by the Housing Choice Voucher Program
- Establishing standards relating to the timing of inspections
- Obligating landlords to inform tenants at the time a late fee has been imposed

During discussion, Ms. Stricklin provided clarifying comments and indicated that the standard timeframe of 10 business days for inspections is recommended based on input from the Pinellas County Housing Authority and the St. Petersburg Housing Authority. She noted that St. Petersburg's tenants' rights ordinance has a provision related to insurance requirements that is not present in the proposed ordinance; that the provision states that there is no obligation to accept vouchers if doing so would increase the cost of insurance for a policy that has been in place for a year; and that her Department requests an opportunity to conduct additional research if the members wish to include such a provision in the Countywide ordinance. Thereupon, the members expressed their concerns with the clause and voiced their support for staff to review it.

Ms. Stricklin related that the proposed ordinance also differs from St. Petersburg's ordinance by providing that landlords cannot discriminate against potential tenants based upon lawful sources of income such as public assistance; whereupon, in response to queries by the members, Mr. Burton, with input from Ms. Stricklin, clarified that while the proposed ordinance has anti-discrimination provisions to protect tenants using vouchers, landlords may disqualify potential tenants if they do not have sufficient income to pay utilities and other living expenses, and Attorney Coffey concurred.

Ms. Stricklin conveyed that Code Enforcement and Consumer Protection Departments are authorized to enforce the proposed ordinance, violation of which is punishable by a fine of

\$500 for a first offense and each subsequent offense; that there are two versions of the proposed ordinance, one for the unincorporated areas and one applicable Countywide; and that while City Managers had mixed reactions to the proposed ordinance, their overall feedback reflected a preference for a consistent Countywide approach. She noted that cities will have the option to adopt their own tenants' rights ordinance or opt out if they choose; and that if the ordinance passes with Countywide applicability, the intent would be to form an implementation team to handle public education, respond to any complaints, and conduct public education outreach when the ordinance goes into effect on October 3.

Responding to queries by the members, Ms. Stricklin indicated that the St. Petersburg tenants' rights ordinance would continue to be in effect if the Board approved the Countywide approach; that with the Board's approval, her Department is prepared to mirror a rent increase provision that St. Petersburg is working on; and that while some City Managers were willing to have their cities be included in the Countywide ordinance, others preferred the option of having their council make a decision to opt in. Thereupon, Attorney Coffey related that staff is recommending replacing the word 'landlord' with 'person' in the proposed ordinance and adding a definition of 'person' to clarify that it could include a condominium association or a rental group.

In response to a query by Commissioner Long, Ms. Stricklin, with input from Mr. Burton, explained that staff would ensure that municipalities are informed if the proposed ordinance is approved by the Board; that there will be sufficient time for cities to opt out of the ordinance before it would go into effect on October 3; and that while it does not mention rent increases, staff may bring a related provision back to the Board at a future date.

Upon call by the Chairman for public comment, the following individuals expressed their support and/or concerns:

Eric Garduno, Tampa, representing Bay Area Apartment Association
Margaret Rushing, St. Petersburg
William Kilgore, St. Petersburg
Nick Carey, St. Petersburg
Karla Correa, St. Petersburg
Amy Foster, St. Petersburg
Elisa Galvan, representing Pinellas County Housing Authority
Nancy Roden, St. Petersburg

During public comment, the following individuals responded to queries by the members regarding the following and other topics:

- Mr. Garduno provided additional information regarding increases in insurance premiums for landlords due to vouchers, as well as concerns regarding the 3-day notification of late fees and rent increase provisions in the proposed ordinance.
- Ms. Foster noted that landlords are apprehensive to accept potential tenants who may have challenges paying rent in light of the pandemic-era eviction moratorium and

discussed exponential increases in rent for individuals who receive rent assistance from social service agencies.

- Ms. Galvan discussed the Pinellas County Housing Authority's efforts to assist tenants in paying their rent, time limits for vouchers, and what happens to those who cannot secure housing while their voucher is active.

In response to queries and concerns by the members, Ms. Stricklin clarified the proposed ordinance clause pertaining to utilizing an income standard in assessing rental eligibility; whereupon, a motion was made by Commissioner Long, seconded by Commissioner Flowers, that the proposed ordinance be approved.

During discussion, Commissioners Seel and Peters expressed their concerns, indicating that the proposed ordinance is unfinished due to outstanding concerns; and that the County could have adopted the St. Petersburg's tenant ordinance. Commissioner Seel cited her desire for increased cooperation between the County and municipalities to ensure the tenant rights countywide uniformity. Responding to a concern by Commissioner Gerard, Mr. Burton remarked that the County is looking into a notice provision for rent control, and Attorney Coffey noted that rent control is preempted by the State and limited to one year.

Commissioner Long proposed amending her motion to allow staff time to revise the ordinance, meet with municipalities, and return to the Board within 30 to 45 days, and Mr. Burton and Attorney Coffey provided input.

Commissioner Long amended her original motion to include replacing and adding certain verbiage to the ordinance as recommended by Attorney Coffey, and Commissioner Flowers seconded the amended motion. Ms. Stricklin noted that staff is not recommending the inclusion of insurance-related language in the ordinance due to concerns regarding enforceability and discriminatory practices; and that staff recommends reviewing the provision further.

Responding to a query by Commissioner Flowers, Ms. Stricklin related that staff chose for the ordinance to go into effect 90 days following adoption to allow for the implementation of measures to be put in place and to allow cities to opt out if they choose. Commissioner Flowers proposed continuing the item to allow staff time to conduct additional research as requested by the members and for the item to return within 30 to 45 days, and Commissioner Long rescinded her motion.

A motion was made by Commissioner Flowers, seconded by Commissioner Peters, that the item be continued to a future BCC meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Eggers

Mr. Burton indicated that staff will look into the property insurance and sources of income issues as requested by the members. Following discussion regarding the scheduling of the ordinance for a future Board meeting, Attorney Coffey noted that the item would need to be re-noticed. Chairman Justice requested that staff provide a side-by-side comparison of the St. Petersburg ordinance and the proposed ordinance when the item returns to the Board and remarked that it would occur as soon as possible under noticing and guidelines.

39. Case No. FLU-22-01 (Northridge SP, LLC)

A request for a change of Land Use from Residential Medium to Residential High on approximately 4.3 acres located at 6464 54th Avenue North in west Lealman.

Ordinance No. 22-21 adopted approving the land use change. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received.

Long Range Planning Manager Scott Swearngen referred to a PowerPoint presentation containing maps and photographs of the area, pointed out the location of the subject property, described the surrounding land uses, and discussed potential traffic impacts of the land use change. He noted that the existing use of the property is multifamily residential apartment buildings; that the proposed use is approximately 22 to 30 additional multifamily units; that staff finds the proposed land use change to be compatible with surrounding uses and the Pinellas County Comprehensive Plan; and that the Development Review Committee, the Local Planning Agency (LPA), and staff recommend approval.

In response to a query by Chairman Justice, Mr. Swearngen explained that there are currently 59 existing dwelling units on the property; that the applicant desires to add one multifamily building of 25 to 30 dwelling units; and that the proposed use would result in a total of approximately 89 dwelling units with a density of about 21 units per acre.

Upon the Chairman's call for the applicant, Todd Pressman, St. Petersburg, appeared and noted that there has been no correspondence with regard to the application; and that both staff and the LPA support the land use change.

Later in the meeting, Commissioner Long requested that the record reflect she voted to approve the item, which was initially voted on in her absence.

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

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

Absent: 1 - Commissioner Eggers

40. Case No. FLU-22-02 (Six Expanded Enterprises, LLC)

A request for a change of Land Use from Residential Urban to Residential/Office General on the west 0.13-acre portion of a 0.37-acre parcel located at 3205 U.S. Alternate 19 North in Crystal Beach. (Companion to Item No. 41)

Ordinance No. 22-22 adopted approving the land use 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 Commissioner Flowers, that the item be approved. The motion carried by the following vote:

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

Absent: 1 - Commissioner Eggers

41. Case No. Q ZON-22-02 (Six Expanded Enterprises, LLC)

A request for a change of Zoning from R-4, One, Two, and Three Family Residential to C-2, General Commercial and Services on the west 0.13-acre portion of a 0.37-acre parcel located at 3205 U.S. Alternate 19 North in Crystal Beach. (Quasi-Judicial Hearing) (Companion to Item No. 40)

Resolution No. 22-49 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: 6 - Chairman Justice, Vice-Chair Long, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Eggers

42. Ordinance adopting a new Pinellas County Comprehensive Plan to be known as PLANPinellas; providing for a new Vision Element, the update and replacement of each Element and the associated Future Land Use Category Descriptions and Rules, as per State Statute requirements.

First public hearing held. Staff authorized to transmit the proposed ordinance to the Florida Department of Economic Opportunity for agency review. The Local Planning Agency recommended approval of the plan. One email stating concerns has been received. No citizens appeared to be heard.

Mr. Burton noted that staff incorporated previously-discussed recommendations from the Board into the Plan; that because this is the first of two public hearings, the Board's action would be to transmit it to the State for approval; and that following the State's approval, the Plan will return to the Board for a second public hearing and potential adoption.

A motion was made by Commissioner Flowers, seconded by Vice-Chair Long, that the item be transmitted to the State for review. The motion carried by the following vote:

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

Absent: 1 - Commissioner Eggers

- 43. Ordinance amending Appendix A, the Ten-Year Water Supply Facility Plan, of the potable water supply, wastewater, and reuse element of the Pinellas County Comprehensive Plan. (second public hearing)

Ordinance No. 22-23 adopted in accordance with Section 163.3177(6)(c), Florida Statutes. 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: 6 - Chairman Justice, Vice-Chair Long, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Absent: 1 - Commissioner Eggers

ADJOURNMENT - 6:45 P.M.



Chair



ATTEST: KEN BURKE, CLERK

By 

Deputy Clerk