

# **Pinellas County**

*Pinellas County Cooperative Extension  
12520 Ulmerton Road, Largo*



## **Minutes - Final**

**Tuesday, October 20, 2020**

**2:00 P.M.**

**Public Hearings at 6:00 P.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 - 2:00 P.M.**

**Present:** 6 - Chair Pat Gerard, Vice-Chair Dave Eggers, Charlie Justice, Janet C. Long, Karen Williams Seel (late arrival), and Kenneth T. Welch

**Absent:** 1 - Kathleen Peters

**Others Present:** Barry A. Burton, County Administrator; Jewel White, County Attorney; Katherine Carpenter, Manager, Board Records; and Amelia Hanks, 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 Donald Crowell would serve as Process Moderator; whereupon, he conducted a roll call of the members.

Chair Gerard read a proclamation declaring October 20, 2020, as Public Defender Bob Dillinger Day; whereupon, Mr. Dillinger expressed appreciation and the Commissioners thanked him for his leadership, dedication, and more than 44 years of public service.

**CITIZENS TO BE HEARD****1. Public Comment.**

Vicki Love, Dunedin  
Debra Mattheus, Dunedin  
Rebecca Cunningham, Safety Harbor  
Greg Pound, Largo  
Aurora Quiel, Largo  
Michelle Birnbaum, Dunedin  
Jaime Manfra, Clearwater  
Dylan Hubbard, Madeira Beach  
Virginia Frizzle, Largo  
Michelle Moore, St. Petersburg  
Kelsey Keil-Fuchs, Dunedin  
Shannon Brooks, Clearwater  
Beth Hovind, Tarpon Springs  
Kai Rubach, Dunedin  
Theresa Rubalcava, Clearwater  
Bridget (Lita) Benduhn, Dunedin  
Barbara Walker, Palm Harbor  
Dave Sillman, Tarpon Springs  
Isaiah Niel, Clearwater  
Jay Hardman, unincorporated Pinellas County  
Jeremy Reynolds, Dunedin  
Craig Murtha, Largo  
Kate Lavanche, Seminole

Yvette Gaugh, St. Pete Beach  
David Ballard Geddis, Jr., Palm Harbor  
Carla Rudolph, St. Petersburg  
Dawn Bohler, St. Petersburg  
Orlando Acosta, St. Petersburg  
Bonnie Korniak, St. Petersburg

**CONSENT AGENDA - Items 2 through 23 (Items 4 and 5 addressed under Regular Agenda)**

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

- 2. Minutes of the virtual regular meetings held August 27 and September 3, 2020.
- 3. Vouchers and bills paid from September 13 through September 26, 2020.

Period: September 13 through September 19, 2020

Accounts Payable - \$16,811,730.68

Payroll - \$4,055,258.15

Period: September 20 through September 26, 2020

Accounts Payable - \$19,753,356.86

Payroll - None

Reports received for filing:

- 6. Quarterly Report of Routine Dock & Dredge/Fill Applications Received from July 1 to September 30, 2020.
- 7. Pinellas County Sheriff's Office Adopted Budget for Fiscal Year 2020-2021.
- 8. Juvenile Welfare Board of Pinellas County Fiscal Year 2021 Budget.

## COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

9. Ranking of firms and agreement with Wharton-Smith, Inc. for professional design build services pertaining to the North Redington Beach Fire Station and Lift Station Replacement project.

Ranking of firms and Contract No. 189-0190-NC approved in the amount of \$527,783.00 for Phase 1 design, permitting, and construction administration services. Work is expected to be completed within ten consecutive calendar months from the notice to proceed date. Chair authorized to sign and the Clerk to attest. Staff will return for approval of Phase 2 construction services with a Lump Sum Guaranteed Maximum Price to be determined.

County Administrator

10. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending September 30, 2020.
11. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending September 30, 2020.

Management and Budget

12. Fiscal Year 2020 Board Budget Amendment No. 5 to realign appropriation from Reserves for Contingency in the General Fund, Feather Sound Community Services District Fund, and the Fire Districts Fund for unanticipated Fiscal Year 2020 expenditures.

Amendment approved realigning \$1,145,910.00 from Reserves for Contingencies as outlined in the Staff Report. Unanticipated expenses related to COVID-19 will be submitted for reimbursement under the Federal Emergency Management Agency public assistance grant with use of the Coronavirus Relief Fund of the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the local match.

Public Works

13. Ranking of firms and agreement with Econolite Systems, Inc. for advanced traffic management system implementation and maintenance services.

Ranking of firms and Contract No. 189-0215-P approved in the not-to-exceed amount of \$1,763,620.42 for the implementation of new ATMS software to be completed in one year from written notice to proceed, followed by one year of maintenance and support services. Chair authorized to sign and the Clerk to attest.

14. Ranking of firms and agreements for requirements of parks and trails professional engineering services.

(Contract No. 190-0030-CN) Ranking of firms and agreements with the following firms approved with an upset limit of \$1,600,000.00 for each firm, for a total of \$6,400,000.00 over a five-year term. The County Administrator has delegated authority to increase the upset limits of contact purchase orders pertaining to the agreements pending the negotiated rates remain the same. Chair authorized to sign and the Clerk to attest.

- Ayres Associates, Inc.
- Cardno, Inc.
- GAI Consultants, Inc.
- Pennoni Associates, Inc.

### Utilities

- 15.** Award of bid to Icon Supply, Inc. d/b/a Icon Technologies for replacement, maintenance, parts and repair services for variable frequency drives.

Contract No. 190-0341-B for an estimated average annual expenditure of \$813,983.00 (estimated 60-month total, \$4,069,915.00) awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. Chair authorized to sign the agreement and the Clerk to attest. Bid of Siemens Industry, Inc. rejected as being non-responsive for not meeting specifications.

- 16.** Award of bid to Premier Magnesia LLC for magnesium hydroxide and equipment services.

Bid No. 190-0480-B in an estimated annual amount of \$1,542,895.20 for a five-year term total \$7,714,476.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. Chair authorized to sign the agreement and the Clerk to attest.

### COUNTY ATTORNEY

- 17.** Notice of new lawsuit and defense of the same by the County Attorney in the case of Catherine Difonte, et al. v. Pinellas County; Circuit Civil Case No. 20-004332-CI-13 - allegations of negligence resulting in personal injuries.
- 18.** Notice of new lawsuit and defense of the same by the County Attorney in the case of Roger Chambers v. Pinellas County, et al.; Circuit Civil Case No. 20-004102-CI-15 - allegations of negligence resulting in personal injuries.
- 19.** Notice of new lawsuit and defense of the same by the County Attorney in the case of Brenda Rivers v. Pinellas County; Circuit Civil Case No. 20-004255-CI-15 - allegations of negligence resulting in personal injuries.

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Housing Finance Authority

20. Housing Finance Authority of Pinellas County Resolution No. 2020-08 adopting and approving a Fiscal Year 2019-2020 General Fund Budget Amendment, as approved by the Housing Finance Authority Board of Directors.

Commissioner Welch requested a cumulative report of all projects funded, the funding sources, and the amount leveraged; whereupon, Mr. Burton indicated that he will follow up with HFA staff for a report.

21. Housing Finance Authority of Pinellas County Resolution No. 2020-09 adopting and approving the Fiscal Year 2020-2021 General Fund and Housing Trust Fund Operating Budgets, as approved by the Housing Finance Authority Board of Directors.

Sheriff's Office

22. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending September 30, 2020.
23. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending September 30, 2020.

**REGULAR AGENDA**

## ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Reports received for filing:

4. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-19 dated September 30, 2020 - Follow-Up Audit of the Pinellas County Construction Licensing Board and Grand Jury Presentment.

Commissioner Eggers requested that Contractor Licensing Department Director Gay Lancaster be invited to a future meeting to provide an update, including a plan addressing the Inspector General's recommendations that were not implemented.

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

5. Dock Fee Report for the month of September 2020.

Referring to Agenda Item No. 9, Commissioner Long thanked staff for their work on the North Redington Beach Fire Station and Lift Station Replacement project and indicated that the use of Small Business Enterprises for the project highlights the Board's commitment to giving small businesses opportunities to work with County Government; whereupon, Chair Gerard related that Agenda Item No. 9 was approved with the Consent Agenda and called for the approval of Agenda Item No. 5.

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

## COUNTY ADMINISTRATOR DEPARTMENTS

24. Local State of Emergency.

Mr. Burton indicated that the proposed resolution would extend the Local State of Emergency (LSE) from October 23 through October 30; that there is continued use of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding for various programs; and that the increase in cases both nationally and locally is being monitored.

Florida Department of Health in Pinellas County Director Dr. Ulyee Choe discussed current trends and statistics, including increases in case counts and percent positivity. He discussed a regional collaborative effort of health care systems and the University of South Florida's College of Public Health, which is working to formulate a common set of metrics for the review of data trends, and indicated that he will apprise the Board of its progress. Dr. Choe advised the continuation of preventive measures such as social distancing and the wearing of face coverings in light of the increase in cases; whereupon, Mr. Burton recommended approval of the extension.

In response to queries by Chair Gerard and Commissioner Welch, Dr. Choe related that hospitals are now moving towards a test which specifically screens for COVID-19 as part of a respiratory testing panel; and that immune systems will be more vulnerable to COVID-19 until herd immunity is achieved. He noted that the annual number of deaths attributed to the flu averages between 30,000 and 60,000; and that receiving a flu vaccination is highly recommended.

Responding to query by Chair Gerard, Mr. Burton indicated that he will provide a report containing data regarding seasonal travel to the area.

Responding to Chair Gerard's call for public comment, the following individuals expressed their concerns:

Virginia Frizzle, Largo  
Karen Mullins, Dunedin  
Dawn Bohler, St. Petersburg  
Michelle Moore (city not provided)

Later in the meeting and responding to query by Commissioner Long, Mr. Burton indicated that he would contact Dr. Choe regarding any intent of surrounding counties to add COVID-19 testing language to their ordinances.

**A motion was made by Commissioner Welch, seconded by Commissioner Long, that the order extending the Local State of Emergency be approved. The motion carried by the following vote:**

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

Resolution No. 20-145 adopted extending the Local State of Emergency established in Resolution No. 20-16 until 3:00 P.M. on October 30, 2020.

### County Administrator

- 25.** Interlocal Agreement with barrier island municipalities authorizing the payment of local government infrastructure sales surtax for the undergrounding of utilities and other eligible projects consistent with the Gulf Boulevard Improvement Plan.

Agreement approved, providing a five-year total of \$35,000,000.00 of Penny IV funding, including allocations of \$33,750,000.00 for utilities work on Gulf Boulevard and \$1,250,000.00 to the municipalities of Clearwater and Indian Shores, in the amounts of \$750,000.00 and \$500,000.00, respectively. Agreement is effective upon execution by all parties and will end on September 30, 2026.

In response to query by Commissioner Eggers, Assistant to the County Administrator Brian Lowack related that the agreement is a five-year commitment of funds; and that Fiscal Years 2022 through 2025 are scheduled at \$8,000,000.00 per year, and Mr. Burton noted that further review may be required based upon recovery of sales tax revenues.

Responding to Chair Gerard's call for public comment, the following individuals expressed their concerns:

Mike Brutsman, Clearwater  
Virginia Frizzle, Largo



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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

**26.** Resolution to enter into an agreement to subscribe to the Duke Energy Florida Clean Energy Connection program.

Resolution No. 20-146 adopted directing and delegating the County Administrator to enter into a contract for the program. The County will pay subscription fees over 30 years in an estimated total amount of \$78,761,048.00 and will receive an estimated \$88,574,704.00 in corresponding bill credits, equating to an approximate \$9,831.565.00 return on investment. Subscription fees to begin at the start of the program, which is currently expected to occur in 2022. Program requires approval by the Florida Public Service Commission. Clerk authorized to record the resolution.

Mr. Burton related that the agreement may be cancelled at any time; and that participation in the program adds to the County's green footprint.

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

### Human Services

**27.** Contract with the State of Florida Department of Health for operation of the Florida Department of Health in Pinellas County.

Contract approved for Fiscal Year 2021 in an amount not to exceed \$7,111,320.00, as generated by a dedicated millage rate of 0.0835 levied countywide.

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

- 28. Notice of a grant award from the U.S. Department of Health and Human Services, Health Resources and Services Administration for Fiscal Year 2020 Capital Assistance for Disaster Response and Recovery Efforts funding.

Grant award approved and accepted for one-time project funding in the amount of \$811,861.00 for a 36-month project period from September 1, 2020 through August 31, 2023. Project No. 004563A will increase overall square footage of the Bayside Health Clinic. No County match is required.

In response to query by Commissioner Eggers, Mr. Burton confirmed that the grant award amount is the total cost of the project.

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Absent:** 2 - Commissioner Peters, and Commissioner Seel

- 29. Second Amendment to the Behavioral Health Consulting Services Agreement with KPMG, LLP to elevate the Adult Behavioral Health System.

Amendment approved for Fiscal Year 2021 in an amount not to exceed \$555,000.00. Phase 2 includes project mobilization, Optimal Data Set (ODS) development, performance-based contracting, and launch.

Responding to query by Commissioner Eggers, Mr. Burton provided information regarding a need for performance-based contracts in order to move the project to Phase 3, and noted that the ODS will be a key indicator for successful outcomes. Assistant County Administrator Lourdes Benedict related that KPMG solicited feedback from community partners and behavioral health providers during Phase 1.

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

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

**Absent:** 1 - Commissioner Peters

Planning

- 30. Pinellas Gateway/Mid-County Area Master Plan Implementation Memorandum of Understanding among Pinellas County, the City of Largo, the City of Pinellas Park, the City of St. Petersburg, and Forward Pinellas.

Memorandum of Understanding approved providing for active implementation of the Gateway Master Plan to encourage multi-jurisdictional and agency cooperation for ongoing planning and capital investment within the area. The Gateway area consists of 30 square miles and is generally bounded by Belleair Road to the north, 62nd Avenue North to the south, Starkey Road to the west, and Tampa Bay to the east.

Commissioner Eggers commended Forward Pinellas for its role in bringing the various groups together and requested a brief presentation.

Referring to a PowerPoint presentation titled *Gateway Master Plan*, Business Development Manager Evan Johnson related that Forward Pinellas has led a multi-year effort to develop the plan; that it addresses the balance of economic development, transportation needs, and environmental sustainability; and that Forward Pinellas is developing metrics to track accomplishment of the plan's goals.

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

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

**Absent:** 1 - Commissioner Peters

- 31.** Resolution granting ad valorem tax exemption for the renovation of the historic property located at 2326 Andalusia Way Northeast, St. Petersburg.

Resolution No. 20-147 adopted granting a ten-year exemption for 100 percent of the assessed value of qualifying improvements (estimated total value, \$7,512.00; County portion, \$3,323.00). Chair authorized to sign the Historic Preservation Property Tax Exemption Covenant and the Clerk to attest.

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

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

**Absent:** 1 - Commissioner Peters

### Public Works

- 32.** Agreement for the re-use of existing plans with AECOM Technical Services, Inc. for previously advertised professional engineering final design services for the Starkey Road Improvements project, from Flame Vine Avenue to north of 109th Avenue.

Contract No. 190-0688-NC approved in the amount of \$811,750.00. Design process is expected to be completed within 271 consecutive calendar days. Chair authorized to sign and the Clerk to attest.

Mr. Burton related that at a recent meeting, Board members requested clarification regarding the re-use of existing plans for the project; whereupon, Public Works Director Kelli Hammer Levy indicated that the original project manager will lead the project; that approximately \$336,000.00 of the cost is due to plan re-designs; and that \$375,000.00 has been set aside for utility relocation plans, which were not included in the original design.

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

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

**Absent:** 1 - Commissioner Peters

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

### Business Technology Services

- 33.** Third Amendment to the Agreement with Oracle America, Inc., as requested by the Business Technology Services Department, for requirements of software licenses and maintenance support.

Amendment to Contract No. 090-0173-M approved increasing the contract amount by \$3,685,189.59 for a revised total not to exceed \$22,971,350.36 and extending the term through January 29, 2023. Chair authorized to sign and the Clerk to attest.

Mr. Burton indicated that the amendment is a two-year extension; and that it provides for software and licensing for the County's Enterprise Resource Planning system.

Following comments by Commissioners Welch and Eggers, Information Technology Manager Greg Carro related that significant annual savings are the result of negotiations with Oracle to reduce usage entitlements; that unused entitlements will continue to be reduced when appropriate; that it is an unlimited license agreement originally negotiated in 2010; and that work is being done to develop a strategic roadmap.

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

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

**Absent:** 1 - Commissioner Peters

Emergency Medical Services Authority**34.** Reappointments to the Emergency Medical Services Advisory Council.

Sitting as the Emergency Medical Services (EMS) Authority, the Board approved the following reappointments for two-year terms ending in September 2022:

- Scott Ehlers and Anthony Tedesco as the City of Clearwater representative and alternate representative, respectively.
- Terry Tokarz and Doug Zimmerman as EMS Coordinator representatives, as nominated by the Pinellas County Fire Chiefs' Association.

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

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

**Absent:** 1 - Commissioner Peters

**35.** Amendments to the Emergency Medical Services Advanced Life Support First Responder Agreements with four municipalities and two independent fire districts.

Sitting as the Emergency Medical Services Authority, the Board approved six amendments for a total amount of \$895,195.00, consistent with the Fiscal Year 2021 Tentative Budget for the Emergency Medical Services Fund. Municipalities and fire districts include the Cities of Clearwater, Gulfport, Tarpon Springs, and Treasure Island, and Palm Harbor and Pinellas Suncoast fire districts. Chair authorized to sign and the Clerk to attest.

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

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

**Absent:** 1 - Commissioner Peters

## COUNTY ATTORNEY

**36.** Voluntary arbitration determination in the case of John Reyner and Monika Reyner v. Pinellas County; Circuit Civil Case No. 14-001865-CI-7.

Attorney White indicated that a decision from an arbitration panel was not received prior to today's meeting; that action will be required by the Board 20 days following the decision; and that the November 17 meeting date could potentially delay the required action; whereupon, she requested that authority be granted to the County Administrator and the County Attorney's Office to accept or reject the decision of the panel.

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

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

**Absent:** 1 - Commissioner Peters

**37. County Attorney Reports - None.**

**COUNTY ADMINISTRATOR REPORTS**

**38. County Administrator Reports.**

Mr. Burton provided information regarding the award of a \$1.2 million grant by the United States Department of Justice for the County's work towards comprehensive opioid, stimulant, and substance abuse site-based programs. He related that coupled with previously allocated funding, the grant will allow for extension of the initiatives and increase first responder and community access to Naloxone; and that staff will provide periodic updates regarding partnerships and trends.

Responding to a request by Commissioner Long regarding the County's ongoing litigation related to the opioid crisis, Attorney White stated that her Office is regularly monitoring the case and is working in conjunction with the County Administrator's staff to provide further information and data to outside counsel providing representation in the case.

**COUNTY COMMISSION**

**39. Appointments to the Affordable Housing Advisory Committee (Board of County Commissioners as a whole).**

Mr. Burton noted that while four appointments are indicated on the agenda, there are actually five vacancies and five applicants; whereupon, the Board appointed Denise M. Deja, Sean King, Shannon L. Love, Darren D. Lydting, and Frances M. Pheeny to serve three-year terms.

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

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

**Absent:** 1 - Commissioner Peters

**40. Appointments to the Greater Seminole Area Special Recreation District Board of Commissioners (Board of County Commissioners as a whole).**

Harold Kinsey and Stephen Kuplicki appointed to serve four-year terms ending on October 31, 2024.

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

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

**Absent:** 1 - Commissioner Peters

**41.** Appointments to the Pinellas County Educational Facilities Authority (Board of County Commissioners as whole).

Robert Kapusta, Jr. and Kelly Kirschner appointed to serve five-year terms.

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

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

**Absent:** 1 - Commissioner Peters

**42.** Appointments to the Tourist Development Council (Board of County Commissioners as a whole).

Board Records Manager Katherine Carpenter introduced the item and indicated that there would be a total of seven appointments; and that she is requesting four separate votes related to each column on the ballot.

Commissioner Justice suggested appointing the four candidates to fill four seats from Columns I and II on the ballot, and discussion ensued.

**A motion was made by Commissioner Justice, seconded by Commissioner Eggers, that Charles Prather, Anthony Satterfield, J. Michael Williams, and Patricia Rodriguez, be appointed to serve four-year terms beginning November 1, 2020.**

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

**Absent:** 1 - Commissioner Peters

Responding to Chair Gerard’s call for persons wishing to be heard, Tyler Payne, Treasure Island, expressed his interest in serving on the Council.

Ms. Carpenter related that the Board must choose to appoint one of the three candidates listed in Column III; and that additional confirmation is needed for the two officials appointed by the Cities of Clearwater and St. Petersburg.

Chair Gerard initiated a roll-call vote regarding the appointment from Column III, and no majority was reached for any of the three candidates. Upon a second roll-call vote, the Board appointed Melissa Pletcher to serve a four-year term beginning November 1, 2020 after receiving four votes.

Chair Gerard requested a motion to confirm the city representatives.

**A motion was made by Commissioner Eggers, seconded by Commissioner Long, to confirm the appointments of City of Clearwater Mayor Frank Hibbard and City of St. Petersburg Mayor Rick Kriseman to serve four-year terms beginning November 1, 2020.**

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

**Absent:** 1 - Commissioner Peters

Following the vote and in response to query by Commissioner Justice, Attorney White related that the appointments are for elected officials recommended by their respective municipalities. Managing Assistant County Attorney Michael Zas noted that the Board may choose to appoint an elected official other than the recommendation; that in 2016, a directive was put into place stating that appointments would be made from the most populace city and the city with the highest bed tax; and that the Board may change the policy at its discretion; whereupon, Commissioner Eggers stated that he would like to restate his motion.

**A motion was made by Commissioner Eggers, seconded by Commissioner Welch, that City of Clearwater Mayor Frank Hibbard and City of St. Petersburg Mayor Rick Kriseman be appointed to serve four-year terms beginning November 1, 2020.**

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

**Absent:** 1 - Commissioner Peters

#### **43. County Commission New Business Items.**

The members commented on various topics, as follows:

##### Commissioner Eggers

- Encouraged visits to the Brooker Creek and Weedon Island Preserves
- Citizen involvement regarding the Gladys Douglas Hackworth property

Commissioner Eggers noted that there are citizens requesting clarification of any differences between the Governor's order for the state and the Local State of Emergency, and Mr. Burton provided input.



Commissioner Long

- Concerns regarding John's Pass

Mr. Burton discussed the John's Pass concerns and related that short-term solutions fall within the purview of the City of Madeira Beach; that long-term solutions would need to be incorporated within the inlet management plan; and that he will continue communication with the City Manager.

Commissioner Welch

- Greenwood CRA Condition of Blight Resolution
- 2020 Census response rate
- Zoom Town Hall regarding Pinellas CARES Arts grant on October 21
- Early voting and ballot drop-off locations

**Meeting Recessed: 5:06 P.M.**

**Meeting Reconvened: 6:02 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

**44. Case No. Q DVA-20-2 (Eric Moore)**

A request for an amendment to a previously approved Development Agreement to extend the duration of the Agreement for an additional 5-year term, to provide additional time for the development of an assisted living facility with up to 80 beds and a maximum height of 35 feet for a property containing approximately 5 acres located on the south side of Keystone Road approximately 1,960 feet east of East Lake Road in East Lake Tarpon.

Resolution No. 20-148 adopted approving the amended Development Agreement. The Local Planning Agency recommended approval of the request, and staff concurred. One letter in opposition to the application has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Peters

**45. Case No. Q DVA-20-3 (Z & N Properties, VI, LLC, f/k/a Belcher Place, LLC)**

A request for an amendment to a previously approved Development Agreement to extend the duration of the Agreement for an additional five-year term, to provide additional time for the development of office uses having a maximum height of two stories and a building intensity as permitted by the property's zoning and land use designations on a property containing approximately 2.12 acres on the east side of Belcher Road, approximately 142 feet north of Perth Street in unincorporated Clearwater.

Resolution No. 20-149 adopted approving the amended Development Agreement. 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 Long, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Peters

**46. Case No. Q ZON-20-5 (Habitat for Humanity of Pinellas County, Inc.)**

A request for a zoning change from C-2, General Commercial and Services to R-4, One, Two and Three Family Residential on approximately 0.35 acre located at 508 Braginton Street in unincorporated Largo.

Resolution No. 20-150 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 Long, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Peters

**47. Case No. Q ZON-20-6 (Allen Lee Gadoury)**

A request for a zoning change from R-4, One, Two and Three Family Residential to C-2, General Commercial and Services on approximately 0.13 acre located at 4219 54th Avenue North in Lealman (a portion of parcel 34-30-16-64746-001-0040).

Resolution No. 20-151 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 Long, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Peters

- 48.** Case No. Q Z/LU-20-07 (Robert & Julie Ferguson and Jerry Hemphill, c/o John M. Williams) A request for a zoning change from R-A, Residential Agriculture to R-1, Single Family Residential and a land use change from Residential Suburban and Preservation to Residential Low on approximately 6.45 acres located at the northeast corner of the intersection of 19th Street and Wisconsin Avenue in Palm Harbor.

Resolution No. 20-152 adopted approving the zoning change and Ordinance No. 20-26 adopted changing the land use designation. The Local Planning Agency (LPA) recommended approval of the request, and staff concurred. Five letters and two e-mail comments in opposition to the application have been received. No citizens appeared to be heard.

Principal Planner Michael Schoderbock 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 provided background information regarding the application and property, noting that the applicant wishes to develop an 18-unit single-family subdivision. He indicated that the change is consistent with the surrounding developed density, the Comprehensive Plan, and the Countywide Plan; and that the LPA recommended approval by a 6 to 1 vote.

In response to queries by Commissioner Eggers, Mr. Schoderbock related that due to a lot size requirement in the requested R-1 zoning, the applicants would be limited with regard to the number of units that could be built on the site.

Robert Pergolizzi, Clearwater, appeared on behalf of the applicant, and responding to queries by Commissioner Eggers, confirmed that the R-1 zoning will limit the number of lots; and that there would only be two additional units over what is currently allowed.

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

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

**Absent:** 1 - Commissioner Peters

- 49.** Case No. Q Z/LU-20-08 (Pinellas County Land Assembly Trust - Lealman, Housing Finance Authority of Pinellas as Trustee)

A request for a zoning change from R-4, One, Two and Three Family Residential to RM, Multi-Family Residential (3.95 acres) and a Land Use change from Residential Urban to Residential Low Medium (5.7 acres) on approximately 5.7 acres located on the south side of 58th Avenue North and adjacent to both sides of 40th Street North in Lealman.

Resolution No. 20-153 adopted approving the zoning change and Ordinance No. 20-27 adopted changing the land use designation. The Local Planning Agency (LPA) recommended approval of the request, and staff concurred. One email comment and one voicemail in opposition to the application have been received.

Zoning Manager Glenn Bailey 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 provided information regarding the application. He related that the intention is to redevelop the property with new apartments; that the proposed land use would allow up to 14 additional units at base density for a maximum of 57; and that an affordable housing density bonus, if applied, could allow a maximum of 86 units. Noting that multi-family developments generate fewer vehicle trips than single-family, he indicated that traffic issues in the general area would not be affected.

Mr. Bailey related that the proposal is consistent with the development objectives of the Lealman Community Redevelopment Area and the Comprehensive Plan; and that the LPA unanimously recommended approval.

In response to queries by Commissioner Eggers, Mr. Bailey indicated that the zoning change would allow multi-family housing with a building height limit of 50 feet; and that the intent is to have a mixture of housing types in the area.

In response to queries by Commissioner Justice, Community Development Manager Bruce Bussey indicated that the Housing Finance Authority owns the property in a land trust; that it was acquired with Penny for Pinellas affordable housing funding; that a Request for Negotiations was issued and proposals received; that a concept plan to produce a multi-unit apartment complex on the property will be presented to the Board on November 17; and that the roadway near the property will not be expanded in the current plan.

Mr. Burton provided input regarding infrastructure costs, and in response to queries by Commissioner Welch, Mr. Bussey related that the proposal is for 100 percent of the units to be affordable to income groups under 80 percent of the Area Median Income; and that the Lealman Community Redevelopment Area Citizen Advisory Committee is supportive of the multi-family concept for the redevelopment. Director of Public Works Kelli Hammer Levy responded to query by Commissioner Seel, indicating that there is not a plan for roadway improvement at this time.

In response to Chair Gerard's call for public comment, Dawn Bohler, St. Petersburg, expressed concerns regarding traffic, and Brianne Heffner, Tampa, provided information regarding the proposed development.

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

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

**Absent:** 1 - Commissioner Peters

**50.** Ordinances amending the Comprehensive Plan to expand the Activity Center Future Land Use Map designation and amending the Future Land Use Categories and Rules to support the Downtown Palm Harbor Master Plan.

Ordinance No. 20-28 adopted amending the Future Land Use Map (FLUM) and adopting the Downtown Palm Harbor Master Plan; and Ordinance No. 20-29 adopted amending the Future Land Use Category Rules and Description and the FLUM Legend. No correspondence has been received for either ordinance.

Attorney White related that there is a need for two separate votes regarding the ordinances; whereupon, Planning Section Manager Scott Swearngen provided a PowerPoint presentation titled *Downtown Palm Harbor Master Plan Update*, indicating that the new plan will assist in the redevelopment of the greater downtown Palm Harbor area by:

- Expanding the current Activity Center to allow a more holistic approach to planning
- Updating parking standards and adding flexibility to encourage development of smaller sites
- Updating allowable uses to encourage mixed-use development of the neighborhood
- Increasing maximum floor area ratio to allow additional residential units and non-residential square footage

Mr. Swearngen displayed maps depicting the current and proposed Activity Center boundary and photographs of historic buildings in the area. He provided additional information regarding the purpose of the of the Activity Center expansion, and related that the Comprehensive Plan amendment aligns policies with Countywide Plan amendments adopted last year increasing densities and intensities, noting that density will be limited in the Coastal High Hazard Area.

Stating that the Board had authorized transmittal of the proposed ordinances to the State for review in July, Mr. Swearngen indicated that minor changes have been made based on the comments received.

Referring to future related items to come before the Board, Mr. Swearngen indicated that a proposed ordinance will amend the Land Development Code to adopt a Form-Based Code for Downtown Palm Harbor; and that a Zoning Atlas amendment will support the updated Master Plan.

In response to Chair Gerard's call for public comment, David Ballard Geddis, Jr., Palm Harbor, expressed his concerns.

**A motion was made by Commissioner Long, seconded by Vice-Chair Eggers, that the ordinance adopting the Downtown Palm Harbor Master Plan and amending the Future Land Use Map be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Peters

**A motion was made by Vice-Chair Eggers, seconded by Commissioner Welch, that the ordinance amending the Comprehensive Plan Future Land Use Category Rules and Description and the Future Land Use Map Legend be approved. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Peters

- 51.** Ordinance amending the County Code by striking Section 98-2 relating to the renaming of County roads.

Ordinance No. 20-30 adopted allowing one County Code provision for road renaming requests that is consistent with Florida Statutes. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Peters

- 52.** Ordinance approving Jabil, Inc. for an Economic Development Ad Valorem Tax Exemption.

Ordinance No. 20-31 adopted approving an Ad Valorem Tax Exemption for Jabil, Inc. No correspondence has been received. No citizens appeared to be heard.

Economic Development Director Mike Meidel referred to a PowerPoint presentation and provided background information regarding the Jabil Expansion Project and related Ad Valorem Tax Exemption. He indicated that the exemption is for 100 percent of the value of the eligible improvements for a period of ten years; that the value of the exemption will change from year to year; that Jabil will not be charged additional taxes until the ten-year agreement expires, when they will be assessed on the full value of the property; and that the company is currently building a new 170,000-square-foot headquarters facility as phase two of its four-phase expansion project.

In response to queries by Commissioners Seel and Eggers, Mr. Meidel indicated that the agreement to be presented to the Board for approval on November 17 includes specific criteria and protections for the County; that Jabil has terminated its 2017 confidential Qualified Target Industry Agreement with the County; and that the company will continue to pay approximately \$15,000 a year to the County in taxes, but will receive an estimated tax abatement of \$53,419 for the first year. He stated that Jabil currently employs 1,600 people in Pinellas County; and that the phase one project involves 86 retained employees and 12 new employees, with average wages of \$95,000 and \$62,500, respectively.

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

**Aye:** 5 - Chair Gerard, Vice-Chair Eggers, Commissioner Justice, Commissioner Long, and Commissioner Welch

**Nay:** 1 - Commissioner Seel

**Absent:** 1 - Commissioner Peters

- 53. Petition of Melissa Marie Bonilla and Michael Allen Copp to vacate a portion of a drainage, utility and/or natural easement located in Lot 5, Block A, Lake Saint George - Unit 1, Plat Book 78, Page 65, lying in Section 8-28-16, Pinellas County, Florida. (Quasi-Judicial Hearing)

Resolution No. 20-154 adopted granting the petition. Clerk authorized to record the resolution. Letters of no objection have been received from the appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff indicated no objection to the vacation request. No correspondence has been received. No citizens appeared to be heard.

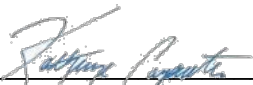
**A motion was made by Commissioner Long, seconded by Commissioner Welch, that the item be approved. The motion failed by the following vote:**

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

**Absent:** 1 - Commissioner Peters

**ADJOURNMENT - 7:27 P.M.**

ATTEST: KEN BURKE, CLERK

By   
Deputy Clerk



  
Chair