

Pinellas County

*315 Court Street
Clearwater, Florida 33756*



Minutes - Final

Tuesday, September 24, 2019

2:00 P.M.

Public Hearings at 6:00 P.M.

BCC Assembly Room

Board of County Commissioners

Karen Williams Seel, Chair

Pat Gerard, Vice-Chair

Dave Eggers

Charlie Justice

Janet C. Long

Kathleen Peters

Kenneth T. Welch

ROLL CALL - 2:01 P.M.

Present: 7 - Chair Karen Williams Seel, Vice-Chair Pat Gerard, Dave Eggers, Charlie Justice, Janet C. Long, Kathleen Peters, and Kenneth T. Welch

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Jeanette L. Phillips, Chief Deputy Clerk; and Chris Bartlett, Senior Board Reporter, Deputy Clerk

INVOCATION by Associate Pastor Gina Godfrey, Faith Family Outreach Church, Clearwater.

PLEDGE OF ALLEGIANCE**PRESENTATIONS AND AWARDS****1. 2020 Census Proclamation:**

- Reginald Earl, Partnership Specialist-Florida, U.S. Census Bureau

Chair Seel invited Constance Hill of the Atlanta Regional Census Center to the podium and read a proclamation declaring full support of the Pinellas County Board of County Commissioners to the U.S. Census and its goals. She provided background information regarding the efforts of the Complete Count Committee and thanked Ms. Hill for her leadership; whereupon, Ms. Hill stated her appreciation of the Board's continued support and Commissioner Welch provided brief comments.

2. National Fire Prevention Week Proclamation:

- Chief Brett Schlatterer, Fire Chiefs Association Representative, Pinellas Park Fire Department
- Craig Hare, Division Director, EMS & Fire Administration

Chair Seel read a proclamation recognizing October 6 through 12 as National Fire Prevention Week, presented a plaque to Chief Schlatterer and Mr. Hare, and thanked fire professionals for their partnership.

3. 2019 Pinellas County Fire Professionals of the Year Awards:

Emergency Fire Dispatcher

- Nicole McKeigue, 9-1-1 Telecommunicator 2, Pinellas County Regional 9-1-1 Center Fire Professional
 - Allen Ahern, Fire Fighter/Paramedic (FF/PM), Treasure Island Fire Rescue Special Operations: Pinellas Park SWAT Team, Pinellas Park Fire Department
 - Lt. Brian Davies, SWAT Medic Team Leader
 - Kenny Huertas, FF/PM and alternate SWAT Medic Team Leader
 - Jared Nestor, FF/PM
 - Chris Huffman, FF/EMT
- Pinellas Federal Credit Union
- Monica Lukasik, Marketing Specialist
 - Ken Cameron, VP of Lending and Collections

Chair Seel presented the awards and congratulated the recipients; whereupon, a video was shown, and the Pinellas County Federal Credit Union representatives presented checks to the awardees.

4. Partner Presentation:
- #PurePinellas by Commissioner Justice

Commissioner Justice noted the importance of Arts in the community; whereupon, he introduced Opera Singer Rimas Karnavicius who sang an excerpt from *Pinocchio*, which will be performed by the St. Petersburg Opera Company in November.

CITIZENS TO BE HEARD

5. Public Comment.

Lenore Faulkner, Madeira Beach, re education excellence for the poor
James Stott, St. Petersburg, re Trap, Neuter, Return
Phil Edwards, Largo, re feral cat policy (submitted document)

CONSENT AGENDA - Items 6 through 23

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

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

6. Minutes of the regular meeting held August 20, 2019.
7. Vouchers and bills paid from July 21 through August 17, 2019.

Period: July 21 through July 27, 2019

Accounts Payable - \$14,645,340.72

Payroll - \$3,694,530.34

Period: July 28 through August 3, 2019

Accounts Payable - \$51,553,209.63

Payroll - None

Period: August 4 through August 10, 2019

Accounts Payable - \$10,836,436.93

Payroll - \$3,747,274.10

Period: August 11 through August 17, 2019

Accounts Payable - \$12,000,881.72

Payroll - None

Reports received for filing:

8. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-25 dated August 23, 2019 - Investigation of Sunstar Paramedics Conflict of Interest.
Commissioner Eggers commended the work and commitment of the Division of the Inspector General.
9. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-26 dated August 29, 2019 - Follow-Up Investigation of PCCLB Employees' Misuse of County Time - Respondent #1.
10. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-27 dated August 29, 2019 - Follow-Up Investigation of PCCLB Employees' Misuse of County Time - Respondent #2.
11. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-28 dated August 29, 2019 - Unannounced Audit of the Fort De Soto Park Imprest Funds.
12. Quarterly Investment Report for the period ended June 30, 2019.
13. Dock Fee Report for the month of August 2019.

Miscellaneous items received for filing:

14. City of Dunedin Notice of Public Hearing to be held November 21, 2019, regarding proposed Ordinance No. 19-23 annexing certain property.
15. City of Oldsmar Ordinance No. 2019-07 adopted August 20, 2019, annexing certain property.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

16. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending August 30, 2019.

Public Works

17. Joint Participation Agreement with the Florida Department of Transportation for utility work located at the north county satellite site.

(FDOT Financial Project No. 256774 4 A8/58 01) Agreement in the amount of \$1,255,220.00 approved, providing for reimbursement to the County following construction completion.

At the request of Commissioner Eggers, Director of Solid Waste Paul Sacco provided an update on the status of the satellite site project, noting that the additional drainage line request from FDOT has caused a delay in the original plans; and that the projected completion date is August 2020.

Utilities

18. Award of bid to Wharton-Smith, Inc. for the Capri Isle Pump Station Upgrade project.

Bid No. 189-0350-RO (PID No. 002151A) in the amount of \$6,108,430.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 540 consecutive calendar days. Chair authorized to sign the agreement and the Clerk to attest.

In response to Commissioner Eggers, Utilities Section Manager Steve Soltau provided background information and history regarding the water system infrastructure upgrade.

19. Ranking of firms and agreement with Hazen and Sawyer, P.C. for professional engineering services pertaining to the Denitrification Filter Rehab project at the South Cross Bayou Water Reclamation Facility.

Ranking of firms and Contract No. 189-0771-NC approved in the amount of \$1,061,294.00 for a term of 1,095 consecutive calendar days from the notice to proceed date. Chair authorized to sign and the Clerk to attest.

COUNTY ATTORNEY

20. Notice of new lawsuit and defense of the same by the County Attorney in the case of David Ballard Geddis, Jr. v. Pinellas County; Small Claims Case No. 19-006257-SC- small claims action.

21. Notice of new lawsuit and defense of the same by the County Attorney in the case of Robert M. Menke and Jan P. Menke v. Pinellas County, et al.; Circuit Civil Case No. 19-005088-CI-15 - action for quiet title and declaratory judgment.

22. Notice of new lawsuit and defense of the same by the County Attorney in the case of RICAPP, LLC v. Pinellas County, et al.; Circuit Civil Case No. 19-005342-CI - action for quiet title.
23. Authority for Pinellas County to participate in a class action settlement concerning the purchase of liquid aluminum sulfate in the Federal Court case Liquid Aluminum Sulfate Antitrust Litigation; Civil Action No. 16-md-2687 (JLL) (JAD).

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

24. Airline Operating and Use Agreement with Allegiant Air, LLC for the operation of scheduled commercial air service at the St. Pete-Clearwater International Airport.

Agreement approved for Fiscal Years 2020 through 2024, providing approximately \$14,286,222.00 in revenue over the five year term. Chair authorized to sign and the Clerk to attest.

At the request of Commissioner Eggers, Airport Director Thomas Jewsbury discussed various charges and fees received from the airlines and compliance with the voluntary noise abatement program. He confirmed that there will be a significant increase in estimated revenue over the next five-year period.

Responding to query by Commissioner Justice, Mr. Jewsbury related that there is capacity to accommodate additional flights, and discussions are in progress with various airlines for future service; whereupon, he noted that Allegiant Airlines plans to add international flights.

In response to queries by Commissioners Long and Welch, Mr. Jewsbury clarified that the frequency of Allegiant Airline flights is demand-driven; and related that the Gateway Express and Parking Lot Expansion projects have not inhibited airport operations to date.

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

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

25. Public Transportation Grant Agreement with the Florida Department of Transportation for rehabilitation of the terminal parking apron and conversion of Runway 09/27 to a taxiway at the St. Pete-Clearwater International Airport.

(FDOT Financial Project No. 436794-1-94-01; Contract No. G1B42; PID No. 000033A) Agreement in the amount of \$4.5 million approved, providing 50 percent of the total project costs. Chair authorized to sign and the Clerk to attest.

Referring to an aerial photograph, Airport Director Thomas Jewsbury provided information regarding the projects associated with the grant.

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

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

- 26.** Grant Application for Federal Assistance submission to the Federal Aviation Administration for the Fiscal Year 2019 Capital Improvement Program project for the St. Pete-Clearwater International Airport and authority to execute Grant Agreement. (Companion to Item No. 27)

Airport Improvement Program Grant application for funding in the amount of \$19,746,344.00 approved for submission. The grant would provide for the completion of the Runway 18-36 Rehabilitation project (PID No. 000035A). Chair authorized to execute and the Clerk to attest the application form and grant agreement.

Airport Director Thomas Jewsbury discussed the project, noting that construction is scheduled to begin later this year, with completion in January 2021. Responding to query by Commissioner Eggers, he provided information on the three phases of work associated with the grant.

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

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

- 27.** Award of bid to Ajax Paving Industries of Florida, LLC for the St. Pete-Clearwater International Airport Runway 18-36 Rehabilitation project. (Companion to Item No. 26)

Mr. Burton requested that the item be deferred to October 8, pending grant execution by the Federal Aviation Administration.

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

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

Human Services

- 28.** Agreement with the District Six Medical Examiner for professional services related to the Medical Examiner's Office and Pinellas County Forensic Laboratory.

Professional services agreement between Pinellas County and District Six Medical Examiner Jon R. Thogmartin M.D., P.A. in an amount not to exceed \$6,109,250.00 for Fiscal Year 2020, approved.

In response to query by Chair Seel, Office of Management and Budget Director Bill Berger clarified that fees are not assessed to Pinellas County; and that Pasco County is being billed for services provided.

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

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

- 29.** Grant award from the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration for Assisted Outpatient Treatment services for individuals with serious mental illness.

Grant award approved and accepted providing year two funding in the amount of \$997,160.00 (total four-year grant amount, \$4,013,640.00). No match required.

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

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

- 30.** Grant award from the U.S. Department of Health and Human Services for the next 12 months of Expanding Access to Quality Substance Use Disorder and Mental Health Services Grant for the Health Care for the Homeless program.

Grant award approved and accepted to continue annual funding in the amount of \$140,750.00. No match required.

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

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

- 31.** Grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for Integrated Behavioral Health Services supplemental funding for the Health Care for the Homeless program.

Grant award approved and accepted providing funding in the amount of \$167,000.00. No match required.

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

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

- 32.** Interlocal Agreements with the Public Defender's Office for jail diversion, juvenile crossover case managers, a therapist for the Ready for Life program, and an information technology position.

Agreements approved in a total amount not to exceed \$1,201,000.00 for Fiscal Year 2020.

Chair authorized to sign and the Clerk to attest.

Chair Seel requested a report be provided by the Public Defender's Office on the Ready for Life program and the positions that increased funding has been provided for.

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

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

Public Works

- 33.** Local Agency Program Agreement and associated authorizing resolution with the Florida Department of Transportation for the 62nd Avenue sidewalk improvement project from 62nd Street North to east of 58th Street North.

Resolution No. 19-71 adopted approving the agreement (FDOT Financial Project No. 438022 1 58/68 01/02; County PID Nos. 003306A [sidewalk] and 000957A [intersection improvement]) providing construction grant funding in a maximum amount of \$474,367.00. Chair authorized to sign the agreement and the Clerk to attest.

Commissioner Justice related that the project provides better access to the Wounded Warriors Ability Ranch, and Chair Seel noted that the project includes intersection improvements in addition to sidewalks.

In response to query by Commissioner Welch, Transportation Division Director Ken Jacobs provided an update on the configuration of the project and the use of funding.

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

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

Real Estate Management

- 34.** Lease Agreement with the State of Florida Department of Juvenile Justice for space located at 14500 49th Street North in Clearwater.

Resolution No. 19-72 adopted and lease agreement approved for a term of five years, with automatic one-year renewals.

In response to comments and queries by the members, Real Property and Facility Management Director Andrew Pupke discussed the lease agreement terms and provided information regarding the 25-year history and the expectation under Florida Statute pertaining to co-located intake services.

Responding to comments by Commissioner Long, Mr. Burton related that a separate conversation should be scheduled to assess and address how the County provides space for outside agencies; whereupon, Commissioner Justice noted that the Mary Grizzle building referenced by Commissioner Long may not meet the distance expectations with respect to the Justice Center.

In response to comments by Commissioner Gerard, Mr. Pupke provided additional information regarding an offset of revenue in conjunction with the intake of juveniles through the Sheriff's office.

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

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

Safety and Emergency Services

- 35.** Medicaid Public Emergency Medical Transportation Letter of Agreement between Pinellas County Emergency Medical Services dba Sunstar and the Agency for Health Care Administration that allows Pinellas County to participate in the State Fiscal Year 2019-2020 Medicaid Public Emergency Medical Transportation Intergovernmental Transfer program.

Agreement approved in accordance with Agency for Health Care Administration requirements, providing for projected Fiscal Year 2020 net revenue in the amount of \$2,537,404.62. Chair authorized to execute the agreement.

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

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

Utilities

- 36.** Change Order No. 3 to the agreement with Tamco Electric, Inc. for requirements of light duty commercial electrical repairs.

Mr. Burton requested that the item be deferred for additional legal review.

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

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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

37. Advanced Life Support First Responder Agreement with 16 municipalities and independent fire districts.

Sitting as the Pinellas County Emergency Medical Services Authority, the Board approved the agreement, providing funding in the amount of \$38,321,747.00 for a five-year term beginning October 1, 2019, with the option for one additional five-year extension. Chair authorized to sign and the Clerk to attest.

Chair Seel noted that the agreement maintains 25 percent in reserves, in accordance with Board Policy.

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

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

38. Issuance of Certificate of Public Convenience and Necessity for a non-medical wheelchair transport provider.

Sitting as the Pinellas County Emergency Medical Services Authority, the Board approved the issuance of a certificate to KERT, LLC., in accordance with Chapter 54, Pinellas County Code. Chair authorized to sign the certificate.

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

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

39. Tierra Verde Advanced Life Support First Responder Agreement with the Lealman Special Fire Control District for Tierra Verde.

Sitting as the Pinellas County Emergency Medical Services Authority, the Board approved the agreement, as amended, for a five-year term commencing on October 1, 2019, with the option for one additional five-year extension. Fiscal Year 2020 funding amount, \$525,847.00. Chair authorized to sign and the Clerk to attest.

Commissioner Peters moved, seconded by Commissioner Justice, that the agreement be approved.

In response to query by Commissioner Eggers, Mr. Burton clarified that the proposed agreement was for five years without a renewal stipulation to allow time to address various issues and contractual concerns.

Following discussion with input by Attorney White and Lealman Fire District Chief Richard Graham, Commissioner Eggers offered an amended motion.

A motion was made by Commissioner Eggers, seconded by Commissioner Peters, that the agreement be approved with an amendment to the language in Section 801 allowing an extension for an additional five-year period. The motion carried by the following vote:

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

Fire Protection Authority

40. Tierra Verde Fire Protection Services Agreement with the Lealman Special Fire Control District.

Sitting as the Pinellas County Fire Protection Authority, the Board approved the agreement, as amended, for a five-year term commencing on October 1, 2019, with the option for one additional five-year extension. Estimated annual County funding, \$1,774,963.00. Chair authorized to sign and the Clerk to attest.

A motion was made by Commissioner Peters, seconded by Commissioner Eggers, that the agreement be approved with an amendment to the language in Section 801 allowing an extension for an additional five-year period. The motion carried by the following vote:

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

41. Master Fire Protection Services Agreement with eight municipalities providing fire protection service in ten fire districts.

Sitting as the Pinellas County Fire Protection Authority, the Board approved the agreement authorizing operating and capital budgets in the total amount of \$14,539,270.00. Chair authorized to sign and the Clerk to attest.

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

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

Tax Collector

42. Resolution approving the early extension of the 2019 tax rolls.

Resolution No. 19-73 adopted directing the Property Appraiser to extend the 2019 tax rolls and deliver the extended rolls to the Tax Collector on or before October 4, 2019, pursuant to Section 197.323, Florida Statutes, and directing the Clerk to deliver the Resolution to the Property Appraiser.

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

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

COUNTY ATTORNEY

43. Proposed initiation of litigation in the case of Pinellas County v. Jackie Koury and Roberta Grandshaw - action for injunctive relief and civil penalties for environmental violations.

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

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

44. Proposed initiation of litigation in the case of Vincent and Gen Carthane v. Charles Rutenberg Realty, Inc., et al.; HUD Case No. 04-18-3407-8; PC Case No. 18-054 - alleged housing discrimination.

Pursuant to earlier queries by Commissioner Welch, Attorney White provided background information on the case, noting that it was investigated by the Pinellas County Office of Human Rights; and that it involves discrimination on the basis of race.

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

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

45. Proposed settlement in the case of Linda Jones v. Pinellas County; Circuit Civil Case No. 18-008205-CI-13.

Settlement approved in accordance with the confidential memorandum from the County Attorney.

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

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

46. County Attorney Reports - None.

COUNTY ADMINISTRATOR REPORTS

47. County Administrator Reports:
- County Administrator Compensation Package

First Amendment to the County Administrator Employment Agreement approved modifying certain language in paragraphs four, five(b), and five(e), amending the performance evaluation, annual leave accrual, and the County's contribution to the 457 Deferred Compensation Plan, respectively, effective October 1, 2019.

Mr. Burton indicated that he was hired in October 2018; and that at his recent evaluation, the members asked that the proposed amendment be placed on the agenda near his one-year anniversary; whereupon, several members expressed their appreciation of his first-year performance, and Mr. Burton provided input.

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

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

Return to Field Program Update

Animal Services Director Doug Brightwell provided a status update on the proposed Return to Field (RTF) Program, stating that it is a variation of Trap Neuter Vaccinate Return (TNVR), which the Commission approved in 2014; that it is specific to feral cats; and that it complies with the current ordinance governing TNVR; whereupon, he discussed the County's efforts to receive citizen feedback on the program through public meetings, phone calls, and other means, and related that a summary report will be submitted to Administration in October.

Mr. Brightwell explained that healthy but unadoptable cats would be returned after treatment in the program, released near the area where they were initially found; that RTF guidelines will prevent some cats from being returned, such as ones with injuries or illnesses; and that most of the largest counties in Florida have already implemented a similar program, which is now considered an industry best practice for animal services.

Discussion ensued, and Mr. Brightwell responded to queries by the members, highlighting the following:

- Similar to dogs, many people will not leave a stray cat with Animal Services if they feel it will end up being euthanized.
- Cats are sterilized, vaccinated, ear-tipped, and microchipped.
- A stray cat brought to Animal Services for a third time will not be released, which has happened only three times since 2014.
- Cats are returned to the general area where they were found and not to a specific house or backyard.
- Issues of spraying and noise are significantly reduced once a cat has been sterilized.
- The current practice of euthanization has not reduced the number of feral cats in the county.
- The Florida Wildlife Conservation Commission helped to establish certain guidelines in the proposal.
- There are approximately 200,000 feral cats in Pinellas County.

COUNTY COMMISSION

48. Appointments to the Youth Advisory Committee (Board of County Commissioners as a whole).

The Board appointed 32 applicants for terms ending May 31, 2020 and waived the maximum Committee size limit for the current school year.

In response to queries by the members, Attorney White noted that the resolution currently sets a limit of 25 members for the Committee; and that the Board could appoint all 32 applicants by agreeing to waive the limit for the duration of the current school year. Discussion ensued and Executive Aide Ashley Overend, Commissioner Peters' Office, provided input.

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

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

49. Appointment/reappointment to the Pinellas Public Library Cooperative (Board of County Commissioners as a whole).

Karen L. Roth and Lynne E. Faimalie reappointed to serve three-year terms ending September 30, 2022, following a ballot vote.

50. County Commission New Business Items:

- Resolution on Equal Rights Amendment (Commissioner Gerard)

Resolution No. 19-74 adopted supporting the Equal Rights Amendment; urging the Federal Delegation to support the amendment and enact implementing legislation; urging the Governor of Florida and the Florida Legislature to take the necessary steps for ratification of the amendment; and providing an effective date.

Responding to queries by the members, Commissioner Gerard related that the County issued a resolution in 2003 in support of the amendment; and that there is no harm in having the County reaffirm its support. During discussion, Attorney White indicated that her staff is drafting a resolution that would reference the 2003 resolution and reaffirm the position taken in that document.

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

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

Absent: 1 - Commissioner Eggers

Chair Seel referred to a letter written by Representative Ben Diamond regarding the University of South Florida, and following input by the members, indicated that she will send a similar letter on behalf of the Commission.

51. County Commission Board Reports and Miscellaneous.

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

Commissioner Justice

- Gulf Consortium
- Pinellas County Job Corps Center, ALPHA House of Pinellas County *Butterfly Ball*
- Establishment of aquatic preserves 50th anniversary

Commissioner Peters

- Economic Mobility Leadership Network

Commissioner Welch

- 2020 Census Complete Count Committee
- St. Petersburg Chamber of Commerce *Thinking Outside the 'Burg* trip to St. Paul, Minnesota
- The recent death of Northeast High School Senior Jacquez Welch

Commissioner Long

- Business Technology Services Board, Tampa Bay Area Regional Transit Authority, Pinellas Suncoast Transit Authority
- Climate change and sea-level rise

Commissioner Eggers

- Forward Pinellas, Pinellas Suncoast Transit Authority, Community Veterans Engagement Board, Tampa Bay Water Board
- Veterans coalition on homelessness, Elisa Nelson Elementary, efforts to allow golf carts on roads

Commissioner Gerard

- Pinellas Suncoast Transit Authority (PSTA), Southwest Florida Water Management District
- Greyhound Bus and PSTA ribbon cutting

Chair Seel

- Office of Human Rights, Juvenile Welfare Board
- Florida Birding and Nature Festival

Meeting Recessed: 4:57 P.M.

Meeting Reconvened: 6:00 P.M.

PUBLIC HEARINGS

All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.

BOARD OF COUNTY COMMISSIONERS

- 52.** Petition of Aprola, LLC/Richard Orr to vacate that portion of the 60-foot right-of-way known as 37th Street North, lying between Warehouse Site B, Replat of Mohawk Park Subdivision, Plat Book 19, Page 78, and Lots 1 and 2, Block C, Revised Plat of Norton's Subdivision No. 3, Plat Book 19, Page 57, lying in Section 3-31-16, Pinellas County, Florida. (Legislative Hearing)

Resolution No. 19-75 adopted granting the petition. Clerk authorized to attest and record the resolution. Letters of no objection have been received from the appropriate parties. Interested property owners were notified as to the date of the public hearing. No correspondence has been received. No citizens appeared to be heard.

In response to queries by Commissioner Eggers, Real Property and Facility Management Director Andrew Pupke stated that the applicant cannot build on the easement and only intends to make improvements to accommodate parking for the business.

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

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

- 53.** Petition of Artemis, LLC/George M. Kolitsopoulos to vacate those certain platted five-foot utility easements lying in Lots 3, 4 and 5, Block 1, Frazee Acres Subdivision as recorded in Plat Book 31, Page 67, lying in Section 5-31-16. (Quasi-Judicial Hearing)

Resolution No. 19-76 adopted granting the petition. Clerk authorized to attest and record the resolution. Letters of no objection have been received from Duke Energy, Frontier, Pinellas County Utilities Engineering, TECO Electric, and TECO Peoples Gas. Brighthouse and Wow! Have requested easements related to the request. Interested property owners were notified as to the date of the public hearing. No correspondence has been received. No citizens appeared to be heard.

Responding to queries by Commissioner Justice, Real Property and Facility Management Director Andrew Pupke related that the former building was demolished; and that a new auto parts store was built on the site without the easements being vacated. He noted that the easements are no longer necessary; and that the utilities were moved to address the new construction.

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

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

54. Resolutions to adopt final millage rates and budgets for Fiscal Year 2020 (second public hearing).

Public hearing was held regarding the proposed Fiscal Year 2020 final millage rates and budgets for Pinellas County; resolutions adopted approving final millage rates (No. 19-77) and budgets (No. 19-78) for the Pinellas County General Fund and Pinellas County Health Department Fund; resolutions adopted approving final millage rates (No. 19-79) and budgets (No. 19-80) for Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area Municipal Service Taxing Unit (MSTU), Public Library Services District MSTU, Palm Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services District, East Lake Recreation Services District, and the Belleair Bluffs, Clearwater, Dunedin, Gandy, High Point, Largo, Pinellas Park, Safety Harbor, Seminole, South Pasadena, Tarpon Springs, and Tierra Verde Fire Protection Districts; and resolution adopted approving the total final Fiscal Year 2020 County Budget (No. 19-81).

Ms. Phillips reported that no correspondence has been received in connection with the second public hearing.

Chair Seel reviewed the sequence of events for the evening's proceedings and indicated that Pinellas County Property Appraiser Mike Twitty and Deputy for Appraisals Kevin Hayes are available to respond to anyone having questions or concerns about the assessed value of their property or information that appears on the Truth in Millage (TRIM) Notice.

Chair Seel related that even though Florida Statutes provide that a taxing authority may adopt tax levies and budgets of all its dependent special taxing districts and MSTUs by a single unanimous vote, members of the general public can request that the Board discuss and adopt any of those items separately; whereupon, in response to her query, no citizen requested that any item be separately reviewed.

Thereupon, Chair Seel opened the second public hearing on the final millage rates and budgets for Fiscal Year 2020.

Ms. Phillips reported that the public hearing is being held in accordance with Chapters 129 and 200 of the Florida Statutes; that the meeting has been duly noticed by the *Notice of Proposed Tax Increase* and the *Summary of Proposed Budget* legal advertisements that were published in the September 20, 2019 edition of the Tampa Bay Times; and that affidavits stating proof of publication have been received for filing.

Chair Seel announced that the Board of County Commissioners (BCC), as taxing authority for the BCC Countywide, the Dependent Special Districts, and the MSTUs, as previously referenced, will now proceed with the public hearings.

Mr. Burton related that the percentage increase in the millage rate for all budgets over the rolled-back rate, based on the maximum rates on the TRIM Notice and subsequent decreases to such rates, to fund the Fiscal Year 2020 Tentative Budget is a 4.61-percent increase over the aggregate rolled-back rate; whereupon, he indicated that the primary purpose for the changes in millage are as follows:

- In the General Fund including Unincorporated Area MSTU, Health Department Fund, and Emergency Medical Services Authority, revenue increases are required to support personnel and operating expenditure levels that are driven by inflationary factors.
- In the Public Library Services District MSTU, the Palm Harbor Community Services District, the Feather Sound Community Services District, the East Lake Library Services District, the East Lake Recreation Services District, and seven Fire Protection Districts, revenue increases are needed to support increased expenditures by the agencies providing services for those districts.
- In five Fire Protection Districts, revenue decreases are due to those districts having sufficient reserve levels to provide for future planned capital along with property values that can support annual operations at a lower millage rate.

Chair Seel announced that the Board of County Commissioners will continue the hearing as the taxing authority for the BCC Countywide, Dependent Special Districts, and MSTU levies, as previously referenced, by taking public comment from citizens who wish to be heard regarding the Fiscal Year 2020 Budget.

No one appeared in response to the Chair's call for persons wishing to speak.

Chair Seel asked whether the members wished to recommend any changes to the proposed millage rates or budgets.

Chair Seel stated that resolutions will now be considered to set the final millage rates and budgets; whereupon, Mr. Burton announced each of the resolutions separately, noting that the millage rates, rolled-back rates, and percentage change for each taxing authority are listed in Schedule A, which has been posted to the County website and made a part of the record.

Resolution No. 19-77 adopted approving the final millage rates for Fiscal Year 2020 for the Pinellas County General Fund and the Pinellas County Health Department Fund.

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

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

Resolution No. 19-78 adopted approving the final budgets for Fiscal Year 2020 for the Pinellas County General Fund and the Pinellas County Health Department Fund.

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

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

Resolution No. 19-79 adopted approving the final millage rates for the Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area Municipal Service Taxing Unit (MSTU), Public Library Services District MSTU, Palm Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services District, East Lake Recreation Services District, and the Belleair Bluffs, Clearwater, Dunedin, Gandy, High Point, Largo, Pinellas Park, Safety Harbor, Seminole, South Pasadena, Tarpon Springs, and Tierra Verde Fire Protection Districts.

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

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

Resolution No. 19-80 adopted approving the final budgets for the Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area Municipal Service Taxing Unit (MSTU), Public Library Services District MSTU, Palm Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services District, East Lake Recreation Services District, and the Belleair Bluffs, Clearwater, Dunedin, Gandy, High Point, Largo, Pinellas Park, Safety Harbor, Seminole, South Pasadena, Tarpon Springs, and Tierra Verde Fire Protection Districts.

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

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

Resolution No. 19-81 adopted approving the total final Fiscal Year 2020 County Budget.

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

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

At this time, Chair Seel closed the final public hearing on millage rates and budgets for Fiscal Year 2020.

ADJOURNMENT - 6:19 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk