

# **Pinellas County**

*315 Court Street  
Clearwater, FL 33756*



## **Minutes - Final**

**Tuesday, February 8, 2022**

**9:30 A.M.**

**Hybrid In-Person and Virtual Regular Meeting**

### **Board of County Commissioners**

*Charlie Justice, Chairman*

*Janet C. Long, Vice-Chair*

*Dave Eggers*

*Rene Flowers*

*Pat Gerard*

*Kathleen Peters*

*Karen Williams Seel*

**ROLL CALL - 9:30 A.M.**

**Present:** 7 - Chairman Charlie Justice, Vice-Chair Janet C. Long, Dave Eggers, Rene Flowers, Pat Gerard, Kathleen Peters, and Karen Williams Seel

**Others Present:** Barry A. Burton, County Administrator; Jewel White, County Attorney; Katherine Carpenter, Board Records Manager; and Teresa Ribble, Board Reporter, Deputy Clerk

**INVOCATION by Reverend Dr. Jim Sorvillo, Sr., Church of the Ascension, Clearwater.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Engineers Week Proclamation:
  - Paul Bellhorn, Engineering Section Manager, Public Works
  - Becky Cook, Engineer 3, Utilities

Chairman Justice invited Mr. Bellhorn and Ms. Cook to the podium and read a proclamation recognizing the week of February 20 through 26, 2022 as Engineers Week. Mr. Bellhorn and Ms. Cook thanked the Board for the recognition.

2. Partner Presentation:
  - Rhea Law, President, University of South Florida (USF)
  - Martin Tadlock, Chancellor, USF St. Petersburg Campus

Highlighting notable events and accomplishments related to USF, including that all three of its campuses are now unified and consolidated under one accreditation, Dr. Tadlock thanked the Board for a letter directed to the Florida Speaker of the House in support of the Interdisciplinary Center of Excellence in Environmental and Oceanographic Sciences to be located on the St. Petersburg campus; whereupon, he introduced USF Interim President Rhea Law.

Ms. Law provided information related to plans and potential funding for the Center, indicating that she sees it as an opportunity for the St. Petersburg area to be known for research and education in the environmental and oceanographic sciences; that the Center would house a Florida Flood Hub; and that the total cost for the Center is estimated at \$80 million; whereupon, she indicated that \$60 million has been requested through Florida public education capital outlay funds; and that the remaining \$20 million needs to be raised through community partnerships. She concluded her remarks by expressing her hope that the Board will be amongst the needed partnerships.

The members offered congratulations and gratitude for the efforts being made by USF and, responding to queries and comments, Ms. Law, with input by Dr. Tadlock, indicated that the

Center will not contain a large conference facility; that potential funding for the Center has yet to be identified in the Florida Senate; and that students now have the ability to earn degrees in nursing and hospitality management while attending the St. Petersburg campus.

Responding to a request by Commissioner Gerard, Mr. Burton related that staff would look into whether Penny for Pinellas funds set aside for economic development could be leveraged; whereupon, Commissioner Peters expressed caution at the potential use of taxpayer dollars before clarification is obtained regarding the ability to do so; and that she believes that the County's economic development team can assist with leading USF to partners willing to invest in the Center.

## 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.**

### AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

#### Countywide Planning Authority

3. Case No. CW 22-01 - City of St. Petersburg  
Countywide Plan Map amendment from Residential Medium and Multimodal Corridor to Residential High, regarding approximately 11 acres out of an approximately 14.73-acre property, located at the northwest corner of 6th Street South and 32nd Avenue South.

Ordinance No. 22-6 adopted approving Case No. CW 22-01. Forward Pinellas, in its role as the Planning Council, recommended approval of the amendment, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

4. Case No. CW 22-02 - City of Dunedin  
Countywide Plan Map amendment from Residential Low Medium and Preservation to Recreation/Open Space and Preservation, regarding 44.68 acres more or less, located at Keene Road and 1900 Virginia Avenue.

Ordinance No. 22-7 adopted approving Case No. CW 22-02. Forward Pinellas, in its role as the Planning Council, recommended approval of the amendment, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Commissioners Eggers and Flowers commented on the collaborative efforts of both governmental entities and private donors regarding the planned use of the property.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

**5. Case No. CW 21-14 - City of Oldsmar**

Countywide Plan Map amendment from Activity Center to Activity Center, regarding 38.60 acres more or less, located in the Town Center Commercial Residential zoning district, located within the area south of Tampa Road and north of State Street East (SR 580)/State Street West.

Ordinance No. 22-8 adopted approving Case No. 21-14. Forward Pinellas, in its role as the Planning Council, recommended approval of the amendment, and staff concurred. Thirty-eight emails in opposition, four emails of concern, and six emails of support have been received by Forward Pinellas. Twenty-two emails of support have been received by the Clerk.

Referring to a PowerPoint presentation containing photographs and maps, Forward Pinellas Planning Division Manager Rodney Chatman provided information regarding the proposed site, surrounding uses, Coastal High Hazard Area considerations, and County criteria by which such requests are reviewed. He explained that the purpose of the amendment is to allow the City of Oldsmar a framework around which to incentivize vertically mixed-used development in the Town Center Commercial Residential zoning district. He noted that staff has found the proposed amendment to be consistent with Countywide rules and recommends approval.

Oldsmar Assistant City Manager Felicia Donnelly conducted a PowerPoint presentation which showed a historical perspective of the downtown area, including creation of a community redevelopment area and multiple concept plans; whereupon, she stated that the amendment is sought to incentivize residential density along Tampa Road; and that any project would require a development agreement consisting of a master development plan and enhanced Coastal High Hazard Area mitigation requirements.

Responding to comments and queries by the members, Ms. Donnelly related that this amendment would help provide workforce housing for the concentration of businesses in the City; that the first floor of a mixed-used residential development would house commercial and/or retail space; that the required development agreement would not require approval by the BCC; and that the majority of the opposition relates to topics which would be addressed during the development agreement process.

Commissioner Eggers commended the City for its vision and effort and remarked that elevation of residential space above the flood zone and the development agreement requirements will assist with solidifying a developer's commitment to a project.

Upon call by the Chairman for public comment, the following individuals expressed their support of the amendment:

Eric Seidel, City of Oldsmar Mayor

Doug Bevis, Oldsmar

Jason Sanders, Oldsmar

Vince Albanese, Oldsmar

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

## BOARD OF COUNTY COMMISSIONERS

6. Ordinance updates to Chapter 14 of the Pinellas County Code relating to animals specifically administrative, definition updates, and regarding the judicial process in Pinellas County.

Ordinance 22-9 adopted approving the updates to Chapter 14 of the Pinellas County Code relating to animals. One letter of support has been received.

Mr. Burton introduced the item, noting that the Board received a summary of actions to be taken under the proposed ordinance; and that Animal Services Director Doug Brightwell is present to answer questions; whereupon, Attorney White stated that, in advance of today's meeting, she provided the members a document containing minor editorial changes to the proposed ordinance; and that a copy has been furnished to the Clerk.

Responding to queries and comments by Commissioners Eggers and Seel, Mr. Brightwell provided the following information:

- The County may not implement a dangerous dog statute that is more strict than the State's statute, and the statute contained in the proposed ordinance is an exact replica of the State's statute.
- The proposed changes regarding fine amounts were made at the request of the court system, which would allow Judge's the discretion to establish fine amounts and the County Attorney to negotiate resolutions prior to cases going to court.
- The proposed change to Section 14-36(c)(10) related to trap-neuter-vaccinate-return (TNVR) activities provides for hours of trapping exemptions strictly for private animal nonprofit organizations. There are TNVR organizations which utilize volunteers to remain at the trap sites so that cats are removed from traps multiple times during the hours of trapping.
- Since the current ordinance has been in place, the requirement for the submittal of a

business plan for organizations planning to conduct TNVR activities has never been utilized. No other nonprofit agencies were required to submit a business plan related to conducting animal welfare activities, which created a lack of consistency. There is no training requirement for an organization to begin conducting TNVR efforts.

Commissioner Seel reiterated that she feels the hours of trapping exemption could create unintended consequences; and that the lack of training requirement for individuals conducting TNVR activities is concerning to her and to members of the community.

Upon the Chairman's call for public comment, the following individuals expressed their support of the proposed changes:

Dara Eckart, St. Petersburg  
Dan Hester, St. Petersburg  
Tara Yurkshat, Redington Beach  
Elizabeth Olson, Palm Harbor

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

**Aye:** 6 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, and Commissioner Peters

**Nay:** 1 - Commissioner Seel

## CITIZENS TO BE HEARD

### 7. Citizens To Be Heard - Public Comment

Greg Pound, Largo  
Vincent Nowicki, St. Petersburg  
David Ballard Geddis, Jr., Palm Harbor (submitted documents)  
Barbara Haselden, St. Petersburg  
Patti Sidote, St. Petersburg  
Mack Johnson, Largo  
Julie Vayne, Seminole  
A.W. Simpson, Largo  
Ron Ogden, Palm Harbor  
Aden Barnes, Largo  
Stacy Geier, Largo  
Nina Perino, Palm Harbor  
Rory King, St. Petersburg

**CONSENT AGENDA - Item 8**

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

- 8. Vouchers and bills paid from January 2 through 15, 2022.

**Approved as part of the Consent Agenda**

**REGULAR AGENDA**

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Housing & Community Development

- 9. Affordable housing project funding recommendation for Seminole Square Apartments by Archway Partners.

Recommendation conditionally approved on the successful completion of due diligence review by the County Administrator to fund the loan in the amount of \$4 million for land acquisition and construction costs. Authority delegated to the County Administrator to negotiate and approve terms, conditions, and the final funding amount not to exceed the approved amount.

Mr. Burton indicated that the project will provide 96 multifamily units and will be at or below 80% of area median income.

Responding to queries by Commissioner Seel, Community Development Manager Bruce Bussey explained that the *Penny IV Approved Project Tracker* document reflects the approval status of the various components of projects; that he feels the most important information on the chart is the construction progress percentage category; that construction of Skyway Lofts is 98% complete due to it already being under construction at the time of funding; that the plan has been to utilize Penny for Pinellas funds as quickly as possible due to the great need for affordable housing, as opposed to spending the \$80 million approved total over a longer period of time.

Mr. Burton related that conditional approval for this project gives authority to staff to complete further due diligence; that there are additional steps beyond this initial approval;

that available funds are being tracked; and that updates will be provided to the Board on a continuous cycle.

Commissioner Eggers remarked that significant public discussion occurred prior to the Pinellas for Pinellas affordable housing component being placed on the ballot for voting; and that he would like for the Board to continue to be apprised of the status of approved projects and the types of projects which are being contemplated.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

**10. Affordable housing project funding recommendation for Blue Dolphin Tower by Blue Sky Communities.**

Recommendation conditionally approved on the successful completion of due diligence review by the County Administrator to fund the loan in the amount of \$2 million for land acquisition. Authority delegated to the County Administrator to negotiate and approve final terms, conditions, and funding amount not to exceed the approved amount.

Mr. Burton indicated that the project will provide 81 multifamily units at or below 80% of area median income (AMI); and that the recommended funding sources would be \$1 million from the State Housing Initiatives Partnership (SHIP) program and slightly more than \$1 million from the Penny for Pinellas affordable housing budget.

In response to a query by Commissioner Eggers, Community Development Manager Bruce Bussey clarified that the project will be a mixed-income development located in downtown Clearwater; and that the City of Clearwater will contribute \$2.4 million to the project; whereupon, he noted that the development will be designated totally for affordable housing, with 18 units at or below 80% of AMI, 13 of the units restricted to 30% of AMI, and 56 units restricted to 60% of AMI.

Responding to a query by Commissioner Seel, Mr. Bussey related that, upon acquisition of the property by the County, it will be placed in a Land Trust which ensures permanent affordability of the project; whereupon, Clearwater Community Redevelopment Agency (CRA) Director Amanda Thompson, provided background information regarding the property, including that the CRA purchased it from the City; and that of the \$2 million purchase price specified for the County's acquisition of the property, the CRA will make a \$300,000.00 cash contribution to the Blue Dolphin Tower project. She related that it will be her recommendation for the remainder of the \$2 million purchase to be allocated for additional affordable housing projects, but that approval will rest with City Council.

Commissioner Eggers remarked that the City would be receiving \$1.7 million of taxpayer dollars; and that he would be interested in pursuing the ability to ensure that the money is

used to develop affordable housing, and Commissioner Seel concurred; whereupon, Chairman Justice indicated that he would like to have a work session discussion related to clarity of funding streams for projects.

A motion was made by Commissioner Long, and was seconded by Commissioner Flowers, that the item be approved. Commissioner Eggers indicated that he would like the motion to include restricting the use of the \$2 million purchase price to affordable housing; whereupon, Attorney White advised that she is unaware of a valid way for the County to restrict the City's use of the funds, and brief discussion ensued.

Upon the Chairman's call for public comment, the following individuals appeared in support of the funding recommendation:

Chuck Lane, Clearwater  
Shawn Wilson, Tampa

In response to a request by Commissioner Eggers for further clarification regarding funding for the project, Mr. Bussey related that the \$2 million purchase price was established based upon a somewhat dated appraisal; that an additional appraisal will be obtained prior to closing; and that the total maximum recommended funding today is \$2,050,000.00 and would be derived from the Penny and the SHIP Program.

Mr. Burton summarized that the CRA purchased the property from the City for \$1 million; that the County would be purchasing the property at the appraised amount of \$2 million; and that the City would be putting an additional \$2.4 million in the project to help lower costs so that the development is viable for affordable housing.

Responding to Commissioner Eggers' inquiry into why the County would pay \$2 million for the property, Mr. Bussey explained that if the County paid only \$1 million for the property, the overall project would be faced with a funding gap and then be unable to move forward; and that Penny funds can only be used to purchase the land.

In response to a remark and query by Commissioner Flowers, Blue Sky Communities' Shawn Wilson provided brief comments related to efforts towards leveraging as much funding as possible through both federal tax credit subsidies and private sources. Commissioner Flowers noted that the federal subsidies help reduce the cost per unit; and that Blue Sky Communities has developed a considerable number of workforce and affordable housing options throughout the community.

The Chairman allowed an additional public comment, and David Ballard Geddis, Jr., Palm Harbor, expressed his concerns.

Following the vote, Chairman Justice commented that when the Penny was placed on the

voter ballot in 2017, it passed with 83% of the vote; that today a \$5 million investment, out of the \$80 million decade-long commitment for the Penny, will help ensure that 177 Pinellas County families will be provided a better opportunity for a place called home. He reiterated that this is what the voters asked the Commissioners to do, and that the Commissioners are committed to following through with their wishes.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

### Public Works

11. Award of bid to Suncoast Development of Pinellas County, Inc. for Fiscal Years 2022-2024 Countywide Americans with Disabilities Act of 1990 sidewalks and work order sidewalk, drainage, and roadway improvements.

Contract No. 22-0022-CP (PID No. 004973A) in the amount of \$19,533,940.00 awarded on the basis of being the lowest responsive, responsible bid received. All work to be completed within 830 consecutive calendar days.

In response to queries by Commissioner Eggers, Public Works Director Kelli Hammer Levy related that the contract supports the County's road resurfacing program by bringing sidewalks into compliance with the Americans with Disabilities Act; that the contract will address any issues with drainage, curbs, or vegetation prior to any roadway improvements; and that the County's sidewalk backlog project is over 45% complete.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

12. Cooperative Funding Agreement with the Southwest Florida Water Management District for the Curlew Creek and Smith Bayou Watersheds Feasibility Study.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Utilities

13. Change Order No. 2 (Final) with TLC Diversified, Inc. for construction of the Highland Lakes Area Air Release Valve Replacement.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

## COUNTY ATTORNEY

14. Proposed settlement in the case of Raymond Mireles v. Pinellas County; Circuit Civil Case No. 20-003080-CI-19.

Settlement approved in accordance with the confidential memorandum dated February 8, 2022.

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

**Aye:** 7 - Chairman Justice, Vice-Chair Long, Commissioner Eggers, Commissioner Flowers, Commissioner Gerard, Commissioner Peters, and Commissioner Seel

15. County Attorney Reports - None.

## COUNTY ADMINISTRATOR

16. County Administrator Reports:  
- Accomplishment Report  
- COVID-19 Update  
- Appreciation to Building and Development Review Services Director Blake Lyon

Accomplishment Report

Mr. Burton introduced the report; whereupon, a video was shown highlighting the various accomplishments of the County and its employees throughout the past year.

COVID-19 Update

Mr. Burton reported that COVID metrics are improving, with an average of 584 new cases each day; that COVID tests have become more accessible; and that the testing sites at Foundation for a Healthy St. Pete and in Largo will close at the end of January and March, respectively, as a result of tests being readily available in the community.

Appreciation to Building and Development Review Services Director Blake Lyon

Mr. Burton related that Mr. Lyon is leaving the County; and that his efforts made a difference in the County's development process; whereupon, Chairman Justice and Commissioner Eggers expressed their appreciation to Mr. Lyon for his good work.

## COUNTY COMMISSION

17. County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business.

The members provided updates regarding their assigned boards and committees and discussed various topics, as follows:

Commissioner Flowers

- Tampa Bay Regional Transit Authority
- Pinellas Suncoast Transit Authority
- Restoring the American Dream Affordable Housing Conference
- Workforce and affordable housing
- Rental assistance
- Black History Month

Vice-Chair Long

- Rental assistance

Commissioner Eggers

- Commercial PACE Financing
- Term limits

Commissioner Gerard

- Affordable housing
- Consumer protections for rising housing costs

Commissioner Seel

- Consumer protections for rising housing costs

Commissioner Peters

- Housing costs

Chairman Justice

- Habitat for Humanity

**ADJOURNMENT - 12:40 P.M.**

ATTEST: KEN BURKE, CLERK

By \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chair