

Pinellas County

*315 Court Street
Clearwater, FL 33756*



Minutes - Final

Tuesday, May 24, 2022

2:00 P.M.

**Hybrid In-Person and Virtual Regular Meeting
Public Hearings at 6:00 P.M.**

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 - 2:03 P.M.

Present: 5 - Acting Chair Janet C. Long; Dave Eggers, Rene Flowers; Kathleen Peters; and Karen Williams Seel

Absent: 2 - Charlie Justice, Chairman; and Pat Gerard

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Derelynn Revie, Board Records Manager; and Katie Poviones, Board Reporter, Deputy Clerk

INVOCATION by Reverend Clarence Williams, Greater Mt. Zion AME Church, St. Petersburg.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Memorial Day Proclamation**

Acting Chair Long invited Reverend Robert Swick to the podium and read a proclamation recognizing servicemen and women for their bravery and sacrifice to protect the nation's freedom.

2. National Historic Preservation Month Proclamation:

- Thomas Scofield, Principal Planner, Housing and Community Development
- John Barie, Vice Chairman, Historic Preservation Board

Acting Chair Long invited Messrs. Scofield and Barie to the podium and read a proclamation recognizing May 2022 as National Historic Preservation Month; whereupon, she acknowledged the contributions that individuals and organizations make to preserve the tangible aspects of history.

3. Partner Presentation:

- Chuck Carden, General Manager, Tampa Bay Water

Referring to a PowerPoint presentation, Mr. Carden provided background information regarding Tampa Bay Water, noting that it has been the region's wholesale drinking water provider for the last 25 years, and discussed the following:

- Current local water sources
- Growing water demand projections
- Three options for the next water supply project: South Hillsborough Wellfield, Surface Water Treatment Facility expansion, and Seawater Desalination Plant expansion
- Project evaluation criteria and schedule

Responding to a query by acting Chair Long, Mr. Carden provided information about the Tampa Bay Water Board action to remove South Hillsborough Wellfield project from consideration, and discussion of various topics pertaining to water sources ensued. Acting Chair Long suggested that Mr. Carden attend a future Commission workshop meeting to inform the members of the organization's activities; whereupon he offered to take the Commissioners on a tour of the facility.

CITIZENS TO BE HEARD

4. Citizens To Be Heard - Public Comment.

David Ballard Geddis, Jr. (submitted documents)
Stacy Geier, Largo

CONSENT AGENDA - Items 5 through 22 (Item Nos. 17 and 19 addressed under Regular Agenda)

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. Minutes of the regular meeting held March 8, 2022.

The item was approved as part of the Consent Agenda.

6. Correction to minutes of January 11, 2022, Item No. 28, Board action corrected to "approved".

The item was approved as part of the Consent Agenda.

7. Vouchers and bills paid from April 10 through 30, 2022.

Period April 10 - 16, 2022

Accounts Payable - \$14,303,530.12

Payroll - \$4,084,881.48

Period April 17 - 23, 2022

Accounts Payable - \$16,863,891.59

Payroll - None

Period April 24 - 30, 2022

Accounts Payable - \$31,508,047.64

Payroll - \$3,999,382.77

The item was approved as part of the Consent Agenda.

Reports received for filing:

8. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2022-07 dated April 25, 2022 - Unannounced Audit of the Utilities Customer Service/Branch Services Office Change Fund.

The item was approved as part of the Consent Agenda.

9. Quarterly Donation Listing of \$1,000 or more for the quarter ended March 31, 2022.

The item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

10. City of Seminole Ordinance No. 02-2022 adopted March 22, 2022, annexing certain properties.

The item was approved as part of the Consent Agenda.

11. City of Seminole Ordinance No. 03-2022 adopted April 12, 2022, annexing certain properties.

The item was approved as part of the Consent Agenda.

12. Tampa Bay Water Annual Financial Report and Audited Financial Statements for the Fiscal Year ended September 30, 2021.

The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

13. Award of bid to F.H. Paschen, S.N. Nielsen & Associates LLC, Commercial Interiors, Inc., Centennial Contractors Enterprises, Inc., Caladesi Construction Co., Astra Construction Services, LLC, and Foresight Construction Group, Inc. for requirements of Job Order Contracting for the Department of Administrative Services.

Contract No. 22-0042-CP awarded in the upset limit amount of \$4,000,000.00 to each of the six contractors (total amount, \$24,000,000.00) for a five-year term based on being the lowest responsive, responsible price multipliers received meeting specifications; price multipliers are fixed for the term of the contract.

The item was approved as part of the Consent Agenda.

14. Declare surplus and authorize the sale of County-owned equipment and vehicles.

Authorization granted. Assets to be liquidated through public auction conducted by auction vendors under provisions of existing contracts.

The item was approved as part of the Consent Agenda.

County Administrator

15. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending April 30, 2022.

The item was approved as part of the Consent Agenda.

Housing & Community Development

16. Annual update to the Pinellas County's Community Rating System program for Public Information and Pinellas County's Local Mitigation Strategy.

The item was approved as part of the Consent Agenda.

Public Works

18. Award of bid to Bayshore Construction, Inc. for the Countywide Annual Boardwalk, Fishing Pier and Observation Tower improvements.

Contract No. 22-0143-CP awarded in the amount of \$5,914,075.50 for a term of 1,095 calendar days on the basis of being the lowest responsive, responsible bid received meeting specifications.

The item was approved as part of the Consent Agenda.

Utilities

20. Award of bid to TLC Diversified, Inc. for the construction of the South Cross Bayou digester gas equipment improvements.

Contract No. 22-0082-CP (PID No. 004358A) awarded in the not-to-exceed amount of \$822,800.00 for a term of 270 consecutive calendar days on the basis of being the only responsive and responsible bidder.

The item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

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

The item was approved as part of the Consent Agenda.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Housing Finance Authority

22. Housing Finance Authority of Pinellas County: 2021 Annual Report on the Pinellas County Housing Trust Fund Program.

Amendment approved realigning \$6,179,880.00 from Reserves for Contingencies in the General Fund and \$1,125,210.00 from Reserves for Contingencies in the Risk Financing Fund as outlined in the Staff Report.

The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Housing & Community Development

17. Award of contract to Witt O'Brien's LLC for the Emergency Rental Assistance Program Administration and rescind award with Tetra Tech, Inc.

Contract No. 21-0271-B approved in the amount of \$551,100.00 for a 12-month term. The original contract with Tetra Tech, Inc. rescinded due to non-performance issues.

Mr. Burton indicated that over 5,300 households have been provided with rental assistance through the grant funding; and that the program administrator, Tetra Tech, Inc., has incurred financial penalties and will incur additional penalties for failing to meet certain performance standards under the contract; and that upon the Board's approval, the new vendor would initiate the program tomorrow.

Mr. Burton related that the program applicants will be notified of the change; and that the County is continuing to look for additional federal rental assistance funds, including an opportunity to receive more funding through the program, based on pending Treasury Department guidelines.

In response to queries by Commissioner Flowers, Mr. Burton indicated that funding requested through the current applications is anticipated to exceed the amount of funds available by July; and that there are specific guidelines that outline the funds usage; whereupon, Housing and Development Manager Bruce Bussey explained that the applicants who started the process this month have been notified that the application will be closing down; that the County is trying to prevent new applicants from applying; that if additional funding becomes available, the application could reopen; and that once the funds are depleted, staff will update the Board with regard to the number of any applicants who were unable to receive the funding.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Utilities

- 19.** Award of bid to Backflow Apparatus & Valve Co. and Test Gauge Inc. for backflow prevention assembly parts.

Contract No. 22-0100-B-BW awarded in a total amount not to exceed \$1,524,330.75 for a 60-month term on the basis of the lowest responsive, responsible bids received. The contract replaces the current contract expiring in August 2022. Test Gauge Inc. awarded the amount of \$939,775.05 for bid sub-groups 3.1, 3.2, 3.5, 3.7, 3.9, and unspecified materials, based on bid tabulation results; the award totaling \$584,555.70 is split between Backflow Apparatus and Valve Co. (for sub-groups 3.3 and 3.4) and Test Gauge Inc. (for sub-group 3.8) based on lot drawing.

Mr. Burton indicated that this item involves a tie between bids for unit pricing between Backflow Apparatus and Test Gauge for bid sub-groups 3.3, 3.4, and 3.8; and that under procurement rules, it is required that a drawing to determine the awards be conducted by a Commission Chair. He invited Purchasing and Risk Management Division Director Merry Celeste to the podium, and she provided sealed envelopes for each sub-group to the Chair for the drawing; whereupon, Backflow Apparatus was selected for sub-groups 3.3 and 3.4, and Test Gauge for sub-group 3.8.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

23. Ranking of firms and agreement with Mason Blau and Associates, Inc. for design services pertaining to the construction of the new North County Service Center. (Companion to Agenda Item No. 24)

(Contract No. 21-0592-NC) Ranking of firms and agreement approved in the upset limit amount of \$3,008,734.46 over a 730-day term.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

24. Ranking of firms and agreement with Creative Contractors, Inc. for Construction Manager at Risk services (Phase One) pertaining to the North County Service Center. (Companion to Agenda Item No. 23)

(Contract No. 21-0750-NC) Ranking of firms and agreement approved in the amount of \$97,500.00 for a term of 730 consecutive calendar days for Phase One services.

In response to a query by Commissioner Eggers, Mr. Burton clarified that Items Nos. 23 and 24 pertain to funding for contractor-at-risk and design services, respectively; and that a request for funding of the construction costs will be brought back to the Commission for approval at a later date. Director of Administrative Services Joe Lauro provided an overview of the project, indicating that a new building will be built in an effort to consolidate the North County Offices of the Tax Collector, Property Appraiser, and Clerk of the Circuit Court.

Commissioner Seel noted that, despite future annual savings in rent, it will take a long time to recoup high construction costs, and suggested that the new building be as plain and efficient as possible. Commissioner Eggers agreed and emphasized the importance of providing a one-stop-shop service for the County customers, and brief discussion ensued.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Airport

25. Award of bid to Oshkosh Airport Products, LLC for Aircraft Rescue and Fire Fighting vehicle.

Contract No. 22-0236-B approved in the amount not to exceed \$783,255.00 on the basis of being the lowest responsive, responsible bid received meeting specifications.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

26. Grant application for Federal Assistance submission to the Federal Aviation Administration for airport improvements at the St. Pete-Clearwater International Airport.

Grant application for the Infrastructure Investment and Jobs Act Fiscal Year 2022 apportionment funding approved for submission in the amount of \$4,914,957.00; the grant expires in five years.

In response to queries by acting Chair Long and Commissioner Eggers, Airport Director Tom Jewsbury indicated that the airport is doing very well in terms of passenger numbers and flight services; whereupon, he provided details regarding the crash of a twin-engine aircraft at the St. Pete-Clearwater International Airport and related that the runway on which the crash occurred meets Federal Aviation Administration distance requirements.

Responding to a concern by Commissioner Peters, Mr. Jewsbury indicated that he will be coming back to the Board with more information regarding the next phases of the airport terminal development.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

County Administrator

27. Pinellas County Sheriff's Police Athletic League, Inc. Fiscal Year 2022 Municipal Services Taxing Unit special projects funding request for contributing funds to a new portable classroom at the PAL location in Lealman.

Funding request approved for a total one-time amount of \$18,446.00 to contribute towards the purchase of one new portable classroom.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Economic Development

28. Data Sharing Agreement between the Florida Department of Economic Opportunity and Pinellas County Economic Development.

Agreement approved establishing guidelines for disclosure of confidential information for the two parties.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Management and Budget

29. The American Rescue Plan Act Projects Phase 1.1 Revised Spending Plan and Fiscal Year 2022 Budget Amendment No. 22-01 to realign County received funds from the American Rescue Plan Act State and Local Fiscal Recovery Fund with the American Rescue Plan Act Projects Phase 1.1 Revised Spending Plan.

Resolution No. 22-36 adopted conceptually approving the American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund Projects Phase 1.1 Revised Spending Plan; the revised Plan totals \$188,459,069.00, which is an increase of \$3,615,825.00. Fiscal Year 2022 Budget Amendment No. 22-01 approved realigning Fiscal Year 2022 appropriation of \$52,908,000.00 to allow for initiation of the revised spending plan.

Responding to queries by Commissioner Eggers and acting Chair Long, Mr. Burton, with input by Office of Management and Budget Director Chris Rose, provided the following information:

- The revised spending plan frees some Penny for Pinellas funds, but there are Penny projects for which work has been expanded.
- Updates regarding the Toytown Study and the Unincorporated Seminole recreation facility improvements will be presented at upcoming work sessions.
- The Computer-Aided Dispatch (CAD) contract was solicited without the required federal terms and conditions and contributed to the need for funds to be realigned in order to move the project forward. The CAD project will be a complete build-out for integrating emergency services, and all participants will commit to an equitable share of ongoing maintenance costs.

- Staff will provide the Board with periodic updates regarding the revised spending plan, and all related contracts will be brought to the Board for approval.
- More information related to the spending plan is forthcoming on the County's website.
- It is anticipated that a proposed contract with the Pinellas County Community Foundation for administration of the 501(c)(3) program will be presented to the Board in late June.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

- 30.** Resolution authorizing the County to irrevocably exercise its option to exchange the Sewer Revenue Refunding Note, Series 2021A for the Sewer Revenue Refunding Note, Series 2022; issue the Notice to Exchange; and the issuance of not to exceed \$40,900,000.00 Sewer Revenue Refunding Note, Series 2022 to refund the County's outstanding Taxable Sewer Revenue Refunding Note, Series 2021A.

Resolution No. 22-37 adopted authorizing the Board to exchange a taxable Sewer Revenue Refunding Note, Series 2021A, for a tax-exempt Sewer Revenue Refunding Note, Series 2022, in an issue amount not to exceed \$40,900,000.00, resulting in a reduction in interest cost of the outstanding loan by \$539,591.84 over the life of the Note.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Public Works

- 31.** Amendment No. 1 to the Project Cooperation Agreement with the United States Army Corps of Engineers for federal participation in the Pinellas County Shore Protection Project at Sand Key, Treasure Island, and Long Key.

Amendment approved increasing the total 50-year (plus the six-year extension for the Treasure Island segment) estimated cost from \$143,362,000.00 to a revised total agreement amount of \$491,046,000.00 (County's cost adjusted from \$58,360,000.00 to \$186,377,225.00); the amendment extends the schedule for the Treasure Island portion of the project to December 31, 2025.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority**32.** Appointments to the Emergency Medical Services Medical Control Board.

Serving as the Emergency Medical Services Authority, the Board approved the following appointments and reappointments for two-year terms ending in April 2024:

Appointments

- Matthew Novak as a Hospital Administrator representative
- Kelly Malloy as a Hospital Administrator alternate representative
- Diane Conti as a Hospital Administrator alternate representative
- Dr. Anthony Ottaviani as the Pinellas County Osteopathic Medical Society alternate representative

Reappointments

- Nancy Hopkins as a Hospital Administrator alternate representative
- Michael Irvin as a Hospital Administrator representative
- Amelia Russell as a Hospital Administrator representative
- Dr. Joseph Namey as the Pinellas County Osteopathic Medical Society representative
- Dr. Krista Gillis as an Emergency Physician, Trauma Center representative

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

33. Appointments to the Emergency Medical Services Advisory Council.

Sitting as the Emergency Medical Services Authority, the Board approved the following appointments and reappointment for two-year terms ending April 2024:

Appointments

- Tina Ambrose as citizen representative for District 4
- Ty Dougherty as citizen representative for District 6
- Erin Bates as the Pinellas County Health Department alternate representative

Reappointment

- Gayle Guidash as the Pinellas County Health Department representative

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Housing Finance Authority

- 34.** Resolution approving the issuance of Multifamily Housing Revenue Bonds by the Housing Finance Authority of Pinellas County to finance a multifamily residential rental housing project, Oakhurst Trace.

Resolution No. 22-38 adopted approving the issuance in a principal amount not to exceed \$22,000,000.00. The project includes the acquisition, construction, and equipping of a 220-unit multifamily rental housing facility located in Pinellas Park.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Supervisor of Elections

- 35.** Resolution approving adjustment of precinct lines.

Resolution No. 22-39 adopted approving the establishment of new precinct boundaries as a result of redistricting.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

COUNTY ATTORNEY

36. Proposed settlement in the case of Robert Burns v. Pinellas County Sheriff's Office; Workers' Compensation, Office of the Judges Compensation Claims Case No. 13-018207RLY.

Proposed settlement approved in accordance with the confidential memorandum dated May 24, 2022.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

37. County Attorney Reports:
- Recent County litigation update

Attorney White referenced letters from the County Attorney's Office (CAO) to the Supervisor of Elections and the Clerk of the Circuit Court pertaining to multiple representation of clients by the CAO, noting that they were provided to the Board at its May 19, 2022 work session; whereupon, she requested approval of conflict waivers for both parties, in an abundance of caution, so that the CAO can continue providing routine legal services to them.

Responding to a query by Commissioner Eggers, Attorney White clarified that the request is similar to the conflict waiver request recently approved by the Board for an outside counsel.

County Litigation Update

Attorney White provided information regarding multiple hearings held in Tallahassee on May 23 during which the lawsuit filed by the CAO with regard to Senate Bill 524 was dismissed. She indicated that the case was not dismissed with prejudice, which allows the lawsuit to be amended; and that a written order will be available shortly. Concurring with a comment by acting Chair Long, Attorney White confirmed that the Clerk of the Circuit Court's motion to intervene in the lawsuit was denied; but that there remains an additional lawsuit filed by the Clerk in Pinellas County; whereupon, she indicated that she and her staff will take some time to conduct a review of the recent proceedings and will then return to the Board with informed thoughts.

Acting Chair Long, noting that she was present at the hearings as the Board's representative, commended the members of County's legal team for their level of preparation and expressed her appreciation for their work; whereupon, Commissioner Flowers thanked acting Chair Long for representing the Board and applauded the legal team, indicating that she felt the CAO moved the lawsuit forward with factual information.

A motion was made by Commissioner Peters, seconded by Commissioner Flowers, that the conflict waivers for the Offices of the Supervisor of Elections and the Clerk of the Circuit Court be approved. The motion carried by the following vote:

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

COUNTY ADMINISTRATOR

38. County Administrator Reports:

- Orange Station status update

Mr. Burton provided a brief update regarding Orange Station at the EDGE District in St. Petersburg, noting that an analysis of the project is being completed by the Economic Development Department and an outside consultant; and that a presentation will be made to the Board at its June 21 meeting.

COUNTY COMMISSION

39. County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business: - Skyway Lighting Resolutions (Commissioner Justice)

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

Commissioner Flowers

- Pinellas Suncoast Transit Authority
- CareerSource Pinellas
- Tampa Bay Area Regional Transit Authority

Commissioner Eggers

- Condolences to the family who lost their son due to an accident in John's Pass

Commissioner Seel

- Forward Pinellas
- Recognition of Executive Aide Jan Tracy's 20 years with the County

Bridge Illumination Resolutions

Resolution No. 22-40 adopted indicating the Commission's support of the Florida Department of Transportation lighting the Bob Graham Sunshine Skyway Bridge in recognition of World MS Day on May 30, 2022.

Resolution No. 22-41 adopted indicating the Commission's support of the Florida Department of Transportation lighting the Bob Graham Sunshine Skyway Bridge in recognition of World Fragile X Awareness Day on July 22, 2022.

Acting Chair Long accepted one motion for approval of the two resolutions.

Responding to queries by Commissioner Flowers and acting Chair Long, Mr. Burton indicated that he would follow up with staff regarding sources of funds for housing; and that the meeting with Cross Bay Ferry partners is scheduled for May 25.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Meeting Recessed: 3:47 P.M.

Meeting Reconvened: 6:04 P.M.

6:00PM

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

- 40.** Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue Bonds in an aggregate amount not to exceed \$5,000,000.00 on behalf of Academie Da Vinci Charter School, Inc.

Resolution No. 22-42 adopted approving the issuance of bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986. No correspondence has been received.

Upon call by the acting Chair Long for public comment, Robert Symanski, Clearwater, appeared and related that he is the Director and Treasurer of Academie Da Vinci Charter School; and that the intent for the requested funds is to refinance the property.

A motion was made by Commissioner Eggers, seconded by Commissioner Seel, that the item be approved.

The motion carried by the following vote:

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

Deviating from the agenda, Mr. Burton suggested that Item No.43 be heard before Items Nos. 41 and 42 due to timing, and the members agreed.

BOARD OF COUNTY COMMISSIONERS

43. Case No. ZON-22-01 (Christopher R. Licea)

A request for a change of Zoning from R-3, Single Family Residential to C-2, General Commercial and Services on approximately 0.09 acre located at 5659 66th Way North in west Lealman. (Quasi-Judicial)

Resolution No. 22-43 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

41. Case No. FLU-21-06 (Salamander Innisbrook, LLC) (first public hearing)

An Ordinance amending the Future Land Use Map of Pinellas County, Florida, by changing the land use designation of approximately 64.1 acres located at 36750 U.S. Highway 19 North in Palm Harbor; from Recreation/Open Space, Residential Suburban and Residential Low Medium to Residential Low; and from Residential Estate Residential Suburban and Residential Low Medium to Recreation/Open Space.

First public hearing held and staff authorized to transmit the proposed ordinance to the State Land Planning Agency (Florida Department of Economic Opportunity) for review and comment. The Local Planning Agency recommended approval of the amendments. Six emails in opposition and two letters expressing concerns have been received.

Long Range Planning Manager Scott Swearngen referred to a PowerPoint presentation containing maps and photographs of the area, pointed out the location of the subject property, described the surrounding land uses, and provided background information regarding the application and property, explaining that the request is for a large scale amendment, and thus, requires two public hearings, with today being the hearing on transmittal of the ordinance to the State for review; that there is no change proposed to the Residential Planned Development (RPD) zoning on the property; and that there are proposed modifications to the Development Master Plan (DMP) associated with the zoning, which would be heard by the BCC at the second hearing.

Mr. Swearngen related that 2,305 residential units were approved to be developed in the late 1960's as part of the Innisbrook master plan; that 1,876 units have been built to date; and that the applicant is proposing to modify one of four golf courses on the property by converting a portion of it into a "short" golf course and redeveloping the remaining portion to build 180 of 429 units available through the master plan; whereupon, he explained how the proposed amendment would support the request.

Mr. Swearngen highlighted that no new residential units are being proposed; that Residential Low designation would bring the density down to 5 units per acre; that the applicant is committed to mitigating impacts that a small portion of residential units may have on a Coastal High Hazard Area; that the proposal would decrease the current amount of non-dedicated recreation/open space land on the property from 73% to 72% for a net reduction total of 11.35 acres; and that a traffic impact study showed minimal impact on surrounding public roadways.

Mr. Swearngen stated that staff finds the proposed amendment to be compatible with the surrounding uses and consistent with the Pinellas County Comprehensive Plan; that impacts are minimal; and that both the Development Review Committee and Local Planning Agency recommended approval. In response to queries by Commissioner Eggers, Mr. Swearngen provided clarification regarding the proposed locations of the land use changes on the property.

Ed Armstrong, Hill Ward Henderson, appeared, related that he is the attorney for the applicant, and spoke on the applicant's outreach efforts to the area residents; whereupon, he introduced Michael Williams, Palm Harbor, as the Managing Director of the Innisbrook Golf Resort. Mr. Williams discussed the history of Innisbrook, improvements to the resort which would be facilitated by the proposed land use amendment, and the resort's community outreach campaign to remain transparent, gain feedback, and keep residents, members, and neighbors informed. He emphasized that the improvements would enable the resort to remain viable with competing golf resorts around the world.

Cyndi Tarapani, Tarpon Springs, appeared and indicated that she is the planner for the project. She elaborated on the history of the resort and the amendment's compatibility with the Comprehensive Plan, highlighting that the applicant has committed to conditions beyond the current County regulations to address potential storm events and sea level rise.

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

Marcus Greene, Seminole
Jan Stephenson, New Port Richey
Dan Mathieson, Palm Harbor
Brigid Hugh, Palm Harbor
John Hadden, Palm Harbor
Kimberly Kuhn, Tarpon Springs

Thereupon, the following individuals stated their concerns, citing compatibility with the surrounding neighborhood, height of a wall pertaining to the redevelopment, and potential negative impacts to neighboring property values:

Bill Lomaka, Palm Harbor
Mike Willey, Palm Harbor

In rebuttal, Mr. Armstrong addressed the opponents' concerns, noting that public input will continue to be incorporated into the process, as more specific details of the development are formulated; and that the applicant is proposing larger setbacks than the zoning requires, as well as abiding by height limits per zoning guidelines.

Responding to a query by Commissioner Eggers, Attorney White advised that the Board take a vote with regard to the transmittal of the application to the State.

Thereupon, the members commented on future opportunities for the applicant to address the concerns of the community, the substantial communication efforts by the applicant to keep residents informed, Innisbrook's positive impact on tourism and the community, and related matters.

A motion was made by Commissioner Seel, seconded by Commissioner Peters, that the application be transmitted to the State. The motion carried by the following vote:

Aye: 5 - Acting Chair Long; Commissioner Eggers; Commissioner Flowers; Commissioner Peters, and Commissioner Seel

Absent: 2 - Commissioner Gerard, and Chairman Justice

42. Case No. ZON-21-11 (William J. and Joan Kimpton)

A request for a change of Zoning from R-A, Residential Agriculture to R-R-CO, Residential Rural-Conditional Overlay with the Conditional Overlay limiting the number of primary residential units to a maximum of two single family dwellings on approximately 2.12 acres located at 1645 Chaplene Court in unincorporated Dunedin. (Quasi-Judicial)

Resolution No. 22-44 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. 37 emails in opposition have been received.

Referring to a PowerPoint presentation containing maps and photographs, Zoning Manager Glenn Bailey pointed out the location of the subject property, described the surrounding land uses, and provided background information regarding the application, indicating that the applicant has one house on the subject property and wishes to build one more detached single-family house; that the proposed zoning would enable him to do so, as it has a smaller lot size requirement; and that the proposed conditional overlay would reduce the maximum number of allowable residential units in an effort to address the neighbors' concerns over potential impacts of increased development. He noted that there are drainage issues on the southwest corner of the subject property; thus, the applicant has proposed to move that lot and build the second home opposite of that area; that the subject property is a remnant area of residential agricultural zoning, located in the unincorporated Dunedin; and that all surrounding properties have been annexed into the City of Dunedin.

Mr. Bailey indicated that the proposed zoning would allow for a total of two detached single-family homes, as well as accessory residential and personal agricultural uses; that the minimum lot size would be larger than most of the surrounding residential properties; and that the land use will remain unchanged. He noted that the applicant has expressed willingness to work with the neighbors to address the drainage concerns; and that the new home construction would be subject to Pinellas County Land Development Code standards and is required to go through the permitting process, including drainage regulations; whereupon, he expressed that the proposed amendment is compatible with surrounding uses and the Comprehensive Plan; and that the Development Review Committee and Local Planning Agency recommended approval.

In response to queries by the members, Pinellas County Development Review Services Engineer Randy Ayers provided additional information regarding the drainage issues on and around the property, explaining that a previous owner dug a depression that is functioning as a retention pond and lessening the potential amount of flooding; that the County cannot effectively alleviate the existing drainage problems in the area, as the surrounding properties are part of the City of Dunedin; and that his Department ensures that water flow is not blocked or diverted to the detriment of the neighbors during their review of single-family residences and their grading plans.

William Kimpton, Dunedin, appeared, related that he is the applicant, and discussed his acquisition of the property and discussions with neighbors and City staff in attempt to rectify the drainage issues. He emphasized that he amended his previous application, utilizing the conditional overlay to limit the number of allowable units to two instead of five in an effort to address concerns by the neighbors; that the City staff was not receptive to taking responsibility for the drainage issues on the subject property because it is unincorporated; and that he plans to attenuate whatever additional drainage is created by development on the property.

Thereupon, the following individuals stated their concerns, citing the potential for the exacerbation of the existing drainage issues by the new construction, a desire for the City and the County to collaboratively address drainage prior to changing the zoning, and potentially hazardous driving conditions if the flow of water was diverted to Brady Drive:

Penny Haiduk, Dunedin
Neil Kirschman, Dunedin
John Davis, Dunedin
Debbie Davis, Dunedin

In response to queries by the members, Mr. Bailey noted that concerns related to drainage are not addressed during a zoning change, but rather, in the permitting process afterwards; and that further steps in the process for the application will be handled by staff if the Board approves the zoning change.

Responding to queries by Commissioner Peters, Mr. Ayers provided clarifying comments regarding flow lines around the subject property and reiterated that the County cannot act on the drainage issue because it does not have access to the City drainage system in the surrounding lots and streets; and that the County would ensure that the drainage is appropriate on the subject property.

Commissioner Eggers remarked that the request to add a home seems reasonable based on the amount of available land. In response to his concerns, Mr. Burton clarified that the City asked for the Board to delay the public hearing to give their staff the opportunity to meet with the property owner, but that Mr. Kimpton requested for the hearing to take place as scheduled, which he has the right to do.

During discussion, Commissioner Flowers noted that a letter from the City, included in the agenda packet, states that staff considered a potential solution to the drainage issues, but it was determined to be incompatible with the elevations in the area; whereupon, responding to a query by acting Chair Long regarding the applicant's request to keep the hearing as scheduled, Mr. Kimpton indicated that previous discussions with City staff had not resulted in any workable solutions, and thus, he wanted to get the County involved to come to a resolution, noting that he would provide the County with an easement to do so.

Responding to further queries by the members, Mr. Burton related that the City should work with Mr. Kimpton to address the drainage issues, regardless of the Board’s decision on the zoning change. Mr. Ayers indicated that if his Department was working on a project involving multiple parcels, the easements between the subject property and the surrounding parcels would be obtained to maintain the flow pattern; that Mr. Kimpton will be required to retain any incremental increase in discharge caused by the development; and that the existing drainage issues in the area are not his responsibility; whereupon, discussion ensued regarding potentially deferring the application to address the drainage issues, the Board’s responsibility to consider the zoning request, and future collaboration between the County and the City staff to find a solution.

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

- Aye:** 3 - Acting Chair Long; Commissioner Eggers; and Commissioner Peters
- Nay:** 2 - Commissioner Flowers, and Commissioner Seel
- Absent:** 2 - Commissioner Gerard, and Chairman Justice

Earlier in the meeting, Mr. Burton noted that Items Nos. 44 and 45 need to be removed from the agenda because the public hearings were not properly advertised and need to be resubmitted. No actions were taken.

- 44.** Ordinance adopting a new Pinellas County Comprehensive Plan to be known as PLANPinellas; providing for a new Vision Element, the update and replacement of each Element and the associated Future Land Use Category Descriptions and Rules, as per State Statute requirements.
- 45.** Ordinance amending Appendix A, the Ten-Year Water Supply Facility Plan, of the potable water supply, wastewater, and reuse element of the Pinellas County Comprehensive Plan. (second public hearing)

Attorney White recognized Attorney David Sadowsky for his 33 years of employment with the County and related that this is his last BCC meeting, as he is retiring next month; whereupon, the members congratulated him and thanked him for his service. Mr. Sadowsky thanked the Board and Attorney White and provided brief comments regarding his tenure with the County.

ADJOURNMENT - 8:26 P.M.

ATTEST: KEN BURKE, CLERK

Chair

By _____
Deputy Clerk