

Pinellas County

*315 Court Street
Clearwater, Florida 33756*



Minutes - Final

Tuesday, January 22, 2019

2:00 PM

Public Hearings at 6:00 PM

BCC Assembly Room

Board of County Commissioners

Karen Williams Seel, Chair

Pat Gerard, Vice-Chair

Dave Eggers

Charlie Justice

Janet C. Long

Kathleen Peters

Kenneth T. Welch

ROLL CALL - 2:00 P.M.

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

Absent: 1 - Kathleen Peters (late arrival)

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

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

1. Human Trafficking Prevention Month Proclamation:
 - Paul Valenti, Director, Office of Human Rights
 - Jeffrey Lorick, Compliance Manager, Office of Human Rights
 - Doug Templeton, Operations Manager, Consumer Protection
 - Jason Ohman, Sr. Investigator, Consumer Protection
 - Jim Clark, Investigator, Consumer Protection

Chair Seel invited Messrs. Valenti, Lorick, Templeton, Ohman, and Clark to the podium, provided background information and statistics regarding human trafficking, and related that the Board of County Commissioners adopted an anti-trafficking ordinance in March of 2016. She commended the St. Petersburg Police Department for its efforts in combatting human trafficking and encouraged people to contact law enforcement or the National Human Trafficking Hotline at 1-888-373-7888.

Chair Seel presented the group with a plaque and read a proclamation recognizing the month of January as Human Trafficking Awareness Month; whereupon, Mr. Valenti thanked the Board for its support and recognized the good work of the Offices of Human Rights and Consumer Protection.

2. Sleep Baby Safely Year Proclamation:
 - Lynda Leedy, Chief Administrative Officer, Juvenile Welfare Board & Pinellas Preventable Child Death Planning Team

Chair Seel called forward Ms. Leedy and the partners present today to accept the proclamation on behalf of the citizens of Pinellas County and recognized the Juvenile Welfare Board and the Preventable Child Death Planning Team for launching the *Sleep Baby Safely Campaign* to prevent baby deaths due to unsafe sleep; whereupon, she provided background and statistical information regarding babies dying from unsafe sleep,

discussed safe sleep tips and facts, campaign partners and resources, and played a public service announcement video.

Chair Seel presented the group with a plaque and read a proclamation recognizing 2019 as Sleep Baby Safely Year. Ms. Leedy thanked the Board and local partners for their efforts; whereupon, she discussed community programs, services, training, and education offered.

3. Partner Presentation:

- Lariana Forsythe, CEO, Community Action Stops Abuse (CASA)

Chair Seel welcomed Ms. Forsythe to the podium and thanked her and her colleagues for all that they do.

Ms. Forsythe provided background information regarding CASA, its work to assist victims of domestic violence, and its relationship with the University of South Florida St. Petersburg, noting that USFSP was asked to conduct an economic impact study to quantify the costs of domestic violence; and that the findings will be presented today.

Ms. Forsythe introduced Dr. Rebecca Lee Harris and Dr. Han Reichgelt, USFSP Kate Tiedemann College of Business; whereupon, Dr. Harris conducted a PowerPoint presentation titled *The Economic Costs of Domestic Violence in Pinellas County*, a copy of which has been made a part of the record.

Following discussion and in response to query by Commissioner Welch, Ms. Forsythe noted that the study is the first of its kind; that the data will be re-run to provide projections for the next year; and that the results are another tool in the tool box to bring light to the domestic violence issue; whereupon, the members thanked Ms. Forsythe and Drs. Harris and Reichgelt for their work.

Commissioner Peters entered the meeting at 2:32 P.M.

4. Partner Presentation:

- #PurePinellas by Commissioner Justice

Chair Seel related that Commissioner Justice will present the PurePinellas portion of the meeting; and that the segment will provide information regarding the unique quality of life that Pinellas County offers; whereupon, Commissioner Justice introduced Michael Jones, a retired boat builder and volunteer at Heritage Village.

Referring to photographs, Mr. Jones presented a brief maritime history of Pinellas County and provided background information regarding Heritage Village; the McKay Creek Boat Shop; Clark Mills, a famous local boat builder and sailor; and the worldwide impact that the boat he designed, the Optimist Pram, made to the world of sailing.

Deviating from the agenda, St. Petersburg Museum of History Executive Director Rui Farias discussed an opportunity for exploring a sister county relationship with Lincolnshire County, England, in order to promote a cultural exchange of ideas and historical artifacts.

Lincolnshire, England, Sister County Opportunity

Mr. Farias provided background information regarding Lincolnshire County, noting that the coastal community relies on tourism; that it has a large manufacturing industry; and that it has a tremendous amount of cultural artifacts that it would like to share. He related that Counselor Colin Davy, a County Commissioner from Lincolnshire, would like to focus on building a sister county relationship with Pinellas County to exchange cultural ideas and items; whereupon, he presented a letter of inquiry from Lincolnshire to the Board.

Mr. Farias indicated that the St. Petersburg Museum of History has signed a memorandum of understanding with Lincolnshire regarding an artifact exchange that will begin in January of 2020; and that he has been in discussions with local cultural facilities in Pinellas County that have expressed an interest in opening communications and arranging exhibits.

In response to queries and comments by the members, Mr. Farias related that Pinellas County would incur no cost; that the arrangement would not preclude the County from having other sister county relationships; and that Mr. Davy's travels throughout Pinellas County precipitated Lincolnshire's request.

Following discussion regarding previous international trade missions, the sister city agreement process, and local sister city relationships, the members expressed support to explore the concept. Responding to comment by Commissioner Long, Chair Seel indicated that she will reach out to a local sister city organization and request information and guidance, noting that she only met with Mr. Farias last Thursday and has not spoken with Mr. Davy.

CONSENT AGENDA - Items 5 through 15

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

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. Minutes of the regular meeting held December 11, 2018.
6. Vouchers and bills paid from December 16 through December 29, 2018.

Period: December 16 through December 22, 2018

Accounts Payable - \$17,643,579.13

Payroll - None

Period: December 23 through December 29, 2018

Accounts Payable - \$19,975,123.33

Payroll - \$3,670,151.70

Reports received for filing:

7. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2018-33 dated December 27, 2018 - Audit of Pinellas Public Library Cooperative Operations and Internal Controls.
8. Florida Development Finance Corporation financial statements for the year ended June 30, 2018 and Independent Auditor's Report.

Miscellaneous items received for filing:

9. City of Clearwater Ordinance No. 9207-18 adopted December 6, 2018, annexing certain properties.
10. City of Safety Harbor Ordinance No. 2018-20 adopted December 17, 2018, repealing Ordinance No. 2017-31 regarding the annexation of certain property.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

11. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending December 31, 2018.
12. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2018.

Solid Waste

13. Award of bid to Keystone Excavators, Inc. for the north County Satellite Site project.

Bid No. 189-0071-JJ (PID No. 000759A) in the amount of \$1,680,400.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 270 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

14. Receipt and file reports on the Law Enforcement Trust Fund for the quarters ending December 31, 2018 and September 30, 2018 (amended report).
15. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2018.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Convention and Visitors Bureau

16. Request by the City of Clearwater seeking conceptual approval for staff to review Category E Tourist Development Plan Funding Application and commence negotiations to fund retained Spring Training Facility improvements for the Philadelphia Phillies.

Mr. Burton introduced the item, noting that approval for staff engagement at this point is consistent with the Capital Project Funding Program guidelines; that approval would allow staff to review the application, enter into discussions and negotiations with the City of Clearwater, and present a recommendation regarding funding and terms for a Tourist Development Tax (TDT) funding agreement.

Clearwater Mayor George Cretekos expressed thanks for the opportunity to address the Board and introduced Clearwater City Councilmembers Dave Albritton, Bob Cundiff, Hoyt Hamilton, and Jay Polglaze; City Manager Bill Horne; Philadelphia Phillies Chief Financial Officer John Nickolas; and Clearwater Threshers General Manager John Timberlake.

Mayor Cretekos related that the City of Clearwater is seeking funding support for improvements to its Spectrum Field and Carpenter Complex spring training facilities from TDT proceeds, noting that the Phillies have agreed to be responsible for any cost overruns and, referring to a PowerPoint titled *Conceptual Approval Category E Tourist Development Plan Funding Application*, discussed the following topics:

- Background information regarding the Philadelphia Phillies and Clearwater Threshers baseball organizations and their relationships to Pinellas County
- Spectrum Field and Carpenter Complex spring training facilities
- Community events
- Renovations to Spectrum Field and Carpenter Complex
- Construction timeline
- Project costs
- Projected funding sources and funding timeline

Mayor Cretokos related that the State has an existing spring training retention funding program; that the City is asking the Board to provide approval so that it can apply for State funding; that the City and the Phillies have agreed to a term sheet outlining the arrangement; and that both County and State funding is necessary to complete the project.

Responding to queries by Chair Seel and Commissioner Long, Office of Management and Budget Director Bill Berger clarified that conceptual approval today allows staff and its consultants to engage with the City on a potential deal and does not mean approval of any agreement or funding terms. He referred to a document titled *Retained Spring Training Facility Deliverables* and provided information regarding documents that staff feels are necessary to negotiate an appropriate deal on behalf of the County and the public. Responding to queries by Chair Seel and Commissioner Long, he provided information pertaining to the County's previous investment and debt service commitment for the Phillies' stadium.

Discussion ensued, and the members expressed various concerns, including their reluctance to commit to a funding amount or participate as a majority funder. Responding to queries by Commissioner Welch, Visit St. Pete/Clearwater Consultant Dennis Long discussed the proposed economic impact study, and Clearwater Parks and Recreation Director Kevin Dunbar provided information pertaining to ticket revenue distribution, and Mr. Berger provided input.

The members discussed the Legislature's position on stadium funding, backup plans, possible scenarios involving the Tampa Bay Rays, the importance of spring training to Pinellas County and the State of Florida, and allowable TDT, or bed tax, uses; whereupon, Commissioner Long indicated that she will not support any allocation of TDT funding until there is discussion about how to relieve tourism-related traffic congestion; whereupon, Chair Seel and Mr. Burton reiterated that conceptual approval today will give the City the ability to submit its funding application to the State and authorize Mr. Long to conduct an economic impact study for future Board consideration; and that there is no set dollar amount.

Commissioner Eggers related his support for moving forward, and Chair Seel provided input regarding Tourist Development Council discussions and considerations pertaining to capital project funding. Discussion ensued, and Managing Assistant County Attorney Michael Zas provided input relating to expanded bed tax uses recently approved by the

Legislature, indicating that there are certain restrictions and funding caps; and that a Tourist Development Plan amendment may be required. Responding to comments by Commissioner Eggers, he recommended that the Board discuss the matter at its upcoming Strategic Planning Work Session, noting that the statutory amendment needs clarification; and that there is no case law, interpretation, or application guidance; whereupon, he suggested that the members consider obtaining an Attorney General opinion and canvassing other counties as to their interpretation and position.

The members provided input and agreed to have future discussions on the item and funding transportation issues going forward.

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

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

Nay: 1 - Commissioner Long

Human Services

17. Funding Agreement with WestCare Gulfcoast-Florida, Inc. for the enhancement and expansion of the Pinellas Family Drug Treatment Court.

Agreement approved, providing funding in an amount not to exceed \$792,750.00 over three years, as set forth in the Staff Report.

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

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

18. Program recommendation for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant submission.

Public Safety Coordinating Council's recommendation for a program titled *Road to Success: An expansion of the Office of the Public Defender's Pinellas County Crossover for Children Program* approved for submission to the Florida Department of Children and Families. Grant application is for funding in an amount not to exceed \$400,000.00 per year for three years. No cash match is required.

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

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

19. Second Amendment to the Agreement with Operation PAR, Inc. to incorporate funding from the 2018 Expanding Access to Quality Substance Use Disorder and Mental Health Services Grant Award and the Medicaid Low Income Pool program to expand the Medication Assisted Treatment program and establish a co-occurring intervention team for Health Care for the Homeless clients.

Amendment approved, increasing the total agreement amount by \$585,750.00 for the period of September 1, 2018, through August 31, 2019.

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

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

COUNTY ADMINISTRATOR

20. County Administrator Miscellaneous.

- Mr. Burton announced that a public hearing item regarding re-appropriation of unanticipated fund balances will be advertised and placed on the February 5, 2019 BCC meeting agenda.
- Assistant County Administrator Lourdes Benedict presented an update on activities relating to the partial federal government shutdown, and shared information pertaining to the community partners that are supporting the relief effort, contact information for the local programs and organizations offering emergency financial and food assistance, and suggested donations, noting that there are approximately 1,300 affected individuals in Pinellas County; whereupon, she discussed federal and state assistance programs and thanked all of the organizations who have partnered to provide support, adding that Human Services will continue working with County departments and community stakeholders.

Following discussion regarding the importance of working together to avoid duplicating efforts and prospective volunteers wanting to help, Ms. Benedict related that anyone can reach out to Human Services at (727) 464-8417; whereupon, the members expressed thanks to Ms. Benedict and her staff, County departments, community partners, and local volunteers.

- Mr. Burton invited Veterans Services Director Michael Hill to the podium, announced that he is retiring, and thanked him for his leadership and many years of service to the Office of Veterans Services and the veterans, residents, and families of Pinellas County. Chair Seel praised Mr. Hill for his excellent work, noting that he will be sorely missed; whereupon, he expressed gratitude to have had the opportunity to serve Veterans Services and recognized the leadership and dedication of Ms. Benedict and Human Services Director Daisy Rodriguez, noting that it is a team effort of the Board of County Commissioners, County administration, and various departments.

COUNTY ATTORNEY

21. County Attorney Miscellaneous - None.

COUNTY ADMINISTRATOR REPORTS

22. County Administrator Reports:
- Final draft of the Downtown Palm Harbor Master Plan

Mr. Burton introduced the item; whereupon, Principal Planner Rebecca Stonefield referred to a PowerPoint presentation titled *Downtown Palm Harbor* and provided an overview of the Downtown Palm Harbor Master Plan final draft, discussing the background, community recommendations, continuing efforts, public comment, and next steps.

Ms. Stonefield noted that many projects named in the original plan that was adopted in 2001 have been completed; and that in 2016, a focus group involving staff and the community was formed to identify current issues, which were subsequently studied by staff and classified into the categories of character/identity, connectivity, and branding/marketing. Concerns and recommendations include the following:

- Enhancing pedestrian experience
- Adding retail activity
- Updating historic guidelines
- Opportunities for outdoor open space
- Sidewalk gaps
- Becoming a golf-cart community
- Parking
- Safe crossing of Alternate U.S. Highway 19
- Branding and marketing efforts

Ms. Stonefield provided information regarding plan implementation tools, including form-based regulations, funding options, and organizational tools, and related that the draft was shared online with the community in early December and will remain available on the County web page for comments; that the public hearing process is anticipated to begin this spring; and that staff will continue to work with the community to address any targeted efforts and make final plan revisions based on public comments.

In response to queries by Commissioners Justice and Welch, Ms. Stonefield, with input by Planning Director Renea Vincent, provided information regarding the "Open Pinellas" forum and the Palm Harbor community's desire for a roundabout and opportunities for open space.

Commissioner Eggers indicated that the community seeks to have a mechanism for reforming the downtown so that it becomes comparable to Dunedin or Tarpon Springs. He discussed the importance of public feedback in the process, engaging and informing the community about the upcoming changes, and the need for more family friendly activities and events. Chair Seel agreed, and encouraged Palm Harbor residents and businesses to join efforts in organizing various activities similar to those held in Dunedin.

Commissioner Eggers stressed the need for a defined source of funds and other assistance for the downtown, and Mr. Burton indicated that staff will present additional recommendations with regard to unincorporated areas at the Strategic Planning Work Session on January 29.

CITIZENS TO BE HEARD

23. Public Comment.

Donna Davis, Largo, re affordable housing

Linda Stoller, Clearwater, re affordable housing

Bob Meehan, Clearwater, re affordable housing

Greg Davidson, St. Petersburg, re affordable housing

Lenore Faulkner, Madeira Beach, re public schools/charter

David Ballard Geddis, Jr., Palm Harbor, re egregious in fact!

Greg Pound, Largo, re truth

Responding to query by Commissioner Gerard, Attorney White provided an update regarding a proposed affordable housing ordinance, briefly discussing concerns of the legal staff, and at the request of Chair Seel, stated that she will provide the latest draft of the ordinance to the members.

COUNTY COMMISSION

24. Reappointments to multiple Boards (Individual Appointments by Commissioner Kathleen Peters).

Commissioner Peters introduced the item, noting that the nominees have been excellent public stewards and have served on the boards listed below in the past; whereupon, the reappointments were approved as follows:

- Local Planning Agency - Ron Schultz
- Parks and Conservation Resources Advisory Board - Mary Ann Renfrow
- Pinellas County Historical Commission - James King
- Feather Sound Community Services District, Inc. - Michael Koopman

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

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

Absent: 1 - Commissioner Welch

25. County Commission New Business Items.

Chair Seel related that the High Point Neighborhood Family Center is being considered for Community Development Block Grant funding.

26. County Commission Board Reports and Miscellaneous.

The members reported on the activities of their assigned Boards and Committees and related or discussed the following items:

Commissioner Long

- Discussed recent and upcoming activities of the Tampa Bay Area Regional Transit Authority, Pinellas Suncoast Transit Authority, and Tampa Bay Regional Planning Council.
- Attended the joint transportation funding and coordination workshop on January 18.
- Encouraged the members to attend a summit focusing on transportation to be held this week at Amalie Arena.
- Reminded the members that the annual Law Enforcement and First Responders Dinner, founded by the late Commissioner John Morroni, will be held on February 16, and invited them to attend.
- Related that the CEO of Largo Medical Center is retiring.

Commissioner Welch

- Noted that the joint transportation funding workshop was productive.
- Thanked his colleagues for joining him at the St. Petersburg Metropolitan Section of the National Council of Negro Women's 33rd Annual Dr. Martin Luther King, Jr. (MLK) Leadership Awards Breakfast on January 21 at the historic Coliseum.
- Congratulated Senator Darryl Rouson on receiving a leadership award, noting his achievements in support of the MLK Day celebration and various community projects.

- Commented on the fatal shooting of two people away from the official MLK Day celebration and the ongoing issue of violence in the area during the event, and expressed support for St. Petersburg Police Chief Anthony Holloway's actions in addressing the problem.

Commissioner Eggers

- Discussed recent and upcoming activities and meetings of Forward Pinellas, Tampa Bay Water, and the MyVA Community Engagement Board. Noted that several projects planned by Forward Pinellas will be delayed by a year as a result of budgetary impacts related to Hurricane Michael.
- Related that the Palm Harbor Community Services Agency (PHCSA) has announced its officers for next year; and that Kelli Snow will be next year's PHCSA Board Chairman.
- Briefly discussed the MLK Day celebrations in Tarpon Springs, Clearwater, and Dunedin. Noted that a recurring message of the events is to encourage people to speak out against injustice.
- Will speak at Eckerd College this week.
- Announced that a United Faiths Walk of Peace will take place on January 26, beginning at the Taoist Tai Chi Center in Dunedin.
- Reminded the members that the Council of North County Neighborhoods will host the Commissioners at its March meeting.
- Attended the open house for the East Lake Library expansion. Commended the East Lake High School orchestra for its performance at the event, and noted that a ribbon-cutting ceremony took place on January 20, and Commissioner Long provided input.
- Related that the Oldsmar Library and Woman's Club of Oldsmar will have their centennial celebration on January 27.

Commissioner Peters

- Looks forward to touring the Tampa Bay Water facility tomorrow.
- The Early Learning Coalition of Pinellas will meet this week.
- Thanked Assistant County Administrator Rahim Harji and Business Technology Services Chief Information Officer Jeff Rohrs for giving her tours of their facilities.
- Looks forward to learning about all County departments.

Commissioner Gerard

- Indicated that she was out of the office for a few days and was glad to be back.

Commissioner Justice

- Discussed recent and upcoming activities and meetings of the Area Agency on Aging, Gulf Consortium, and Homeless Leadership Board. Noted that the Area Agency on Aging Board continues to have vacancies, and provided information regarding member qualifications.
- Announced that Pinellas County was recertified as a Certified Local Government for Historic Preservation, noting that the certification makes various grant opportunities available.
- Congratulated the East Lake Library on its expansion.
- Attended the YMCA ribbon-cutting and grand opening ceremony for the child care facility at the Lealman Exchange.
- Attended the Annual MLK Leadership Awards Breakfast.

Chair Seel

- Commended Commissioner Justice for his leadership on the Historical Preservation Board.
- Attended a Habitat for Humanity ribbon-cutting ceremony regarding County properties in Dansville.
- Extended condolences to the family of Douglas Raymond Speeler, Sr., noting his service to the County and the State.
- Discussed the need to address the problem of human trafficking in the County, indicating that she will work with staff and bring further information to the Board at a future date. The members expressed their concerns regarding the issue.

Meeting Recessed: 5:08 P.M.

Meeting Reconvened: 6:00 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.

Human Rights

27. Ordinance Amending Article IV of Chapter 70 of the Pinellas County Code relating to wage theft/recovery.

Ordinance No. 19-01 adopted, as amended. No correspondence has been received. No citizens appeared to be heard.

Office of Human Rights Director Paul Valenti provided an overview of the proposed amendments to the original Wage Theft and Recovery Ordinance, explaining that they are intended to further incentivize the mediation process pertaining to recovery of unpaid wages, enhance enforceability of magistrate orders, and expand protection against retaliation. He pointed out that the proposed ordinance would allow County enforcement within the City of St. Petersburg, but in order for that to happen, the City would need to repeal its ordinance.

Commissioner Welch expressed support for the proposed amendments, including provisions regarding retaliation and repeat offenders; whereupon, Mr. Valenti indicated that based on the most recent discussions with the County Attorney's Office, the earlier proposed Section 70-308(a)(6) providing for civil penalties for employers who repeatedly violate the ordinance is recommended to be removed.

Responding to queries by Commissioner Welch, Mr. Valenti pointed out and read the above-referenced section, confirming that it was included in the proposed amended ordinance document provided to the members prior to the meeting; whereupon, he distributed copies of the latest ordinance version in which the said section had been removed. Attorney White explained that the Human Rights Office may not be legally authorized to enforce penalties for repeat violations; that including the penalties provision could potentially lead to a judicial challenge of the ordinance; and that additional research is needed to draft language that would comport with the State law in addressing the matter of repeat violations.

During discussion and responding to further queries by Commissioner Welch, Mr. Valenti indicated that no other changes to the proposed amendments are being recommended at this time. He discussed the differences between wage theft and recovery ordinances for the County and the City of St. Petersburg, and Commissioner Welch provided input, indicating that requiring an employer to publicly post information about the ordinance would strengthen it; whereupon, he congratulated Mr. Valenti on successful recovery of over \$300,000 in wage theft funds thus far.

Responding to queries by Commissioner Gerard, Mr. Valenti noted that the proposed amendments include a provision for a process whereby a repeat wage theft offender company could be determined to be nonresponsive and not responsible as a bidder, and therefore unlikely to do business with the County, unless the County deems the business necessary. At her request, he indicated that he will provide the Purchasing Department with a list of offenders on a quarterly basis to ensure compliance with the ordinance.

A motion was made by Commissioner Welch, seconded by Vice-Chair Gerard, that the ordinance be approved as amended, requesting that there be further discussion regarding repeat offender, notice of legal employer, and posting provisions as soon as possible. The motion carried by the following vote:

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

BOARD OF COUNTY COMMISSIONERS

- 28.** Case No. Q Z-29-12-18 (J&J Cranes, Inc. & James G. Lacina)
Request for a zoning change from M-1, Light Manufacturing and Industry and C-3, Commercial, Wholesale, Warehousing and Industrial Support to M-1-C-T, Light Manufacturing and Industry - Transient Accommodation Overlay, with a Development Agreement limiting the uses to a 5-story hotel and separate 1-story restaurant with development density and intensity as allowed by the property's land use and zoning designations, along with additional requirements as mandated by the Transient Accommodation Overlay, and a special exception to allow a restaurant with 75 seats or fewer in an M-1-C-T zone; on approximately 2.54 acres located near the northwest corner of the Ulmerton Road and Roosevelt Boulevard intersection in unincorporated Largo.

Resolution No. 19-1 adopted approving the request. The Local Planning Agency recommended approval, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

In response to queries by Commissioner Eggers and Chair Seel, Planning Department Zoning Manager Glenn Bailey provided information regarding the application, indicating that the Development Agreement would limit the use to a hotel and a restaurant; that the land use will remain in the Employment category; and that the future buildings will be accessed from the existing driveway on the west side, without additional driveways being created to access Ulmerton Road.

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

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

- 29.** Case No. LU-30-12-18 (Clearwater Car Wash, LLC)
Request for a land use change from Residential Low (RL) and Preservation (P) to Commercial General (CG) and Preservation (P) on approximately 1.13 acres located at 1408 North Betty Lane in unincorporated Clearwater.

Ordinance No. 19-02 adopted changing the land use designation. 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 Peters, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

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

- 30.** Case No. Q Z/LU-31-12-18 (Pinellas County and Girl Scouts of West Central Florida) Request for a zoning change from A-E, Agricultural Estate Residential, R-R, Rural Residential, R-2, Single Family Residential, R-3, Single Family Residential, RM-5, Residential Multiple Family - 5 units per acre, RPD-2.5, Residential Planned Development - 2.5 units per acre, RPD-5, Residential Planned Development - 5 units per acre, P-RM, Preservation Resource Management & AL, Aquatic Lands to P-RM, Preservation Resource - Management, PC, Preservation Conservation, RBR, Resource Based Recreation, FBR, Facilities Based Recreation & AL, Aquatic Lands (245 acres) and a land use change from RL, Residential Low and P-RM, Preservation - Resource Management to R/OS, Recreation/Open Space (1.61 acres) on approximately 245 acres consisting of Wall Springs Park and the Wai Lani Girl Scout Camp, located west of U.S. Highway Alternate 19 North in Palm Harbor.

First public hearing held. No correspondence has been received. The Local Planning Agency recommended approval of the request. No correspondence has been received. No citizens appeared to be heard. Second public hearing to be held February 26, 2019.

Commissioner Long moved, seconded by Commissioner Gerard, that the item be approved; whereupon, Attorney White indicated that no action needs to be taken at this time.

Responding to queries by Chair Seel, Planning Department Zoning Manager Glenn Bailey referred to a zoning and land use map and provided background information and an overview of the request. He indicated that there is no site plan for the proposed zoning change; that wetlands located in the area will not be affected; that no opposition has been received from the neighborhood; and that the changes will make the Future Land Use Map and Zoning Atlas consistent with each other and allow for additional recreational amenities in Wall Springs Park and more cabins in the Wai Lani Girl Scout Camp.

- 31.** Case No. Q Z-28-12-18 (Velma J. Mariani Revocable Trust & Paula Mariani Osawa Tre) Request for a zoning change from R-R, Rural Residential to R-2, Single Family Residential on approximately 5.97 acres located at the southwest corner of 123rd Street North and 74th Avenue North in unincorporated Seminole.

Resolution No. 19-2 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.

Robert Pergolizzi, Gulf Coast Consulting, Clearwater, appeared and indicated that he is the applicants' representative.

In response to query by Commissioner Justice, Chair Seel confirmed that the density for the subject property area would be the same as the property across the street.

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

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

- 32.** Case No. Q Z/LU-22-09-18 (Sheryl M. Haynes & Patrick Shaugnessy)
Request for a zoning change from R-2, Single Family Residential to C-2, General Retail Commercial & Limited Services and a land use change from Residential Low to Commercial General with a Development Agreement limiting the use on the property to a self-storage facility with a maximum height of 15 feet and intensity limited to that allowed by the property's land use and zoning designations, along with additional requirements involving site illumination, access, buffering, security, and building design; on approximately 1.92 acres located at 12909 Park Boulevard in unincorporated Seminole.

Resolution 19-3 adopted denying the request. The Local Planning Agency (LPA) recommended denial, and staff concurred. One letter in opposition to the application has been received, and one letter and a petition with 127 signatures in opposition were received in connection with the LPA hearing.

Planning Department 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 uses, and provided background information regarding the application and the zoning history of the area.

Mr. Bailey related that the area is mostly residential with commercial nodes; and that the applicants propose to build a self-storage facility in place of the existing single-family residence. He noted that while the provisions of the Development Agreement included in the proposal offer safeguards with regard to the surrounding residential properties, information about elevation and appearance of the future building, as well as a concept plan, have not been provided; and that the subject property has been zoned residential since 1977, and the neighboring commercial node, which is a shopping plaza containing a Winn-Dixie supermarket, has not expanded since the 1970s.

Mr. Bailey indicated that the LPA unanimously recommended denial of the request; that rezoning would disrupt a long-standing balance of uses; and that staff finds the proposal inappropriate and incompatible with the surrounding residential area, and inconsistent with the Comprehensive Plan; whereupon, he stated that staff recommends denial of the request.

Responding to queries by Commissioner Justice, Mr. Bailey provided clarification regarding the subject property and the surrounding uses.

Todd Pressman, Palm Harbor, indicated that he represents the applicants; whereupon, he expressed disagreement with staff's viewpoint and discussed the benefits of rezoning, based on the following reasons:

- Contrary to staff's opinion, the area is not predominantly residential, as the subject property is adjacent to a Winn-Dixie supermarket that is a part of a larger shopping plaza.
- The shopping plaza creates conditions for the property which are not suitable for a residence, including noise, truck activity, and bright illumination.
- The close proximity of the property to Park Boulevard, a major arterial roadway, is not appropriate for a residential use.
- The applicants have been unable to sell the property for a long time. According to the current real estate agent's evaluation, it is not compatible with or conducive to residential use.
- The proposed mini-storage is a better alternative for the neighborhood because it is a quiet and low traffic impact use that will not decrease property values.
- The Development Agreement provides for intensive restrictions and conditions, which would be advantageous to the neighbors, such as landscaping, buffering, fencing, and low building height.
- The proposed use is compatible with the Comprehensive Plan.

In response to the Chair's call for proponents of the request, the following individuals appeared and expressed their support:

Bob Matthews, Seminole

J.C. Brock, Seminole

Jane Lytle, Largo, Oak Tree Manor

Jeanne Wight, Largo (appeared on behalf of and read a letter from an area resident unable to appear)

The proponents based their support on the following points:

- Additional buffering and limitations can be accommodated through the Development Agreement
- The area needs more storage facilities
- The immediate area surrounding the property is not predominately residential
- Modern-day self-storage facilities are quiet and safe operations generating little traffic
- The property's proximity to the Winn-Dixie supermarket is not suitable for a residence
- Safeguards provided in the Development Agreement are sufficient to support the change
- Rezoning will cure the underutilization of the property
- The proposed facility will be a positive contribution to the community

Upon the Chair's call for opponents, the following individuals stated their concerns:

Julia Ficachi, Seminole
Meredith Johnson, Seminole
Patty Gaston, Seminole (spoke on behalf of others in attendance)
Genevieve Pettyjohn, Seminole
Debbie Raines, Seminole
Dan Babbitt, Seminole
Mary Getchell, Seminole
Glen Getchell, Seminole
Delane Ward, Seminole

Concerns expressed by the objectors included the following:

- Disruption of life for the surrounding residential neighbors
- Safety
- The property has not sold due to an inflated asking price, not proximity to Winn-Dixie; it has been under contract for sale on two occasions
- Commercial zoning is appropriate to major employment centers
- No shortage of storage facilities within a five-mile radius
- Commercial encroachment into a residential area
- Negative impact on property values
- Lack of detailed information regarding the proposal
- Clearing of trees on the property which served as a buffer from the shopping plaza
- Commercial zoning may potentially allow for facilities other than storage
- Inconsistency with the Comprehensive Plan and the Future Land Use Map

In rebuttal, Mr. Pressman questioned why the surrounding area residents were concerned about the rezoning, opining that the only affected residents would be those in the immediate vicinity of the subject property; and that the issue is being blown out of proportion; whereupon, responding to comments by the objectors, he addressed the removal of trees from the property, indicating that it did not require a permit, and restated the advantages of rezoning.

Responding to comments and queries by Commissioner Peters, Mr. Pressman noted that the area has not been designated as a scenic corridor; that if approved, the applicant would comply with the County requirements regarding drainage; and that the potential number of storage units is not yet known. Mr. Bailey indicated that the property could accommodate approximately six or seven single-family residences, should the applicant wish to sell it to a real estate developer, and Mr. Pressman provided input.

Commissioners Welch and Eggers commended Mr. Pressman on his presentation, but emphasized that the residents have an expectation that their area not be radically rezoned. Commissioner Eggers opined that the surrounding residents are legitimately concerned about commercial creep into the residential neighborhood; that the applicant has chosen to buy a property in a residential area and has options other than rezoning; that the overall vision of the corridor needs to be considered; and that the property is inappropriate for commercial use, noting for the record that he visited the area.

Commissioner Peters related that, in her lengthy experience of being personally involved with a storage facility business, she has not been aware of any complaints by surrounding residential neighbors relating to safety, traffic impact, lighting, or noise; whereupon, she indicated that she supports staff's recommendation to deny the request based on the property's location in an established residential area.

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

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

ADJOURNMENT - 7:34 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk