

# **Pinellas County**

*315 Court Street, 5th Floor Assembly Room  
Clearwater, Florida 33756*



## **Minutes - Final**

**Tuesday, January 24, 2017**

**2:00 PM**

**BCC Assembly Room**

## **Board of County Commissioners**

*Janet C. Long, Chairman  
Kenneth T. Welch, Vice-Chairman  
Dave Eggers  
Pat Gerard  
Charlie Justice  
John Morroni  
Karen Williams Seel*

**ROLL CALL - 2:02 P.M.**

**Present:** 7 - Chairman Janet C. Long, Vice-Chairman Kenneth T. Welch, Dave Eggers, Pat Gerard, Charlie Justice, John Morroni, and Karen Williams See!

**Others Present:** James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Jacob Stowers, Assistant County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Jenny Masinovsky and Michael P. Schmidt, Board Reporters, Deputy Clerks.

**INVOCATION by Reverend Andy Oliver, Senior Pastor at Allendale United Methodist Church in St. Petersburg****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Presentations and awards:**

Doing Things! Employee Recognition: Barbara Soderlund, Solid Waste

Thank You For Doing Business: AAR Aerostructures

Community Water Wise Award

Partner Presentation:

Tampa International Airport - Joseph Lopano, Chief Executive Officer

**Doing Things Employee Recognition - Barbara Soderlund, Solid Waste**

Chairman Long recognized Solid Waste Technician Barbara Soderlund, relating that she is a ten-year employee who oversees recycling programs and provides facility and outreach tours; and that she is known for her initiative, quality of work, and positive attitude; whereupon, a video was shown highlighting the services she provides.

**Thank You for Doing Business - AAR Aerostructures**

Chairman Long and Director of Economic Development Mike Meidel provided information regarding the company and thanked Daniel FitzPatrick and Barbara Treubig for doing business in Pinellas County.

**Community Water Wise Award**

Chairman Long presented the annual Community Water Wise Award to Tiki Bates of Clearwater.

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**Partner Presentation: Tampa International Airport - Joseph Lopano, Chief Executive Officer**

Mr. Lopano referred to a PowerPoint presentation titled *Pinellas County Commission, January 24, 2017*, a copy of which has been filed and made a part of the record, and provided an air service, financial, and master plan update; whereupon, he narrated a video regarding airport upgrades and benefits to be realized.

In response to comments and queries by the members, Mr. Lopano discussed how security has been strengthened at TIA since the recent tragedy at the Fort Lauderdale-Hollywood International Airport; whereupon, he provided information relating to driverless cars with regard to parking considerations and rental car operations, and discussed various sustainability efforts.

**CONSENT AGENDA (Items 2 through 17)**

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

## CLERK OF THE CIRCUIT COURT AND COMPTROLLER

2. Minutes of the regular meeting held December 13, 2016.
3. Vouchers and bills paid from December 11 through December 31, 2016.

Period December 11 through December 17, 2016

Payroll - \$3,325,021.82

Accounts Payable - \$12,575,292.00

Period December 18 through December 24, 2016

Payroll - None

Accounts Payable - \$10,119,052.82

Period December 25 through December 31, 2016

Payroll - \$3,292,420.09

Accounts Payable - \$27,520,510.11

Reports received for filing:

4. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2016-40 dated December 30, 2016 - Audit of Agreements with Parks & Conservation Resources Nonprofit Organizations.

5. Dock Fee Report for the month of December 2016.
6. Quarterly Report of Routine Dock and Dredge/Fill Permits issued from October 1 to December 31, 2016.

Miscellaneous items received for filing:

7. City of Clearwater Ordinances Nos. 8836-16, 8957-16, 8962-16, 8965-16, 8968-16, 8971-16, and 8974-16 adopted December 1, 2016, annexing certain properties.
8. City of Safety Harbor Ordinance No. 2016-26 adopted December 19, 2016, annexing certain property.

#### COUNTY ADMINISTRATOR DEPARTMENTS

##### County Administrator

9. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending December 31, 2016.
10. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2016.

##### Human Services

11. Resolution supplementing the Fiscal Year (FY) 2017 General Fund Budget for unanticipated revenue to the Judiciary and the Human Services department.  
Resolution No. 17-3 adopted appropriating earmarked receipts for a particular purpose (unanticipated grant revenue in the amount of \$185,740.00).
12. Award acceptance through grant agreement with the Florida Department of Children and Families for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant.  
Grant agreement approved; authority delegated to County Administrator to approve the contracts with WestCare Gulfcoast-Florida, Inc. and Vincent House of Van Gough's Palette, Inc. for services not to exceed \$1,020,000.00 over the three-year grant period.  
Chairman authorized to execute the grant agreements.

##### Public Works

13. Cooperative funding agreement with the Southwest Florida Water Management District for

the Pinellas Trail at 54th Avenue stormwater improvements project.

SWFWMD Agreement No. 17CF0000399 (County PID No. 000183A) in the amount of \$825,000.00 approved; total anticipated construction cost, \$1,650,000.00. Chairman authorized to sign and the Clerk to attest.

#### Utilities

14. Award of bid to T.L.C. Diversified, Inc. for headworks modifications at the W.E. Dunn Water Reclamation Facility.

Bid No. 167-0036-CP (PID No. 002206A) in the amount of \$2,030,777.00 awarded on the basis of being the lowest responsive, responsible bid meeting specifications. All work is expected to be completed within 365 consecutive calendar days. Chairman authorized to sign and the Clerk to attest.

#### AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

#### Business Technology Services

15. Increase to the agreement with Oracle America, Inc. for requirements of software licenses and maintenance support.

(Contract No. 090-0173-M) Increase in the amount of \$4,005,882.04 approved for a revised total of \$21,378,438.82; contract effective through January 29, 2019.

In response to queries by Commissioner Welch and Chairman Long, Business Technology Services Chief Information Officer Martin Rose provided information regarding the approximately \$4 million increase to the agreement. He related that the entire organization uses the Oracle system; that the seven-year contract ends in two years; that the funding increase would supplement the original contract and pay for items purchased by BTS; and that even though the contract includes a cap, prices continue to rise on an annual basis; whereupon, he discussed computer hardware that currently resides in the Clearwater Courthouse basement.

#### Sheriff's Office

16. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending December 31, 2016.
17. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2016.

#### REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

## COUNTY ADMINISTRATOR DEPARTMENTS

### Human Services

18. Application for American Association of Retired People (AARP) Age Friendly Designation for the Pinellas County Age Friendly Initiative.

Application approved. Chairman authorized to sign and the Clerk to attest.

Mr. Woodard provided background information regarding the item, reporting that staff has been working on the application in response to a *Doing Things!* initiative that was started about a year ago.

Human Services Director Lourdes Benedict conducted a PowerPoint presentation titled *Doing Things! Human Services, Age Friendly Community*, a copy of which has been made a part of the record. She reviewed sections of the Strategic Plan relating to an Age Friendly Community, discussed the rationale for creating such a community, presented a timeline regarding activities that have taken place in her department relating to the initiative, and discussed the website and next steps, and Mr. Woodard provided input.

In response to query by Commissioner Morroni regarding the Age Friendly designation, Chairman Long related that the City of Seminole has a designation geared toward dementia and Alzheimer's, and Commissioners Eggers and Seel provided input.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

### Management and Budget

19. FY 2017 Budget Amendment No. 17-02 to use General Fund Reserves for site work at the 126th Avenue Landfill.

Amendment approved realigning appropriation in the amount of \$205,000.00 to the Real Estate Management Department.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

Safety and Emergency Services

20. Purchase Authorization with Ten-8 Fire Equipment, Inc. to acquire a medium duty rescue squad truck.

Contract No. 167-0146-PB in the amount of \$414,643.00 approved pursuant to the pricing, terms, and conditions of Florida Sheriffs' Association, Florida Fire Chiefs' Association, and Florida Association of Counties Contract No. FSA16-VEF12.0, Fire Rescue Vehicles and Other Equipment.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

COUNTY ADMINISTRATOR

21. County Administrator miscellaneous - None.

COUNTY ATTORNEY

22. Public Official Bonds for Public Officers.

Public official bonds for Clerk of the Circuit Court and Comptroller Ken Burke, Property Appraiser Mike Twitty, Tax Collector Charles Thomas, Sheriff Bob Gualtieri, and County Commissioners Charlie Justice, Janet Long, Karen Williams Seel, and Kenneth T. Welch, in accordance with Section 137, Florida Statutes (2016), approved as outlined in the Staff Report.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

23. County Attorney miscellaneous - None.

COUNTY ADMINISTRATOR REPORTS

24. County Administrator reports:  
Dunedin Causeway Bridge - Update  
Doing Things! Television.

### Dunedin Causeway Bridge - Update

Mr. Woodard introduced the item, referencing a comprehensive memorandum report addressing the members' questions regarding the bridge replacement project that was provided to the Commission last December, and indicating that today, in preparation of the next formal step requiring the Board's vote, staff will respond to any questions the members may have and seek their direction.

Transportation Division Manager Kenneth Jacobs conducted a PowerPoint presentation titled *Doing Things! Dunedin Causeway Bridges Recommended Alternative Selection, January 24, 2017*, a copy of which has been made a part of the record, and provided an overview of the following:

- Project Limits
- Project Overview
- Bridge Replacement Alternatives

Mr. Jacobs related that the project involves replacing the main and tide relief bridges; whereupon, referring to the cross-sectional depiction, he discussed the three main bridge alternatives resulting from the Project Development and Environmental (PD&E) study: the low-level movable, mid-level movable, and high-level fixed, previously presented to the Board and the public for input, noting that each alternative includes the same option for the tide relief bridge. He indicated that one of the key issues relative to the study was the impact on the surrounding recreational park areas, which the high-level bridge would have the most and low-level the least; that public groups, including the City of Dunedin, voted for the mid-level bridge; and that County staff and the Forward Pinellas Bicycle Pedestrian Advisory Committee selected the high-level for the least maintenance, operation, and associated costs, and Mr. Woodard provided input.

Mr. Jacobs provided information regarding the cost and timeline of the no-build and major rehabilitation alternatives, noting that those may not have been discussed enough, and in response to queries by Mr. Woodard, indicated that \$8 million, the price of the no-build option, is the projected cost of operation and maintenance (O&M) of the bridge over the next 10 to 15 years, which is the projected remaining life of the bridge; that additional maintenance issues involving further cost are assumed to be encountered with time; and that the existing bridge is substandard in many ways.

During discussion and in response to queries by the members, Mr. Jacobs, with input by Mr. Woodard, gave further details about the no-build and major rehabilitation alternatives, indicating that that they were the least favored by the public, which sees the need for replacement. He also explained that while the existing bridge is past its life span, it can be extended through continued maintenance, and discussed the current and projected O&M cost and savings related to the bridge alternatives, sources of funding for future O&M and new bridge construction, and \$10.5 million investment into preventative maintenance several years ago, which extended the bridge's life span by approximately 15 years; whereupon, he continued the presentation, discussing the following:



- Other Considerations
- Expanded PD&E Scope - Sea Level Rise
- Next Steps

Messrs. Jacobs and Woodard provided an update regarding matters previously raised by the members regarding the inability to close and relocate the channel under the bridge based on discussions with the U.S. Coast Guard and the potential impacts of sea level rise in considering options for the bridge. Mr. Woodard pointed out that the current study was based on the National Oceanic and Atmospheric Administration (NOAA) Intermediate Low standard of a 1.97-foot rise by the year 2100, whereas its high standard is almost 7 feet; and that it did not involve looking at the viability of Honeymoon Island or the causeway approaches to the bridge; whereupon, he emphasized the importance of conducting the additional study focusing on evaluating the impacts of sea level rise on the bridge as well as on its destination and the causeway approaches.

Mr. Jacobs noted that federal and state bridge funding has recently decreased from the previously anticipated 80% to a limit of \$3.75 million, and discussion ensued regarding the current study, the need for its completion and for additional study estimated at \$40,000, and potential other studies which could be required under the National Environmental Policy Act Review Process (NEPA); whereupon, Messrs. Jacobs and Woodard reiterated that without a completed PD&E study, the bridge would not be considered for any funding; and that the current federal funding prospects may change again in light of the new administration.

In response to concerns expressed by Commissioner Eggers, Mr. Jacobs confirmed that new bridge construction would not take place for several years; and that selection of the alternative could be postponed pending further information, and Assistant County Administrator John Bennett provided statistical information as to the types and numbers of emergency calls originating from Honeymoon Island; whereupon, Commissioner Eggers requested additional information concerning the average length of time the bridge is impassable due to malfunction.

Responding to queries by Commissioner Welch, Mr. Jacobs indicated that the additional study would involve researching multiple options with regard to the NOAA sea level rise standards; and that staff will provide further information regarding the basis for the 3-foot standard used by the Florida Department of Transportation with regard to critical infrastructures.

Commissioner Eggers pointed out that the decision regarding the bridge would have a bearing on other County structures and should be made with the perspective of providing leadership to other communities within the county; whereupon, Commissioner Gerard suggested addressing the matter of sea level rise at a future work session, and Commissioner Welch and Chairman Long concurred.

During discussion and responding to additional queries by the members, Mr. Woodard indicated that Penny for Pinellas IV would be considered as a source of funding for the bridge if other funds are not available; and that staff is already working on prioritizing

projects to be submitted for funding under President Trump's proposed infrastructure plan. Mr. Jacobs explained that the project is not considered "turnkey" under federal guidelines without having a design and set of plans, and as such would not qualify for funding in that category.

In response to Chairman Long's call for public comment, Mark Klutho, Largo, presented his comments and concerns.

Thereupon, it was the consensus of the members to direct staff to proceed to expand the PD&E study to research the effects of sea level rise on the bridge, Honeymoon Island, and the causeway approaches to the bridge. Responding to queries by Commissioner Eggers, Mr. Woodard clarified that he will provide a PD&E contract amendment for Board approval in approximately 30 days; and that he anticipates staying on the previously scheduled timeline regardless of the additional study.

### **Doing Things! Television**

Mr. Woodard noted that connecting with citizens is one of the Commission's top priorities, consistent with the County's Strategic Plan; and that more people today get news in a condensed way through their electronic devices; whereupon, he announced that staff will be setting up a YouTube channel branded as *Doing Things! TV*, which will be available through the County website and on social media, and presented its opening video, focusing on the public's opinion of the County's *Doing Things*.

## **CITIZENS TO BE HEARD**

### **25. Public comment.**

David Ballard Geddis, Jr., Palm Harbor, re today's civil war/Abraham Lincoln's Gettysburg Address

Antonia Gross, Oldsmar, re expression of gratitude

Lenore Faulkner, Madeira Beach, re common core/critical thinking

Mark Klutho, Largo, re stupidity, waste

## **COUNTY COMMISSION**

### **26. Reappointments to the Lealman Community Redevelopment Area Citizen Advisory Committee.**

Cheryl DiCicco and Gary Grooms reappointed for three-year terms.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

**27. Appointments to the Historic Preservation Board (individual appointments).**

Phyllis Kolianos and Ric Ortega appointed for three-year terms.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

**28. Appointment to the Feather Sound Community Services District, Inc. (individual appointment).**

Maria Hubert appointed for a one-year term.

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

**Aye:** 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

**29. County Commission miscellaneous.**

The members expressed sympathies to the families of former St. Petersburg College Assistant Provost and long-time Hispanic advocate Maria Nieves Edmonds and former Madeira Beach Mayor and Commissioner Patricia Shontz, remarking on their notable contributions and service.

Commissioner Justice

- Thanked W. Gregory Holden, Immediate Past Chair of the St. Petersburg Area Chamber of Commerce Board of Governors for his service and leadership.

Commissioner Seel

- Complimented Thomas Jewsbury and Mark Sprague of the St. Pete-Clearwater International Airport on the progress related to airport noise abatement.
- Noted that a discussion regarding the Pinellas County Construction Licensing Board (PCCLB) is in order in light of recent newspaper articles.

Commissioner Morroni

- Commented on improvement in his health and stressed the importance of regular bloodwork testing.

Commissioner Eggers

- Commented on the newspaper articles relating to the PCCLB.
- Announced that the Commissioners will be attending a town hall meeting with the Council of North County Neighborhoods on February 20.
- Thanked Commissioner Morroni for the 22nd Annual Appreciation Luncheon for Emergency Personnel to be held on January 27.
- Related that a town hall meeting will be held in Palm Harbor on January 26 to review the status of the 2000 Strategic Master Plan and get input from the residents.
- Related that a vigil will be held today for Rocco Gandolfo, son of the Pinellas Classroom Teachers Association President, who is in a coma following an automobile accident, and requested that he be kept in thoughts and prayers.

Commissioner Gerard

- Thanked Commissioner Welch for an invitation to a breakfast in honor of Martin Luther King Day.
- Requested that a formal response be sent to the Mayor of Seminole regarding the City's requests for transfer of ownership of the water tower to the City for one dollar. Chairman Long provided input, noting that she has addressed the City Council regarding the issue and responded to a letter from Dr. James Olliver; and that several councilmembers have indicated an unwillingness to assume maintenance and liability costs.

Discussion ensued, and Mr. Woodard related that he has had multiple communications with the City Manager and has offered to work with the City but has received no formal proposal. He indicated that the asset was not purchased from General Revenue funds, but by the customers of the County's water system; and that donating the tower would require the County to make the water system whole. Following further discussion, Chairman Long indicated that she intends to work with Mr. Woodard on a response to the Mayor.

Chairman Long

- Led discussions on the following topics:

*Pinellas County Construction Licensing Board (PCCLB)*

Chairman Long indicated that she drafted two letters: to the PCCLB Chairman, requesting that the agency address the recently reported issues and adhere to the law, and to the Legislative Delegation with regard to proposed legislation, requesting

that the Commission and the County Administration be given the authority to determine the board's structure. Mr. Woodard and Commissioners Welch and Gerard echoed Chairman Long's concern that the PCCLB not be replaced by a similarly structured organization lacking ultimate control by the BCC; whereupon, responding to queries by the members, Mr. Woodard confirmed that he will draft a proposal relating to a new PCCLB model and indicated that there may be a budgetary impact to the County; that further research needs to be done; and that having flexibility in the legislative language will allow for the most efficient and effective model, and discussion ensued.

Attorney Bennett indicated that his staff will be conducting a complete review of PCCLB procedures and making recommendations to the Board, and discussed licensing board models in other counties; whereupon, during further discussion and responding to queries by Chairman Long, he related that he advises the Legislative Delegation on procedural matters only, and Chairman Long noted the importance of providing legal guidance to the Delegation in light of the upcoming joint meeting with the BCC.

#### *Tourist Development Council (TDC) Appointments*

Chairman Long referred to Commissioner Justice's letter relating to the TDC appointments and indicated that if the Board desires to appoint two of the candidates, Clearwater Mayor George Cretkos and St. Petersburg Councilman Charlie Gerdes, it could be done at this time; whereupon, responding to queries by Commissioner Justice, she confirmed that the appointments have not yet been approved.

During discussion, Commissioner Justice noted that he supports the appointments and clarified that while it may be Mayor Kriseman's desire to have Mr. Gerdes serve, TDC members are appointed by the Board; whereupon, Commissioner Welch suggested including the matter on the agenda for the next BCC meeting, and Chairman Long agreed.

#### *County Flag Policy*

Chairman Long asked for the members' input regarding a request to fly an organization's flag over the County Courthouse. During discussion, Commissioner Welch expressed concern that without a policy on the matter, it may become difficult to decide on similar requests; and that other symbolic gestures may be displayed in the lobby instead of a flag, and Commissioners Seel and Morroni agreed.

Responding to queries by the members, Mr. Woodard indicated that the current policy addresses flying the flags of the nation and the state and does not extend to other flags.

### **30. County Commission Board Reports.**

Commissioner Morroni

- Forward Pinellas: The last meeting was organizational. Vice-Chairman Doreen Caudell will initially represent the board at the Tampa Bay Transportation Management Area Leadership Group meetings. Commissioner Eggers noted that Pinellas County Traffic Division Manager Ken Jacobs provided an update regarding the Advanced Traffic Management System/Intelligent Transportation System (ATMS/ITS).

Commissioner Eggers

- Pinellas Suncoast Transit Authority (PSTA): The board discussed the PSTA's relationship with Hillsborough Area Regional Transit (HART) and ways they can work together.
- MyVA Community Board: The board members expressed appreciation to the Commissioners for providing funding for an informational booklet for veterans and indicated that they may have a presentation for the BCC later in the year.
- Consolidated Justice Information Systems (CJIS): He is learning the acronyms used at CJIS meetings.

Commissioner Welch

- St. Petersburg Chamber of Commerce Public Policy Council: The Council discussed infrastructure and noted the importance of the issue with regard to the anticipated renewal of Penny funds.
- Florida Local Government Investment Trust Board: The Florida Association of Counties (FAC) Executive Director appointed him to the board, which handles investments for local government. Ms. Harris is on the advisory board. As the next meeting is scheduled for January 26, he will be unable to attend the BCC workshop taking place on that day.

Commissioner Justice

- Historic Preservation Board: The Board will be a partner and participant in the Florida Trust for Historic Preservation Annual Conference that will take place in St. Petersburg in May.
- Tampa Bay Estuary: Executive Director Holly Greening was named the 2017 Sydney and Thalia Potter Civic Leadership Award Honoree by the League of Women Voters of Hillsborough County and will be honored at a luncheon.
- Area Agency on Aging of Pasco-Pinellas: An advertisement for the Executive Director position has been posted.

Commissioner Seel

- American Manufacturing Skills Initiative: Two of the AMskills board meetings were scheduled in conflict with BCC meetings; she will request that they be rescheduled.
- Early Learning Coalition: The first meeting of the year will take place on January 26.
- Health and Human Services Leadership Board (HHSLB): The members will attend the joint meeting of the BCC, Juvenile Welfare Board, and Pinellas County School Board on January 31.
- Homeless Leadership Board: She is on the Executive Committee and the board has a new Chairman, Amy Foster. She discussed the progress made, committees, and systems used, including a homeless system dashboard for gathering better statistics about homeless individuals.
- Juvenile Welfare Board: There is an interest by the JWB to help fund paving the parking lot at Joe's Creek Greenway Park. Noting that it is the County's responsibility, she referred the matter to Mr. Woodard to review.
- Tampa Bay Area Regional Transit Authority: The first meeting of the year will take place on January 27.

Commissioner Gerard

- She is looking forward to upcoming meetings of the HHSLB, Child Care Licensing Board, Pinellas Park Water Management District, and Public Safety Coordinating Council.
- Tampa Bay Water: The next meeting is scheduled for February 20.
- Value Adjustment Board: A committee will be reviewing two responses to a Request for Proposal for a board attorney and making a recommendation. In response to query by Commissioner Morrioni, she indicated that the current attorney is one of the applicants.
- Youth Advisory Committee: Discussed current projects and events and related that the County Communications Department is working with the Committee on a promotions video.

Commissioner Long

- Election Canvassing Board: Will be meeting soon in preparation for the March municipal elections.

- Economic Development Council: An Economic Symposium will be held on April 20.
- Pinellas Suncoast Transit Authority: The Authority is proceeding with the interlocal agreement with HART, which passed it last week.
- Tampa Bay Regional Planning Council: The Innovation in Regional Transportation Summit will take place on February 16 at the Carillon Park Hilton and the members are invited to attend.
- Tourist Development Council: A consultant is vetting member applications. Reviewed topics that will be discussed in an upcoming workshop.

**Meeting Recessed: 5:03 P.M.**

**Meeting Reconvened: 6:01 P.M.**

## **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**

- 31.** Ordinance declaring zoning in progress and imposing a moratorium on the establishment of medical marijuana dispensing facilities and treatment centers for a period of 180 days (final hearing).

Ordinance No. 17-05 adopted; 76 emails in support of and one email and two phone calls in opposition to the proposed ordinance have been received; two letters in opposition were received in connection with the first public hearing.

In response to the Chairman's call for proponents of the proposed ordinance, the following individuals appeared and indicated their support:

Calvina Fay, Drug Free America Foundation, St. Petersburg  
Marvin Coleman, Operation PAR, Inc., Pinellas Park  
Dan Zsido  
Kathy Wach, Largo  
Lynn Posyton, Clearwater  
Todd Pressman, Palm Harbor (submitted a letter from the Florida League of Cities)  
Keanan Kintzel, Clearwater  
Colleen May, Largo  
Shawn May, Largo  
David Aden, Clearwater  
Mike Kaplan, Clearwater



In response to queries by Commissioner Justice, Ms. Fay indicated that medical marijuana has contributed to a dramatic increase in the homeless population in Oregon, Colorado, and Washington.

Commissioner Justice noted that the Board is limited in its powers relating to consumer protection; that the proposed ordinance involves zoning parameters in the unincorporated areas; and that the State should determine the allowable form of the drug. Responding to query by Commissioner Justice and noting that he is speaking as a concerned citizen and not on behalf of the Sheriff's Office from which he retired last year, Mr. Zsido opined that medical marijuana dispensaries should not be located near places of worship, schools, or playgrounds; and that their number should be limited; whereupon, he stressed the importance of being proactive and educating the public on the matter.

Responding to queries by Commissioner Eggers, Mr. Pressman emphasized the importance of the ordinance in controlling the number of dispensaries and placing restrictions with regard to land use and operations.

In response to the Chairman's call for objectors to the proposed ordinance, the following persons appeared and stated their concerns:

Cyndi Hamad, Seminole  
Jasmina (Jessie) Forcan, Clearwater  
John Chase, Palm Harbor  
Geoff Moakley, Largo  
Joseph Sook, Dunedin  
Jordan Carreno, St. Petersburg  
Keith Pendleton, Seminole

A lengthy discussion ensued by the members and staff concerning what is allowed under the existing law with regard to marijuana use for patients with certain serious conditions, current dispensaries, and the purpose of the moratorium recommended in the proposed ordinance.

In response to queries by Commissioner Justice, Attorney Bennett and Senior Assistant County Attorneys David Sadowsky and Carl Brody explained that the ordinance will prevent opening more dispensaries authorized under the existing law, as well as taking preliminary steps, such as filing applications for development permits to establish dispensaries or treatment centers allowable under Florida Constitutional Amendment 2 that passed last November. Attorney Sadowsky indicated that the ordinance will also allow time to create local zoning guidelines in case the State regulations go into effect earlier than anticipated, which is September or October 2017; whereupon, Attorney Bennett reiterated that facilities authorized by the amendment may not open, regardless of the moratorium, until rules are set up by the State Legislature and Florida Department of Health (DOH), and confirmed that the ordinance applies only to unincorporated areas of the county.

During discussion and responding to queries by the members, Mr. Stowers and Attorney Sadowsky indicated that the offices of the County Administrator and Attorney are working on a subsequent ordinance, which will address zoning and operations of future facilities authorized by the amendment; and that they plan to bring it to the BCC for public hearing during the March-April timeframe, to be effective upon establishment of State regulations. Commissioner Justice indicated that in addition to zoning and operational issues, he would like to have a presentation regarding the actual medical marijuana product, and discussion ensued regarding local control as to the type of product allowed.

Chairman Long noted that the Commission and staff are taking measures to ensure responsible implementation of the medical marijuana treatment infrastructure; and that the County is constrained by the State in its decisions; whereupon, she encouraged the public to follow the State process as it will dictate local measures, and Commissioner Justice pointed out that the DOH will hold a public hearing regarding the promulgation of the amendment rules on February 8 in Tampa, where the residents can voice their concerns.

**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 Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Seel

**Absent:** 1 - Commissioner Morroni

**ADJOURNMENT - 7:24 P.M.**

ATTEST: KEN BURKE, CLERK

By *Adlene J. Smutka*  
Deputy Clerk

*Janet A. Long*  
Chairman

