

Pinellas County

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



Minutes - Final

Tuesday, May 7, 2024

9:30 A.M.

Hybrid In-Person and Virtual Regular Meeting

Board of County Commissioners

Kathleen Peters, Chair

Brian Scott, Vice-Chair

Dave Eggers

René Flowers

Charlie Justice

Chris Latvala

Janet C. Long

ROLL CALL - 9:30 A.M.

Present: 6 - Chair Kathleen Peters, Vice-Chair Brian Scott, Commissioner Dave Eggers, Commissioner René Flowers, Commissioner Charlie Justice, and Commissioner Chris Latvala

Absent: 1 - Commissioner Janet C. Long

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

INVOCATION by Reverend Erick Ashley, Clearview United Methodist Church, St. Petersburg**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Mental Health Awareness Month Proclamation:
 - Maxine Booker, CEO, Personal Enrichment through Mental Health Services
 - Micki Thompson, CEO, 211 Tampa Bay Cares
 - Kim Curnan, 988 Director, 211 Tampa Bay Cares

Chair Peters invited Mses. Booker, Thompson, and Curnan to join her at the podium and read a proclamation recognizing May 2024 as Mental Health Awareness Month.

2. National Hospital Week Proclamation

Chair Peters invited Hospital Corporation of America (HCA) Healthcare Local Government Relations Manager Melissa Meshil to join her at the podium and asked that she introduce the HCA staff in attendance. Following introductions, Chair Peters read a proclamation recognizing May 12 through May 18, 2024, as National Hospital Week; whereupon, Commissioner Latvala expressed appreciation to Registered Nurse Emily Whalen. At the Chair's request, Chief Executive Officer of HCA Florida Pasadena Hospital and HCA Florida St. Petersburg Hospital Brent Burish provided brief remarks.

3. National Public Works Week Proclamation:
Public Works
 - Heidi Byng, Electronic Equipment Technician 3
 - Kyle Steele, Data Management Analyst
 - Rashad Berrien, Assistant Operations Manager
 - Amber Hauser, Project Coordinator

- Ernest Williams, Field Operations Supervisor
- Delvan Gibson, Construction Engineering Inspector 3
- Alexander Rieman, Project Coordinator
- Adam Kiehn, Environmental Program Manager

Chair Peters invited those in attendance to join her at the podium and read a proclamation in recognition of National Public Works Week.

4. National Historic Preservation Month Proclamation:
- Thomas Scofield, Principal Planner, Housing and Community Development
 - Allison Dolan, Vice Chair, Historic Preservation Board
 - Monica Drake, Operations Manager, Heritage Village

Chair Peters invited Mses. Dolan and Drake and Mr. Scofield to join her at the podium and read a proclamation recognizing May 2024 as National Historic Preservation Month.

5. Legislative Update:
- Laura Boehmer, Consultant, The Southern Group
 - Mike Moore, Consultant, The Southern Group

Referring to a PowerPoint presentation, Ms. Boehmer provided a summary of the 2024 State Legislative Session. She discussed the state budget, bills that passed and failed, funding for various Pinellas County projects, and key legislative changes.

In response to queries by the members, Ms. Boehmer, with input from Mr. Moore, provided information regarding various deadlines, anticipated Special and Regular Sessions, the Unauthorized Public Camping and Sleeping bill, and the Vacation Rentals bill.

6. Fiscal Year Ended September 30, 2023 Annual Comprehensive Financial Report:
- Ken Burke, Clerk of the Circuit Court and Comptroller
 - Jeff Wolf, Shareholder, MSL CPAs & Advisors

Mr. Burke emphasized the importance of transparency in financial reporting, noting the efforts of the Clerk's Office to make financial information accessible to the public via the Spending in the Sunshine website.

Referring to several County financial reports issued by the Clerk's Office for Fiscal Year 2023, including the Annual Comprehensive Financial Report, the Annual Financial Report, the Citizens' Guide to County Finances, and the Annual Debt Report, Mr. Burke indicated that the County received a clean audit and acknowledged the Finance Division's financial leadership team for their contributions. He provided information related to the County's investment income from the past fiscal year and the proposed internal loan policy, explaining that the policy will be presented to the Board in July; that it has undergone multiple rounds of review; and that it will serve the County in cases of emergency which require an immediate cash need.

Noting that the County transitioned to a new audit provider this year, Mr. Burke introduced Mr. Wolf and thanked him and his firm for their work in facilitating a seamless transition.

Referring to a PowerPoint presentation, Mr. Wolf provided an overview of various reports and other deliverables and discussed comparative data from similar counties. He indicated that an unmodified opinion, or clean audit, was issued for the Annual Comprehensive Financial Report; that no material weaknesses or significant deficiencies on internal controls and compliance were found; and that audits of the Constitutional Officers' offices were also clean; whereupon, he, with input from Mr. Burke, responded to comments and queries by the members.

CITIZENS TO BE HEARD

7. Citizens To Be Heard - Public Comment.

Lynne Tucker, St. Petersburg
Trisha Kirby, Clearwater
David Ballard Geddis, Jr., Palm Harbor (submitted documents)
Greg Pound, Largo
Mack Johnson, Largo
Tina Brown, Palm Harbor

Referring to Ms. Kirby's concerns regarding the cutting of trees by Duke Energy, Chair Peters indicated that Duke Energy is communicating with the County regarding a potential policy change.

Mr. Burton addressed Ms. Brown's concerns related to sinkholes, indicating that Public Works is aware of the issue; and that staff must work with homeowners to secure necessary construction easements to make repairs.

PUBLIC HEARINGS

All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.

BOARD OF COUNTY COMMISSIONERS

8. Petition of James Kasper, as manager of Trustee Asset Services, LLC, a Florida Limited Liability Company, which serves as Trustee of the Hibiscus Land Trust, vacating the north 90 feet of a 30 foot right of way of Cocconut Avenue, Lying East of Lot 1, Harbor View "A," Plat Book 9, Page 54, Lying in section 29-30-15, Pinellas County, Florida. (Legislative Hearing).

Item deferred to the July 16 meeting.

In response to a query by Commissioner Flowers, Building and Development Review Services Director Kevin McAndrew referred to a PowerPoint presentation and provided information regarding the petition, noting that no County departments or utilities providers have objections to the vacation; that, if granted, the petition would enable a larger side yard area and, ultimately, a larger home to be built on the property; and that staff recommends approval.

In response to queries by the members, Mr. McAndrew indicated that there is no revenue associated with the transfer of the title; and that the County has not invested money to improve the above-referenced area. Thereupon, responding to a query by Commissioner Scott, Attorney White provided clarifying information related to potential financial implications of the proposed vacation.

Upon the Chair's call for public comment, the following individuals appeared and expressed their concerns:

Sarah Wood, Seminole
Kimberly Gosselin, Seminole
Kim Cusmano, Seminole
Tony Cusmano, Seminole

Responding to further queries by the members, Public Works Director Kelli Hammer Levy, with input from Mr. Burton, clarified that the County maintains the proposed area to be vacated through a general mowing cycle; whereupon, Attorney White indicated that the County may be liable for accidents on the right-of-way. The members provided suggestions and concerns regarding disposal of the land, and discussion ensued wherein Commissioners Long, Flowers, Latvala, and Justice indicated their support to allow staff more time to research the item.

A motion was made by Commissioner Latvala, seconded by Commissioner Flowers, that the item be deferred to the Board's July 16 meeting. The motion carried by the following vote:

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

9. Resolution imposing and collecting a Non-Ad Valorem Special Assessment levied solely on property owned or leased by non-public hospitals to fund the Hospital Directed Payment Program and approval and execution of agreement to initiate Intergovernmental Transfers as match for improved Medicaid reimbursement levels for hospitals.

Resolution No. 24-22 adopted enabling the County to impose and collect a non-ad valorem special assessment levied solely on property owned or leased by non-public hospitals to fund the Hospital Directed Payment Program. Letter of Agreement approved and executed which will allow the collected funds to be sent as Intergovernmental Transfers to the Florida Agency for Healthcare Administration.

In response to the Chair's call for public comment, the following individuals appeared and expressed their support:

Colleen Ernst, Tampa
Kathryn Gillette, St. Petersburg

Mr. Burton acknowledged the work and coordination of Human Services Program Services Director Tim Burns and other County staff; whereupon, Commissioner Flowers remarked on the positive experiences she has had with Johns Hopkins All Children’s Hospital and expressed appreciation to hospital staff for their work.

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

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

CONSENT AGENDA - Items 10 through 17

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

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

Reports received for filing:

- 10. Minutes of the regular meetings held March 26 and April 9, 2024.

The item was approved as part of the Consent Agenda.

- 11. Vouchers and bills paid from March 31 through April 13, 2024.

Period March 31 - April 6, 2024

Accounts Payable - \$51,101,100.95

Payroll - None

Period April 7 - April 13, 2024

Accounts Payable - \$17,937,014.92

Payroll - \$4,589,725.70

The item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

12. Juvenile Welfare Board of Pinellas County Annual Financial Report submitted to the State of Florida.

The item was approved as part of the Consent Agenda.

13. Juvenile Welfare Board of Pinellas County FY 2023 Annual Comprehensive Financial Report.

The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Development Review Services

14. Plat of Harbor Landing; a private residential subdivision.

The item was approved as part of the Consent Agenda.

Public Works

15. Award of bid to Southern Road and Bridge, LLC for bridge structures, fixed concrete maintenance, and minor repairs.

Contract No. 24-0211-ITB-C awarded to Southern Road and Bridge, LLC, in the amount of \$4,674,762.75 on the basis of being the only responsive, responsible bidder. All work to be completed within three years.

The item was approved as part of the Consent Agenda.

Solid Waste

16. Ranking of firms and execution of agreements with four firms for the requirements of the Solid Waste Landfill and Ancillary Facilities Professional Engineering Consulting Services.

(Contract No. 24-0180-RFP-CCNAC) Ranking of firms and agreement approved in the amount of \$1,500,000.00 for a five-year total not to exceed \$6,000,000.00.

The item was approved as part of the Consent Agenda.

Utilities

17. Award of bid to Insituform Technologies, LLC for the Sanitary Sewer Cured-In-Place Pipe Rehabilitation Program in seven areas: Tarpon Springs, Palm Harbor, Curlew City, Bardmoor,

Kenneth City, Belleair, and Belleair Bluffs.

Contract No. 24-0206-ITB-C awarded to Insituform Technologies, LLC, in the total not-to-exceed amount of \$4,932,383.41 on the basis of being the lowest responsive, responsible bidder. All work to be completed within 1095 consecutive calendar days.

The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

18. Agreement with Amadeus Airport IT Americas, Inc. for Common Use Passenger Processing Systems.

(Contract No. 23-0959-N) Agreement approved in the not-to-exceed amount of \$694,155.78 for a term of 60 months.

Responding to a query by Commissioner Scott, St. Pete-Clearwater International Airport Director Tom Jewsbury indicated that this is a new contract for systems which will improve efficiencies for the airport; and that this is consistent with what other airports are doing across the country.

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

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

Emergency Management

19. First Amendment to the Memorandum of Understanding with the Pinellas County School Board to provide Capital Improvement Program funding for hurricane shelter retrofitting of pre-identified Pinellas County Schools.

Amendment approved for an increase in the amount of \$2,931,627.00, for a revised total funding amount not to exceed \$4,500,000.00.

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

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

Housing & Community Development

20. Letter of support for the redevelopment of Rainbow Village public housing within the boundaries of the Greater Ridgecrest area.

Letter approved supporting the redevelopment of Rainbow Village public housing, which will provide 80 new units of affordable housing for seniors.

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

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

21. Resolutions granting historic preservation ad valorem tax exemptions for four properties in the City of St. Petersburg.

Resolution Nos. 24-23, 24-24, 24-25, and 24-26 adopted authorizing a County historic preservation ad valorem tax exemption and execution of the associated covenants for the following properties located in the City of St. Petersburg:

- 458 Joyce Terrace North
- 2135 3rd Avenue North
- 10000 Gandy Boulevard North
- 336 Lang Court North

The tax exemption applies only to the increase in the value of improvements after rehabilitation, as determined by the Pinellas County Property Appraiser, and is for a period of ten years.

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

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

Public Works

22. National Flood Insurance Program Community Rating System Annual Report.

Report received and filed.

Responding to a query by Commissioner Eggers, Mr. Burton related that the State of Florida not only approves vulnerability assessments when completed, but also encourages them being done; and that the County receives grant funding from the state to conduct the assessment, which includes recommended adjustments to flood maps based on data related to storm impacts.

Referring to a document titled *Flood Insurance Rate Map (FIRM) Update for Pinellas County*, Public Works Director Kelli Hammer Levy compared base flood elevation changes from the 2003 FIRM to the 2021 FIRM, noting that 71% of the County has remained unchanged; and that the study focused on coastal areas only.

Ms. Levy reviewed the differences between the 2003 FIRM and the vulnerability assessment, relating that eligibility for state funding requires that vulnerability assessments are done; and that the data is also utilized for capital planning and local mitigation strategy; whereupon, with input from Mr. Burton, she responded to comments and queries by the members.

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

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

- 23.** Sovereignty Submerged Lands Easement between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the Shore Drive Bridge Replacement Project.

(PID No. 004979A) Easement approved, allowing the County to continue future phases of the Shore Drive Bridge Replacement Project. No funding is required.

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

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

- 24.** Specific Purpose Survey of maintained right-of-way of Fisher Road from north of Elcid Court to County Road 39.

(Project ID No. 004913A) Survey approved. Clerk authorized to record the maintained right-of-way map in the Maintained Right-of-Way Road Plat Book B.

Responding to a query by Commissioner Scott, Attorney White related that property owners are permitted to do anything on their property that is consistent with County Code, noting that the County is already maintaining the right-of-way.

Upon the Chair's call for public comment, Carmen Goodwin, Palm Harbor, appeared and expressed her concerns.

At the request of Commissioner Eggers, Public Works Director Kelli Hammer Levy provided background information regarding Fisher Road, noting that the County is updating the right-of-way map to complete an upcoming resurfacing project which will improve road conditions.

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

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

Safety and Emergency Services

25. Agreement with the City of Largo to provide reimbursement funding to assist toward the construction of a new fire station.

Agreement approved in an amount up to \$1,428,565.68, commencing on the date approved and signed by the County and ending on September 30, 2025.

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

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

26. Application to receive E911 trust fund monies from the State of Florida for equipment refresh for Vesta E911 phone system.

Application approved certifying that monies received from the state will be used to refresh and upgrade the existing E911 system that supports the St. Petersburg Police Department and Clearwater Police Department secondary Public Safety Answering Point (PSAP), as well as the backup center for the primary PSAP, the Regional 911 Center. Grant funds in the amount of \$1,918,398.20 will be awarded on a cost reimbursement basis. No matching funds required.

In response to queries by Commissioner Scott, Department of Safety and Emergency Services Director Jim Fogarty, with input by Mr. Burton, indicated that the grant application is subject to approval by the state; and that annual maintenance costs for the Vesta E911 phone system have been allocated in the existing contract and will not require additional funds.

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

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

Utilities

27. Interlocal Agreement with the City of Pinellas Park for the sale and purchase of wholesale potable water for a ten-year term.

Agreement approved effective from the date of execution by both parties for a period of ten years. Anticipated revenue for Fiscal Year 2024 is \$7,721,180.00.

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

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

COUNTY ATTORNEY

28. County Attorney Reports

Attorney White indicated that outside counsel who represents the County in various opioid epidemic-related lawsuits advised the County Attorney's Office (CAO) to join a lawsuit against pharmacy benefit managers; and that, absent opposition from the Board, the CAO will move forward with filing the lawsuit; whereupon, in response to a query by Commissioner Eggers, she clarified that pharmacy benefit managers are large corporations, not individuals.

In response to a query by Chair Peters regarding a need for a consensus, Attorney White clarified that the intent was to inform the Board; and that if there was any opposition, the CAO would have stepped back and regrouped.

COUNTY ADMINISTRATOR

29. County Administrator Reports

Mr. Burton discussed efforts by Pinellas County Sheriff Bob Gualtieri, other police chiefs, and staff, relating to the potential impacts of House Bill 1365 and Senate Bill 1530 pertaining to public camping, which is illegal in most cities. He discussed enforceability, capacity at Pinellas Safe Harbor, plans for additional services, and an educational campaign. Thereupon, he related that he would report with further developments.

COUNTY COMMISSION

30. Appointment to the Pinellas Opportunity Council (Board of County Commissioners as a whole).

Following a ballot vote, Lisa A. Smith appointed to fill an existing term expiring on July 31, 2028.

31. Appointments to the South St. Petersburg Community Redevelopment Area Citizen Advisory Committee (Board of County Commissioners as a whole).

Following a ballot vote, William H. Cloyd, J. James Marzilli, and Emile Socash appointed for three-year terms beginning on May 12, 2024.

- 32. County Commission New Business:**
Pertinent and timely Committee/Board updates, policy considerations, administrative/procedural considerations, and other new business.

Commissioner Latvala

- Yom HaShoah at the Florida Holocaust Museum for Holocaust Remembrance Day
- Learning Independence for Tomorrow fundraising gala
- Hillsborough/Pinellas Workforce Development Consortium

Commissioner Eggers

- Palm Harbor Library 46th anniversary
- Joint Board of County Commissioners (BCC)/Tourist Development Council (TDC) meeting
- Yom HaShoah at the Florida Holocaust Museum for Holocaust Remembrance Day
- Letter to Duke Energy
- Committee of the Whole in St. Petersburg
- Clearwater Police Department annual Fallen Officer Memorial Service
- Charter Review Commission
- SeeClickFix mobile application

Commissioner Long

- 2024 Regional Resiliency Summit

Commissioner Flowers

- 2024 Regional Resiliency Summit
- Continuum of Care
- Lakewood High School honoring Hall of Fame inductees
- Academy Prep Center of St. Petersburg Fabulous Females event
- Hillsborough/Pinellas Workforce Development Consortium
- Black Maternal Health Forum at The Legacy
- Southside Tabernacle Baptist Church women's conference
- Yom HaShoah at the Florida Holocaust Museum for Holocaust Remembrance Day
- 8th Annual Whitney M. Young, Jr. Diversity and Empowerment Luncheon hosted by the Pinellas County Urban League

Commissioner Justice

- Florida Holocaust Museum Topping Off Ceremony and Reception
- Yom HaShoah at the Florida Holocaust Museum for Holocaust Remembrance Day
- Juvenile Welfare Board KidsFirst Awards Luncheon honoring School Board member Carol Cook

- Leadership St. Pete Class of 2024
- Clearwater for Youth Banquet on the Beach event
- Employee Appreciation Picnic
- Donation of Ring cameras to senior citizens by Ring, Amazon, and USAging
- Feeding Tampa Bay Cereal for Summer program collection

Commissioner Scott

- Joint BCC/TDC meeting
- Clearwater Dentist open house
- Yom HaShoah at the Florida Holocaust Museum for Holocaust Remembrance Day
- 34th Annual Pinellas County Fallen Law Enforcement Memorial
- Committee of the Whole meeting in St. Petersburg
- 2024 Regional Resiliency Summit
- Citizens Fire Academy
- Teacher Appreciation Week

Chair Peters

- Joint BCC/TDC meeting
- Meeting with Coast Guard
- Meeting with Dr. Candace Croney, Purdue University
- The Southern Group 25th anniversary event
- Duke Energy ceasing tree removal operations until at least May 17
- Opioid Abatement Funding Advisory Board
- 34th Annual Pinellas County Fallen Law Enforcement Memorial
- 60th Annual St. Petersburg Police Officer of the Year award ceremony

Chair Peters expressed appreciation to Pinellas County Sheriff’s Office deputies for their presence at BCC meetings.

ADJOURNMENT - 12:42 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk