

Pinellas County

*Pinellas County Cooperative Extension
12520 Ulmerton Road, Largo*



Minutes - Final

Tuesday, August 24, 2021

2:00 P.M.

Hybrid In-Person and Virtual Regular Meeting

Public Hearings at 6:00 P.M.

Board of County Commissioners

Dave Eggers, Chair

Charlie Justice, Vice-Chair

Rene Flowers

Pat Gerard

Janet C. Long

Kathleen Peters

Karen Williams Seel

ROLL CALL - 2:05 P.M.

Present: 5 - Chair Dave Eggers, Vice-Chair Charlie Justice, Janet C. Long, Kathleen Peters, and Karen Williams Seel

Absent: 2 - Rene Flowers, and Pat Gerard

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Don Crowell, Assistant County Attorney; Katherine Carpenter, Board Records Manager; and Sarah Rathke, Board Reporter

INVOCATION by Reverend Dr. James Feazell, Jr., Reconciled by Truth Ministries, Pinellas Park.

Reverend Feazell appeared virtually. After several attempts to maintain a stable connection, Chair Eggers provided the invocation.

PLEDGE OF ALLEGIANCE**PRESENTATIONS AND AWARDS**

1. Civitan Club Centennial Proclamation:
- Jan Ward, President, St. Petersburg Civitan Club

Chair Eggers invited those representing the St. Petersburg Civitan Club to the podium and read a proclamation proclaiming 2021 as the centennial year for the organization; whereupon, Ms. Ward accepted the proclamation and noted the Club's contributions to citizens with developmental disabilities. She invited the Commissioners to a 100-year-anniversary celebration to be held at the Civitan Beach House on September 11 and added that the Beach House is now listed on the National Register of Historic Places.

2. 20th Anniversary Celebration for Miracles Outreach Proclamation:
- Michelle Walker, Executive Director, Miracles Outreach

Chair Eggers invited Ms. Walker to the podium and read a proclamation celebrating the organization's 20 years of service to at-risk youth in the Tampa Bay area. Ms. Walker expressed appreciation for the recognition and for the partnerships, which have allowed for continued services to youth by Miracles Outreach.

3. Partner Presentation:
- #PurePinellas by Commissioner Justice

No presentation was given.

Deviating from the agenda, Chair Eggers indicated that Commissioner Gerard wishes to attend the meeting virtually. Attorney White indicated that the Sunshine Law does allow for virtual attendance provided a quorum is physically present; whereupon, she noted the presence of a quorum and advised that the required vote be taken.

A motion was made by Commissioner Long, seconded by Commissioner Seel, that the Board allow Commissioner Gerard to participate virtually. The motion carried by the following vote:

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Flowers, and Commissioner Gerard

CITIZENS TO BE HEARD

4. Citizens To Be Heard - Public Comment.

Matt Lettellier, St. Petersburg
David Ballard Geddis, Jr., Palm Harbor (submitted documents)
Michael Bertalan, Palm Harbor
David Waddell, Clearwater
David Lee, St. Petersburg
Paige Gunn, Palm Harbor
Greg Tolman, Clearwater
Matthew Weidner, St. Petersburg
Holly Dickson, Tampa
Janet Long, address not provided

Responding to citizen comments, Mr. Burton provided an update regarding the recycling site at Wall Springs Park in Palm Harbor. He indicated that staff has met with residents; that the project is currently on hold pending a review of resident comments; and that communication with residents will occur prior to any further work being done at the site.

Mr. Burton, with input by Assistant County Administrator Lourdes Benedict, presented an update regarding COVID-19, including record-high average case positivity rates and resultant stress on the healthcare and emergency medical services systems, current vaccination percentages, hospitalizations comparing vaccinated to unvaccinated patients, testing sites, and information regarding a recently-opened antibody infusion center.

Requesting that Mr. Burton continue to provide COVID-19 updates at future Board meetings, Chair Eggers noted that staff continues to work with local healthcare systems to remain apprised of developments regarding the pandemic; whereupon, Mr. Burton indicated that staff is making logistical preparations in the event that booster doses become available.

CONSENT AGENDA - Items 5 through 23 (Item Nos. 6, 20, 21, and 23 addressed under Regular Agenda)

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

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

Absent: 1 - Commissioner Flowers

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. Vouchers and bills paid from July 11 through July 24, 2021.

Period: July 11 through July 17, 2021

Accounts Payable - \$11,620,258.33

Payroll - None

Period: July 18 through July 24, 2021

Accounts Payable - \$13,239,277.48

Payroll - \$4,229,190.39

Reports received for filing:

7. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2021-12 dated July 30, 2021 - Follow-up Investigation of Airport Rescue and Firefighting Misuse of Resources.
8. Dock Fee Report for the month of July 2021.

Miscellaneous items received for filing:

9. Affidavit of Publication of Legal Notice published in La Gaceta regarding Notice of Forfeiture of Unclaimed Money pursuant to Section 116.21, Florida Statutes (Circuit/County Court of the Sixth Judicial Circuit, Criminal, Civil, and Finance Divisions).
10. City of Safety Harbor Ordinance No. 2021-16 adopted August 2, 2021, annexing certain properties.
11. Independent Audit of the City of Largo Community Redevelopment Agency Fiscal Year 2020 Annual Report.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

12. Declare surplus and authorize the sale or donation of miscellaneous County-owned equipment.

Authorization granted. Notice provided prior to auction to interested governmental entities and not-for-profit agencies. Remaining assets to be liquidated through public auction conducted by GovDeals.com. Distribution of proceeds approved as recommended in the Staff Report.

13. Ranking of firms and agreements for requirements of continuing architectural consulting services.

(Contract No. 21-0259-CN) Ranking of firms and agreements with the following firms approved with an upset limit over the five-year term in the amount of \$700,000.00 for each firm, for a total of \$5,600,000.00.

- ARC3 Architecture, Inc.
- Canerday, Belfsky & Arroyo Architects, Inc.
- CPH, Inc.
- Harvard Jolly, Inc.
- Mason Blau & Associates, Inc.
- Renker Eich Parks Architects, Inc.
- Wannemacher Jensen Associates, Inc.
- Williamson Dacar Associates, Inc.

County Administrator

14. Receipt and file report of non-procurement items delegated to the County Administrator for the month ending July 31, 2021.

Management and Budget

15. Fiscal Year 2021 Board Budget Amendment No. 4 to realign appropriation from Reserves for Contingency in the General Fund for unanticipated Fiscal Year 2021 expenditures.

Amendment approved realigning \$120,000.00 from the General Fund Reserves for Contingencies to Development Review Services for unanticipated expenses related to implementation of credit card processing fees as outlined in the Staff Report.

Public Works

16. Grant application to the Florida Department of Environmental Protection for the Beach Management Funding Assistance program local government funding request for Fiscal Years 2022 and 2023 for the Treasure Island Nourishment 2022 project.

Resolution No. 21-49 adopted declaring support for the Treasure Island Nourishment project and approving the request for an estimated \$2,525,000.00 match of the County's projected costs, for a total amount of \$5,050,000.00 in local funding. The United States Army Corps of Engineers to provide an additional \$6,900,000.00, and the project is to commence in Fiscal Year 2022 as part of the Federal Shore Protection Project.

17. Grant application to the Florida Department of Environmental Protection for the Beach Management Funding Assistance program local government funding request for Fiscal Years 2022 and 2023 for the Long Key-Upham Beach Nourishment 2023 project.

Resolution No. 21-50 adopted declaring support for the Long Key-Upham Beach Nourishment 2023 project and approving the request for an estimated \$1,325,000.00 match of the County's projected costs, for a total amount of \$2,650,000.00 in local funding. The United States Army Corps of Engineers to provide an additional \$4,744,633.00, and the project is to commence in Fiscal Year 2023 as part of the Federal Shore Protection Project.

18. Ratification of the County Administrator's approval and execution of the grant funding agreement with the Florida Department of Environmental Protection for Red Tide Management for and within the County.

Approval and execution of the grant funding agreement ratified and confirmed. Grant funding is in the amount of \$902,500.00, and no matching funds are required.

Utilities

19. Award of bid to U.S. Submergent Technologies, LLC for wastewater grit removal services.

Contract No. 21-0360-B awarded in an estimated total amount not to exceed \$2,076,220.00 for a five-year term on the basis of being the lowest responsive, responsible bid received meeting specifications. Contract includes a provision for consumer price index adjustments at 12-month intervals, as set forth in the Staff Report.

COUNTY ATTORNEY

22. Receipt and file report of civil lawsuits filed against Pinellas County as delegated to the County Attorney.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Reports received for filing:

6. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2021-11 dated July 21, 2021 - Review of Oasis Acres Affordable Housing Development.

Housing and Community Development Director Carol Stricklin provided a summary of the former Oasis Acres Affordable Housing project, including a status update regarding the property on which the development would have been constructed and a review of nine items contained in the report issued by the Division of Inspector General. She related that efforts to address and rectify the issues contained in the report include mandatory countywide ethics training, new developer disclosure forms, expanded staff training, and increased community engagement and transparency.

At the request of Chair Eggers, and following queries and comments by the members, Mr. Burton and Ms. Stricklin, with input by Assistant County Administrator Tom Almonte, elaborated on the following topics:

- Establishment of a process for staff conflict of interest reporting, including a workflow procedure in the event of a conflict.
- Usage of a software which requires total completion of the funding application.
- For any proposed development, independent property appraisals are now obtained.
- A review and evaluation of all affordable housing procedures will be conducted.
- Developer fees as part of the normal development cycle for affordable housing projects.
- Code violation enforcement for work performed outside of permits for the former Oasis Acres project.
- Storage of developer's property on County property and proper licensing agreements.
- Increased communication and transparency with residents of affected areas.

Commissioner Justice expressed frustration at the amount of time which has passed with no completion of affordable housing developments on two properties located in the Lealman community and encouraged staff to continue moving forward so that there is not a loss of trust with residents.

Commissioner Gerard indicated that while she does not disagree with redeveloping mobile home parks, she would want any redeveloped park to be better than the one being replaced.

Mr. Burton related that staff is now considerably more engaged with the Lealman community; and that a manufactured home strategy will be forthcoming for consideration by the Board.

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

David Waddell, Clearwater
David Lee, St. Petersburg

Responding to a query by Chair Eggers, Mr. Burton confirmed that the Inspector General's report does not make reference to criminal activity; that he has requested a review of the County's affordable housing process by the Clerk of the Circuit Court and Comptroller's Office; and that he has requested an additional report from the Inspector General, which will be made public.

In response to a query by Commissioner Long, Ms. Stricklin indicated that two Lealman properties were returned to County control and provided the following information regarding potential timelines for development:

- The property located at 3901 46th Avenue North, St. Petersburg (formerly the Oasis Acres project) is anticipated to be awarded and come before the Board in early 2022. The timeline is lengthy due in part to a proposed removal of the mobile home zoning.
- The property located at 4500 43rd Street North St. Petersburg (formerly Greenway Lofts) is anticipated to be awarded and come before the Board by the end of 2021 or early 2022.

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

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

Absent: 1 - Commissioner Flowers

Utilities

- 20.** Ranking of firms and agreement with McKim and Creed, Inc. for professional engineering services pertaining to the North County sanitary sewer flow monitoring study.

Ranking of firms and Contract No. 190-0630-NC approved in a not-to-exceed amount of \$7,999,973.00. The project is expected to be completed within 336 consecutive calendar days.

Responding to a query by Commissioner Seel, Utilities Director Megan Ross indicated that she would research the email correspondence from Applied Sciences and report her findings to the Board.

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

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

Absent: 1 - Commissioner Flowers

- 21.** Ranking of firms and agreements with the two highest ranked firms for a five-year continuing services contract for professional hydrogeologic consulting services.

Ranking of firms and Contract No. 21-0067-CN with the two highest-ranked firms approved with a not-to-exceed upset limit of \$1,500,000.00 for each firm, for a total of \$3,000,000.00 over a five-year term.

- ASRus, LLC
- Jacobs Engineering Group, Inc.

In response to a query by Commissioner Seel, Utilities Director Megan Ross related that studies were presented and three projects were selected at an April 2019 work session; and that staff moved forward with implementation of the various phases. She indicated that the projects are to supplement the North County reclaimed water system and, if approved, the design and permit of the needed wells would occur; that the associated costs are part of the current budget; and that there will be status updates provided at the December 2, 2021 work session.

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

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

Absent: 1 - Commissioner Flowers

Business Technology Services

- 23.** Award of bid to Presidio Holdings Inc. d/b/a Presidio Networked Solutions LLC for Cisco equipment, software, and maintenance.

Responding to concerns expressed by Commissioner Seel, Administrative Services Director Joe Lauro related that the total contract amount reflects a cost for all County-utilized Cisco equipment; and that the fiscal impact contained in the Staff Report provides a breakdown of the specific items included in the contract.

In response to a query by Mr. Burton, Attorney White indicated that the current contract expires in September 2021.

Later in the meeting, Chief Information Officer Jeff Rohrs related that the proposed contract amount is based upon the previous five-year contract with Cisco; and that some items previously procured from different vendors will now be purchased through Cisco.

Responding to queries by Commissioner Seel, Mr. Rohrs indicated that the County's current phone system was completed in 2010; that a ten-year phone replacement schedule was built into the Capital Improvement Program; that the proposed contract is roughly a 40% increase from the previous contract; and that the total is a projection of potential spending; whereupon, he reiterated the displacement of other contracts equated to more spending with Cisco.

Following a query by Acting-Chair Justice, Mr. Burton indicated that a decision could be postponed until the September 9 meeting; and that staff would provide additional information at that time, and Mr. Rohrs concurred.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

- 24.** Award of bid to Eau Gallie Electric Inc for the purpose of relocating the airfield electrical vault.

Contract No. 21-0584-CP-MJ (PID No. 001064A) in the amount of \$3,332,560.03 awarded on the basis of being the lowest responsive, responsible bid received. All work to be completed within 224 consecutive days from the notice to proceed date.

Responding to a query by Chair Eggers, Mr. Burton clarified that the contract is for the purchase and installation of a new airfield electric vault and demolition of the existing vault.

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

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

Absent: 1 - Commissioner Flowers

Housing & Community Development

25. Local government funding in support of an affordable housing development application to the Florida Housing Finance Corporation for housing credit financing.

Application approved to provide a Local Government Area of Opportunity funding commitment for the Heritage Oaks Apartments project. Total maximum expenditure: \$610,000.00. County Administrator authorized to execute agreements and documentation associated with the application.

Bruce Bussey, Housing and Community Development, provided background information regarding the annual application cycle to the Florida Housing Finance Corporation for housing credit financing, noting that the proposed amount is anticipated to be funded through the State Housing Initiatives Partnership program.

Responding to queries by Chair Eggers and Commissioner Seel, Mr. Bussey indicated that Heritage Oaks Apartments is the highest scoring application; that the first phase of the project will consist of 80 newly constructed senior housing units, replacing 48 units on the existing Rainbow Village Apartments site; that three additional phases are planned, reaching a total of 320 units; and that the remaining three phases would likely include family housing.

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

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

Absent: 1 - Commissioner Flowers

Human Services

26. Final Option of Renewal of the Interlocal Agreement with the Florida Department of Health in Pinellas County for the Pinellas County Health Program and the Health Care for the Homeless program.

Final Option of Renewal approved providing funding in an amount not to exceed \$11,662,170.00 per fiscal year for an additional two-year term, effective October 1, 2021.

Responding to a query by Chair Eggers, Human Services Director Karen Yatchum indicated that the Coronavirus Aid, Relief, and Economic Security Act funding for the Department of Health in Pinellas County was related to expansion of testing and Coronavirus care for patients.

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

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

Absent: 1 - Commissioner Flowers

27. Second Option of Renewal and Amendment 3 with Homeless Leadership Alliance of Pinellas, Inc. for operational costs and direct services.

Second Option of Renewal and Amendment 3 approved providing funding in an amount not to exceed \$288,330.00 for a period of 12 months, effective October 1, 2021.

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

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

Absent: 1 - Commissioner Flowers

Parks and Conservation Resources

28. Agreements between Pinellas County, the Florida Botanical Gardens Foundation, and the Majeed Foundation for the construction of the Majeed Discovery Gardens within the Florida Botanical Gardens.

License and naming rights agreements approved and waiver granted of the County's Philanthropic Naming Rights Policy for the construction of a children's garden. Funding for the estimated \$2.3 million facility is comprised of a \$600,000.00 Majeed Foundation donation, other private donations, and cash reserves from the Florida Botanical Gardens Foundation (FBGF). Expected completion of the project is in Calendar Year 2022. No County funds are required.

Responding to queries by Commissioner Seel, Parks and Conservation Resources Director Paul Cozzie indicated that the agreement is for a term of 25 years, with a 15-year renewal option; that the Majeed Foundation is the largest donor to date; that the FBGF will contribute \$500,000.00; and that there has been one additional donation of \$500,000.00, along with approximately \$200,000.00 by individual donors; whereupon, he related that there is yet to be an outcome for a cultural grant application by the FBGF to the State of Florida. He noted that revenue from the Discovery Gardens will be split evenly between the County and the FBGF.

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

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

Absent: 1 - Commissioner Flowers

Public Works

- 29.** Community Aesthetic Feature Agreement and associated authorizing Resolution with the Florida Department of Transportation for the installation of murals on the four entryway walls of two Fred Marquis Pinellas Trail tunnels as part of the Graffiti Abatement program.

Resolution No. 21-51 adopted approving the agreement (FDOT Agreement No. 2021-M-799-00001) through June 30, 2031; there is no fiscal impact to the County associated with this agreement.

In response to a query by Chair Eggers, Mr. Burton and Public Works Director Kelli Hammer Levy clarified that the Public Works Department had received and reviewed correspondence from the public, conducted public opinion surveys, and held seven public meetings in order to vet and select applicants and hear public input; whereupon, in response to comments from Chair Eggers, she discussed the location of the murals and the Graffiti Abatement program.

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

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

Absent: 1 - Commissioner Flowers

- 30.** First Amendment for an extension and increase to the agreements with five firms for requirements of land surveying and mapping, subsurface utility locating, and geographic information system services.

(Contract No. 156-0014-CN) Amendment approved increasing the contract by \$150,000.00 per firm for a total increase of \$750,000.00 and a revised total contract value for the five firms of \$4,250,000.00, effective through April 18, 2022.

In response to queries by the members, Public Works Director Kelli Hammer Levy indicated that the County is going to be putting out a new request for these services per the Consultant Competitive Negotiation Act; and that approval of the amendment provides staff adequate time to prepare the new request.

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

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

Absent: 1 - Commissioner Flowers

31. Interlocal Agreement with the City of St. Petersburg for Red Tide cleanup and reimbursement.

Interlocal Agreement approved providing County reimbursements to the City for attributed expenses related to red tide clean up in City waterways.

In response to a query by Chair Eggers, Mr. Burton related that the County will be reimbursed for all costs.

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

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

Absent: 1 - Commissioner Flowers

32. Interlocal Agreement with Hillsborough County, the City of St. Petersburg, and the City of Tampa for the Cross Bay Ferry Inter-City.

The item was deferred to the September 21 meeting. Agreement proposes to share costs of an inter-city passenger ferry service between the cities of St. Petersburg and Tampa. Proposed County costs total \$822,500.00 over four years beginning October 2021, as defined in the Staff Report.

In response to a query by Chair Eggers, Mr. Burton indicated that information regarding whether the ferry service could become self-sustaining has been requested from HMS Ferries, Inc.; and that the service cannot currently be used as a regular mode of transportation as the ferry does not provide consistent rides during the work week.

The members indicated that they had received numerous calls and emails from constituents over the previous weekend in support of the ferry service; and that they need more information regarding potential revenue and benefits to Pinellas County.

Attorney White related that the Board has the ability to terminate the agreement by June 1, 2022; and that, if the agreement were approved, that would allow staff to come back with more information; whereupon, the members discussed the following topics:

- Outreach conducted by citizens in support of the ferry
- The potential of using the ferry as an advertising venue and as regular transit
- Lack of communication and the need for more information from the company, including financial reports

- The use of Pinellas County taxpayer funds to subsidize the ferry service when the majority of passengers are City of St. Petersburg residents
- What demographic is taking advantage of the ferry and why
- The service's eligibility for federal funds
- The possibility of terminating the agreement early

Upon call by the Chair, the following individuals appeared to be heard:

Matthew Miller, Miami
Greg Horwedel, Tampa

Discussion ensued; whereupon, Chair Eggers received the Board's consensus to defer the item to the September 21 meeting.

Safety and Emergency Services

- 33.** Fourth Amendment to the Agreement with Motorola Solutions, Inc. for professional engineering and construction services pertaining to the Multi-Site Tower Replacement project.

(Contract No. 134-0251-NC) Amendment approved increasing the contract in the amount of \$4,591,397.00 for a revised total amount of \$26,993,146.00 through December 31, 2023.

Public Safety and Emergency Services Director Jim Fogarty appeared and provided an overview of the revisions made to the contract.

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

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

Absent: 1 - Commissioner Flowers

COUNTY COMMISSION

- 40.** County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and Other New Business.

Chair Eggers indicated that he will be leaving early to attend the 5:00 PM Canvassing Board meeting; and that Commissioner Justice will assume the role of Acting Chair. Deviating from the agenda, Chair Eggers noted that the Board will address Item No. 40 at this time.

Chair Eggers requested that the Board vote on a letter to submit to the Florida Department of Transportation indicating that the BCC does not wish to restrict special lighting of the Skyway Bridge recognizing Breast Cancer Awareness Month and Lennox-Gastaut Syndrome Awareness Day.

In response to a query by Commissioner Seel, Chair Eggers indicated that he has raised members' concerns regarding the increasing number of bridge lighting requests; and that if the increase continues, the bridge lighting policies may be revisited.

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

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

Absent: 1 - Commissioner Flowers

Resolution No. 21-52 approved supporting the State of Florida's honorary dedication of East Lake Road (C.R. 611) between Forelock Road and Keystone Road, in Pinellas County, Florida, as the Deputy Michael J. Magli Memorial Road.

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

Absent: 1 - Commissioner Flowers

At this time, 5:25 PM, Chair Eggers left the meeting, and Vice-Chair Justice assumed the gavel.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

34. Reappointments to the Emergency Medical Services Medical Control Board.

Sitting as the Emergency Medical Services Authority, the Board approved the reappointments of the following individuals for two-year terms ending in July 2023:

Dr. Krista Gillis as a primary Trauma Center representative
Dr. Andrea Apple as an alternate Trauma Center representative
Dr. Stephen Haire as an Emergency Physician representative
Dr. Brian Charity as an alternate Emergency Physician representative
Dr. Jose Barquin Jr. as an Emergency Physician representative

Dr. Jeremy White as an alternate Emergency Physician representative

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

Human Resources

- 35.** Second Amendment to the Agreement with Willis Towers Watson US LLC for benefits consulting services.

(Contract No. 178-0396-P) Amendment approved in an annual amount of \$291,000.00, increasing the contract to a not-to-exceed total amount of \$1,455,000.00 and replacing the First Amendment, which is terminated in its entirety. The implementation process shall be completed by January 1, 2022 and continue through December 31, 2024. Willis Towers Watson (WTW) to be paid solely by commissions as set forth in the Amendment.

Responding to concerns related by Commissioner Seel, Human Resources Director Kimberly Crum indicated that, in response to requests from the Employee Advisory Committee, the County has decided to provide voluntary benefits to employees related to accident, critical illness, and hospitalization policies; that it needs an insurance broker to sell those benefits; that the County has an option to pay the consultant directly for the procurement of these benefits; and that in lieu of direct payment, the consultant will accept only commissions as its form of compensation.

In response to an additional query by Commissioner Seel, Ms. Crum stated that the acceptance of commissions is common practice; and that she does not believe it will create a conflict of interest; whereupon, she provided an overview of the voluntary insurance policies and the additional coverage provided in addition to employees' standard health insurance benefits.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

COUNTY ATTORNEY

36. Dual legal representation with Bryant Miller Olive P.A.

Law offices of Bryant Miller Olive P.A. approved to engage in dual legal representation with Pinellas County and various other clients. Delegated authority granted to the County Attorney to execute Conflict Waiver Request.

Attorney Crowell noted that Bryan Miller Olive P.A. is requesting that the County update the conflict waiver request.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

37. Proposed settlement through Plan Confirmation in the case of In re: Mallinckrodt PLC, et al, Debtors; Mallinckrodt PLC Case No. 20-12522 (bankruptcy).

Attorney Crowell stated that the County Attorney's Office is requesting a delegation of authority to the plaintiff's outside counsel in order to make an election within bankruptcy court.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

38. County Attorney Reports:
- County Redistricting Board Update

Attorney Crowell noted that the County's Redistricting Board will be holding its first meeting on September 1 at 6:00 PM in the Magnolia Room at the Pinellas County Extension Office, 12520 Ulmerton Road, Largo, Florida.

COUNTY ADMINISTRATOR

39. County Administrator Reports - None.

Meeting Recessed: 5:35 P.M.

Meeting Reconvened: 6:05 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.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Educational Facilities Authority

- 41.** Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue Bonds in an aggregate principal amount not to exceed \$9,000,000.00 on behalf of Athenian Academy, Inc.

Resolution No. 21-53 adopted approving the issuance of bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986. No correspondence has been received, and 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: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

- 42.** Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue Bonds in an aggregate principal amount not to exceed \$16,000,000.00 on behalf of Galaxy Education Property Holdings, LLC, the sole member of which is Galaxy Education, Inc. d/b/a Discovery Academy of Science.

Resolution No. 21-54 adopted approving the issuance of bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

Countywide Planning Authority**43.** Case No. CW 21-08 - City of Tarpon Springs

Countywide Plan Map amendment from Residential Medium to Employment, regarding 0.16 acre more or less, located at South Disston Avenue between East Lemon Street and East Boyer Street, Tarpon Springs.

Ordinance No. 21-18 adopted approving Case No. CW 21-08. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the amendment. Staff was unable to make a recommendation due to their meeting being canceled due to the impacts of Tropical Storm Elsa. No correspondence has been received, and no citizens appeared to be heard.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

44. Case No. CW 21-09 - City of Tarpon Springs

Countywide Plan Map amendment from Employment to Retail and Services, regarding 0.61 acre more or less, located at 41680 U.S. Highway 19 North, Tarpon Springs.

Ordinance No. 21-19 adopted approving Case No. CW 21-09. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal. Staff was unable to make a recommendation due to their meeting being canceled due to the impacts of Tropical Storm Elsa. No correspondence has been received.

Upon call by Acting-Chair Justice for public comment, Jamie Maier, Tampa, appeared and related that she represents the applicant and is available for questions.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

45. Ordinance amending the Countywide Rules (second public hearing).

Ordinance No. 21-20 adopted approving the amendment to the Countywide Rules. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the amendments, and staff concurred. No correspondence has been received, and 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: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

BOARD OF COUNTY COMMISSIONERS

46. Petition of Landen Clint Patrick Miller to vacate that portion of the 15 foot right-of-way lying west of and adjacent to the north ½ of Lot 4, Pinellas Groves, Plat Book 1 Page 55, lying in the northeast ¼ of the northwest ¼ of Section 29-30-15, Pinellas County, Florida, less that portion lying within 33 foot of the north line of Section 29-30-15. (Legislative Hearing)

Petition denied. Letters of no objection have been received from the appropriate parties. All interested parties have been notified as to the date of the public hearing, and two comments in opposition to the application have been received.

Building and Development Review Services Director Blake Lyon referred to a PowerPoint presentation and provided information regarding the location of the right-of-way and its relation to surrounding properties, the current use of the right-of-way, and details regarding potential impacts in accessibility to conduct electrical maintenance if the petition were granted. He indicated that there were no objections to the petition from utility providers or County departments; and that staff recommends approving the petition.

Landen Miller, Seminole, appeared, indicated that he is the applicant, and provided two packets that included photographs of the property and the surrounding alleyway. He related that the County and Duke Energy will have to cross through his gate in order to access the electrical transformers; that he does not want to upset his neighbors; and that he hopes that his petition is granted so that his family can have more privacy.

Upon call by Acting-Chair Justice for public comment, David Turngren, Seminole, appeared and stated his concerns regarding the petition.

Responding to Mr. Turngren's concerns, Mr. Miller stated that he had previously reached out to Mr. Turngren; that utility companies will still have access to the power poles; that he has been responsible for the upkeep of the property; and that everything on the property is compliant with Pinellas County code requirements.

In response to queries by Commissioner Long, Mr. Lyon acknowledged Mr. Miller's previous confusion regarding land code regulations and stated that staff had provided the applicant and neighbors with information regarding zoning and code requirements; that Mr. Miller has previously complied with code enforcement; that the gate on the property is a code violation and needs to be addressed; and that a Duke Energy crew member would have to walk between the sides of the yards and climb the pole or use cranes to lift heavier objects into place during electrical maintenance.

Commissioner Long emphasized the importance of providing utility workers access to transmission centers to the Board. In response to queries by Commissioner Seel, Attorney

Crowell indicated that the petition is simply to vacate the County's interest in the property; that, under Florida Statutes, the right-of-way would revert back to Mr. Miller if vacated; that Mr. Miller could share the right-of-way with his neighbors; but that the Board cannot direct him to do so under the petition.

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

Aye: 3 - Commissioner Gerard, Commissioner Long, and Commissioner Seel

Nay: 2 - Vice-Chair Justice, and Commissioner Peters

Absent: 2 - Chair Eggers, and Commissioner Flowers

- 47.** Petition of Noell Family to vacate the 15-foot wide right-of-way of an unnamed street lying south and adjacent to Lot 6, Block II, Pleasant Valley Addition to Tarpon Springs, Plat Book 14, Page 12, north and adjacent to Tract 61, Tampa and Tarpon Springs Land Company Subdivision, Plat Book H1, Page 116, east of and adjacent to the easterly right-of-way of Fred Marquis Pinellas Trail and West of and adjacent to the west right-of-way of Pleasant Avenue, Lying in Section 24-27-15, Pinellas County, Florida. (Legislative Hearing)

Resolution No. 21-55 adopted granting the petition. Letters of no objection have been received from the appropriate parties. All interested parties have been notified as to the date of the public hearing, and no correspondence has been received. No citizens appeared to be heard. Staff recommended approval of the request.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

- 48.** Ordinance amending Chapter 138-Zoning and Chapter 146-Historic Preservation of the Pinellas County Land Development Code establishing the Downtown Palm Harbor Form-Based Code. (Companion to Item Nos. 49 & 50)

Ordinance No. 21-21 adopted approving the amendment to the County Code. No correspondence has been received. David Ballard Geddis Jr., Palm Harbor, appeared before the Board and related his concerns regarding the item.

Attorney Crowell stated that there were some minor changes to the ordinance between the first and second public hearing.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

- 49. Resolution changing the zoning classification of approximately 64 acres comprising the greater Downtown Palm Harbor area from OPH-D, Old Palm Harbor Downtown, C-2, General Commercial and Services, C-2-H, General Commercial Services-Historic Preservation Overlay, R-3, Single Family Residential, R-4, One, Two, and Three Family Residential, LO, Limited Office, GO, General Office, C-1, Neighborhood Commercial, E-1, Employment 1, E-1-Co, Employment 1-Conditional Overlay and E-2, Employment 2 To DPH-FBC, Downtown Palm Harbor - Form Based Code District. (Companion to Item Nos. 48 & 50)

Resolution No. 21-56 adopted authorizing the zoning classification changes. The Local Planning Agency recommended approval of the request. No correspondence has been received, and no citizens appeared to be heard.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

- 50. Resolution adopting the Downtown Palm Harbor Design Guidelines. (Regular Agenda Item that is Companion to Item Nos. 48 & 49)

Resolution No. 21-57 adopted approving the Downtown Palm Harbor Design Guidelines. No correspondence has been received, and no citizens appeared to be heard.

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

Aye: 5 - Vice-Chair Justice, Commissioner Gerard, Commissioner Long, Commissioner Peters, and Commissioner Seel

Absent: 2 - Chair Eggers, and Commissioner Flowers

ADJOURNMENT - 7:04 P.M.

ATTEST: KEN BURKE, CLERK

By *Ken Burke*
Deputy Clerk



Dave Eggers
Chair