

Pinellas County



Minutes - Final

Tuesday, April 28, 2020

9:30 A.M.

Virtual Regular Meeting

Board of County Commissioners

Pat Gerard, Chair
Dave Eggers, Vice-Chair
Charlie Justice
Janet C. Long
Kathleen Peters
Karen Williams Seel
Kenneth T. Welch

ROLL CALL - 9:30 A.M.

Present: 7 - Chair Pat Gerard, Vice-Chair Dave Eggers, Charlie Justice, Janet C. Long, Kathleen Peters, Karen Williams Seel, and Kenneth T. Welch

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Jeanette Phillips, Chief Deputy Clerk, and Jenny Masinovsky, Board Reporter, Deputy Clerk

Office of Technology and Innovation Director Bryan Zumwalt introduced himself and announced that he would be the Technology Moderator for the virtual meeting; and that Chief Assistant County Attorney Don Crowell would serve as Process Moderator; whereupon, he conducted a roll call of the members.

1. Local State of Emergency

Mr. Burton indicated that the two resolutions presented for consideration by the Board today will address the previous local orders regarding the state of emergency and closure of publically-accessible pools, beaches, and daycare playground equipment due to the COVID-19 pandemic. He indicated that the Governor's Executive Order regarding closure of non-essential businesses expires on April 30; and that while the County is awaiting the Governor's directives, it has the power to reopen pools and beaches, as the public is frustrated by the inability to access them for exercise and recreation.

Mr. Burton provided an update regarding the spread of the COVID-19 virus in the County, indicating that the data consistently shows a decrease in positive cases and a low rate in the percentage of the population testing positive over the last 14 days; that there are efforts to ensure that risk associated with recent outbreaks in nursing homes is managed; and that hospital capacity is sufficient; whereupon, he discussed the optimal ways of implementing the reopening based on adhering to social distancing guidelines.

At the request of Commissioner Justice, Florida Department of Health (DOH) in Pinellas County Director Dr. Ulyee Choe provided statistics relating to COVID-19, including the number of positive cases, local and regional trends, the percentage of cases pertaining to elderly, and fatalities. He indicated that the percentage of the population testing positive is five to six percent; and that the majority of cases in the County have occurred in February and March, with the numbers plateauing over the last few weeks.

Dr. Choe discussed efforts to educate personnel at nursing homes and long-term care facilities, including establishing a task force consisting of representatives of the County, DOH, hospitals, and other organizations; whereupon, he underscored the importance of the following actions:

- Protecting the vulnerable population
- Continuing social distancing upon reopening
- Staying at home when sick

- Phased reopening
- Continuing to monitor trends
- Wearing masks in crowded public places

Dr. Choe remarked that it is unknown whether sunlight or heat have an effect on the virus, or whether being infected once affords immunity, and Commissioner Justice emphasized that citizens should keep their social universe as small as possible.

In response to queries by the members regarding reopening the beaches, Mr. Burton noted that congregating in groups is the major risk factor in spreading the virus and stressed the importance of social distancing and enforcement of the same. He and Sheriff Bob Gualtieri indicated that the 35-mile stretch of Pinellas County beaches will allow for people to disperse; that reopening with limitations on hours of operation, exercising only, or similar restrictions would not be feasible; that residents have demonstrated their adherence to social distancing requirements under the Safer at Home order; and that trails and other open areas will remain crowded and pushback from the public resulting from pool and beach closures will continue until people have additional outlets.

Sheriff Gualtieri assured the members that there will be ample signage and a strong presence of deputies on all the beaches, and Mr. Burton emphasized the importance of consistency in public messaging throughout the municipalities; whereupon, they recommended that the beaches and beach restrooms and parking be fully reopened.

Responding to queries by Commissioner Eggers, Mr. Burton indicated that the County is consistent with a phased reopening under the federal guidelines, with the exception of the aspects relating to testing and contact tracing, which would be addressed as part of the upcoming Governor's order, reiterating that data shows sufficient hospital capacity and a continuing decline in positive cases.

Commissioner Welch opined that it is too soon to reopen the beaches; and that reopening of non-essential businesses subsequent to the Governor's Order should occur first, noting that some people are struggling to afford food; and that reopening the businesses would also allow the people to disperse, and Commissioner Long agreed. He voiced concern regarding not meeting federal guidelines for virus testing, accuracy of the results, and insufficient minority population testing, noting that according to a *Tampa Bay Times* article, Hillsborough County has implemented on-demand testing.

Dr. Choe provided further information regarding testing, testing sites, and antibody testing, and indicated that additional testing is contingent on acquiring supplies from the state and federal governments; and that he will inquire about testing in Hillsborough County. Emergency Medical Services Medical Director Dr. Angus Jameson thanked the community for their efforts in the successful slowing of the virus spread and remarked on the complexity of the decisions before the Board today. He opined that COVID-19 is likely to be a concern for at least several months; that effects of the lockdown need to be balanced with the effects of lifting the restrictions; that economics play a major role in a population's health status;

and that prior to relaxing the restrictions, there should be a plan for handling a possible virus upsurge.

Discussion ensued regarding the reopening of pools and beaches for health reasons, analyzing the effects of reopening in other areas, moderate reopening, a potential influx of visitors, best dates to reopen, the possibility of an upsurge in the absence of on-demand testing and contact tracing, potential County liability, and related topics.

Responding to queries by Commissioners Seel and Eggers, Sheriff Gualtieri indicated that his staff can be ready for a reopening of the beaches within two days. Mr. Burton remarked that there is no requirement for any pool to open; that implementation of enhanced cleaning and other pertinent practices, as well as enforcement of social distancing, are incumbent upon the owning parties; that reopening community pools is up to the cities; and that today he proposes to reopen daycare playgrounds but keep public playgrounds closed.

Commissioner Welch stated that he would support reopening of the pools today, but not the beaches. Commissioner Peters suggested that separate votes be taken, and Attorney White indicated that it would be acceptable, noting that reopening of daycare playgrounds is not a part of the current resolution, thus, a third resolution could be drafted; that under the resolution, pools will be opened at 50-percent capacity; and that dates and times for any reopening should be identified.

Commissioner Peters moved that pools be reopened on April 30 at 6:00 A.M.; whereupon, she denied a friendly amendment request by Commissioner Long to limit the reopening to condominium communities with a 50-unit maximum, noting that numerous multi-unit condominiums are currently half full; and that homeowners associations should make the decisions regarding their ability to enforce social distancing guidelines.

Commissioner Seel seconded the motion and questioned whether pools in long-term care facilities should be included. Mr. Burton and Dr. Choe agreed that it would not be an issue if social distancing is observed, and Sheriff Gualtieri indicated that excluding those facilities would not be feasible; whereupon, Commissioner Peters denied a friendly amendment request by Commissioner Eggers to delay the reopening until May 1.

In response to query by Commissioner Eggers, Attorney White indicated that public comments with regard to opening pools, beaches, and daycare playgrounds could be taken together or separately, as long as the public is clear on the matters presented to the Board for action.

Responding to Chair Gerard's call for citizens wishing to be heard with regard to all matters under consideration, the following individuals expressed their concerns:

Tammy Vasquez, Treasure Island
Tina McCabe, St. Petersburg
Jennifer Harmon, Dunedin

Amish Patel, Clearwater
Ken DuLac, St. Petersburg
Gwen Douse, Clearwater Beach
Sharon Calvert, Tierra Verde
Jonathan Loos, Madeira Beach
Monika Maksymowicz, Largo
Robert Radomski, Clearwater Beach
Zeb Atkinson, Clearwater/Upper Pinellas NAACP President
Maegan Chapman, Clearwater
Curt Barnes, Clearwater
Gina Sharkey, St. Petersburg
Evan Soileau, Redington Beach
Ken Copeland, Redington Shores
Robert Blackmon, St. Petersburg City Council
Danielle Ciliento, Belleair
Tiffany Beach, Clearwater Beach
Shielia Nagley, Tierra Verde
Justin Potts, Clearwater
Denise Fougere, residence not provided
Nick Gerz, Treasure Island
Eric Mahoney, Palm Harbor
Ritchie Davis, Palm Harbor
Claudia Varela, Oldsmar
Henry Fusel (spelling uncertain), Seminole
Darren Suffrage (spelling uncertain), St. Petersburg
Lisa Hendrickson, Redington Shores
Peter Schorsch, St. Petersburg
Taylor Layner, Clearwater
Laura Royal, Pinellas Park
Marilyn Turman, Clearwater
Morgan Rutch, Gulfport
Robert Catterton, St. Petersburg
Karen Mullins, Dunedin
Faith Worley, Safety Harbor
Matt Chapman, Clearwater
Dan Liedtke, Gulfport
Jennifer Barbaro, Belleair Beach
Joshua Coville, Belleair

Commissioner Justice referred to an e-mail from condominium management directors and encouraged organizations that do not have the ability to follow the requirements of the proposed pool resolution to keep the pools closed. At his request, Attorney White restated the motion to reopen the pools, noting the reopening date and conditions regarding occupancy and sanitation, and brief discussion ensued. Responding to query by Commissioner Seel, Mr. Burton indicated that the CDC guidelines for pools would be communicated to the appropriate parties.

A motion was made by Commissioner Peters, seconded by Commissioner Seel, that publicly-accessible pools located at the establishments listed in the proposed resolution be reopened at 6:00 A.M. on April 30, 2020, with conditions. The motion carried by the following vote:

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

Resolution No. 20-33 adopted allowing the reopening of publicly accessible pools, including but not limited to community pools, pools located at apartments, hotels, motels, lodging establishments, condominiums, and commercial business establishments, as well as homeowners associations effective on April 30, 2020, at 6:00 A.M., with conditions.

Commissioner Peters moved that the beaches be reopened on April 30, 2020, at 7:00 A.M., and responding to her query, Sheriff Gualtieri confirmed that his staff would be prepared for enforcement by then; whereupon, she denied a request by Commissioner Eggers for an amendment to postpone the reopening until May 4, and the motion died for lack of a second.

Commissioner Seel moved, seconded by Commissioner Eggers, that the beaches be reopened on May 4, 2020. Responding to query by Attorney White, she confirmed that the motion includes the reopening of beach parking and restrooms, all subject to social distancing and sanitation and disinfection guidelines, as stated in the proposed resolution.

At the request by Commissioner Seel, the members offered their views regarding reopening in full or with limitations based on certain activities or days of the week, and Sheriff Gualtieri discussed the challenges of enforcing a limited reopening due to unclear boundaries between public and private beaches; whereupon, Chair Gerard polled the members for their vote to reopen the beaches without limitations, as recommended by staff.

A motion was made by Commissioner Seel, seconded by Vice-Chair Eggers, that public beaches, public beach parking facilities, and public beach restrooms be reopened on May 4, 2020, at 7:00 A.M. The motion carried by the following vote:

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

Nay: 1 - Commissioner Welch

Resolution No. 20-34 adopted allowing the reopening of public beaches, public beach parking facilities, and public beach restrooms effective on May 4, 2020, at 7:00 A.M., with conditions.

A motion was made by Commissioner Seel, seconded by Commissioner Peters, that playgrounds at childcare facilities be reopened effective April 30, 2020, at 6:00 A.M., with conditions, including social distancing guidelines, limit of 10 children at a time, and equipment disinfection after each use. The motion carried by the following vote:

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

Resolution No. 20-35 adopted allowing the use of play equipment and outdoor playgrounds at childcare facilities effective on April 30, 2020, at 6:00 A.M., with conditions.

Following brief discussion, the members noted that the current Local State of Emergency established in Resolution No. 20-16 does not expire until May 1, 2020, and agreed to consider extending it at the April 30 meeting.

Meeting Recessed: 1:24 P.M.

Meeting Reconvened: 1:48 P.M.

2. Adopt Resolution Approving Pinellas CARES Financial Assistance Program.

Resolution No. 20-36 adopted approving the program.

Mr. Burton related that the County received funding in the amount of \$170 million from the federal government under the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and that two programs developed for disbursement of the funds are intended to provide emergency bridge assistance to individuals and small businesses that are most in need in an expeditious manner. He noted that any remaining funds could be used to assist other entities, including municipal governments, non-profit organizations, and home-based businesses; whereupon, he invited Human Services Director Daisy Rodriguez to discuss the program for assistance to individuals.

Ms. Rodriguez referred to a PowerPoint presentation titled *Pinellas CARES Financial Assistance Program* and provided an overview of the program, including its purpose, eligibility criteria, and application and verification process. She highlighted the following:

- The program leverages existing assistance infrastructure designed by Human Services in partnership with 2-1-1 Tampa Bay Cares.
- One-time assistance in an amount up to \$4,000 would be provided to individuals who lost income as a direct result of the pandemic to help bridge financial gaps for overdue rent, mortgage payments, and utilities.
- Applicants' income should be at or below 200 percent of the Federal Poverty Level and total liquid assets should not exceed \$4,000.
- The program will commence upon approval and continue for 30 days.

During discussion and responding concerns and queries by the members, Ms. Rodriguez and Assistant County Administrator Lourdes Benedict provided clarification regarding the program, including the application process, staff, timeframe, and eligibility criteria, indicating that notwithstanding previous salaries, those individuals who currently have reduced or no income and liquid assets up to the above thresholds would qualify for assistance; and that payments will go directly to creditors.

Mr. Burton emphasized that while many residents have been financially impacted by the pandemic and subsequent closure of businesses, the eligibility threshold for the first phase of assistance was set in order to help those most in need; that the funding is not meant to replace lost income; and that applications and distributions should be processed as quickly as possible, which is why the existing program structure is utilized. He indicated that in order to ensure that all eligible applicants receive the assistance, no cap has been set on the total funding amount, noting that it should be within the parameters of the program and overall funding.

Responding to query by Commissioner Welch, Mr. Burton and Ms. Rodriguez discussed the efforts related to food assistance.

Chair Gerard called for citizens wishing to be heard, and the following individuals expressed their concerns:

Lisa Neriem, residence not provided
Maria Gotsis, Palm Harbor
Eric Seidel, Oldsmar

In response to comments and queries by the citizens, Chair Gerard reiterated the need to clarify the eligibility requirements to the public and the importance of training program staff. Ms. Benedict indicated that Mses. Neriem and Gotsis will be contacted regarding their eligibility; and that the Human Services and Marketing and Communications Departments will collaborate to ensure that clear information is provided to the public.

Chair Gerard requested that the program be reviewed weekly to determine the demand and the need for a second phase based on higher income and asset thresholds.

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

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

3. Adopt Resolution Approving Pinellas CARES Small Business Grants Program.

Resolution No. 20-37 adopted approving the program.

Economic Development Director Mike Meidel related that \$35 million of the \$170 million received from the federal government under the CARES Act has been set aside to help small businesses offset significant revenue loss resulting from the pandemic by assisting them with their immediate financial needs, such as expenses for employee wages, vendor bills, and rent or mortgage. He referred to a PowerPoint presentation titled *Pinellas CARES Small Business Grants* and, with input by Mr. Burton, provided an overview of the proposed program, including its purpose, funding, eligibility criteria, examples of eligible and ineligible business types, application process, and timeline, highlighting the following and responding to queries by the members:

- One-time \$5,000 grants will be offered to reimburse costs of business interruption to small businesses, including restaurants, bars, short-term vacation rentals, non-essential businesses, and places of assembly.
- The grants would provide bridge assistance and are not meant to replace lost income.
- While program participation does not preclude citizens from applying for other funding programs, expenses covered by the grants cannot already be paid through other sources.
- There are sufficient funds for all of the approximately 6,500 qualifying small businesses in the County.
- Applications would be accepted from May 4 until June 1.
- The upcoming Governor's order potentially opening up some of the qualifying businesses will not affect their eligibility for the program.

Commissioner Welch commended staff for utilizing various community partners, such as the Urban League, in the application review process to ensure fairness; whereupon, responding to his query, Office of Management and Budget Director Bill Berger provided information pertaining to the software that is being developed for the program, indicating that a web-based portal for application processing will be ready by May 4.

Responding to queries by the members, Mr. Meidel discussed the reasons behind the program eligibility requirements, and the members expressed concerns that other types of businesses significantly impacted by the pandemic, including home-based daycares and event-related businesses, non-profit organizations that provide vital services to the community, and newly formed businesses, are left out.

Messrs. Meidel and Burton stressed that the goal is to assist small businesses that were forced to close their physical locations or to severely limit operations based on the Governor's and the County's orders; and that the funding is limited and needs to make the greatest impact quickly.

Discussion ensued regarding the types of businesses to be considered for a potential second phase of funding. Mr. Meidel stated that staff plans to track all denials and approvals under the program, and Mr. Burton offered to assemble a committee consisting of community members to get their input.

Responding to Chair Gerard's call for citizens wishing to be heard, the following individuals expressed their concerns:

Dawn Britner, Clearwater
Chris Lauber, St. Petersburg
Jennifer Harmon, Dunedin

In response to queries by the citizens, Mr. Meidel confirmed that a person may receive assistance under both CARES programs, for individuals and for small businesses, as long as the criteria for each is met.

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

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

4. Agenda Briefing

Mr. Burton reviewed agenda items to be considered at the May 5 BCC meeting and responded to queries by the members regarding the following items:

Item No. 10 Change Order No. 1 to the contract with Pepper Contracting Services, Inc. for the Forest Lakes Boulevard Phase II project

Item No. 11 Grant application to the United States Department of Transportation for replacement of the Dunedin Causeway Bridges

Attorney White indicated that she will contact the Commissioners individually to brief them regarding the settlement proposed under Item No. 14.

5. County Commission Board Reports and Miscellaneous Items

Commissioner Eggers inquired about rescheduling the April 30 BCC meeting, and following brief discussion, the members agreed that the next meeting will take place on May 1 at 9:30 A.M.

Commissioner Seel urged the members to contemplate the importance of the public wearing masks and gloves, to be addressed at the next meeting, and requested that COVID-19 testing be expanded. Mr. Burton noted that requests for additional testing equipment have been made continuously; and that Florida Department of Health in Pinellas County Director Dr. Ulyee Choe will be following up on further opportunities.

ADJOURNMENT - 3:37 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk