

Pinellas County



Minutes - Final

Tuesday, May 19, 2020

2:00 P.M.

Virtual Regular Meeting

Board of County Commissioners

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

ROLL CALL - 2:00 P.M.

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

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

Office of Technology and Innovation Director Bryan Zumwalt introduced himself and announced that he would be the Technology Moderator for the virtual meeting; and that Chief Assistant County Attorney Don Crowell would serve as Process Moderator; whereupon, he conducted a roll call of the members.

MOMENT OF SILENCE**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

1. Proposed ordinance to amend the Pinellas County Code relating to Vessel Exclusion Zones.

Ordinance No. 20-09 adopted amending Section 130-107 of the Pinellas County Code, providing that the North Beach East Vessel Exclusion Zone at Fort De Soto Park be repealed, and the North Beach West Vessel Exclusion Zone be expanded to cover the area known as Outback Key. No correspondence has been received. No citizens appeared to be heard.

Referring to a PowerPoint presentation, Parks and Conservation Resources Director Paul Cozzi provided background information and a brief overview of the proposed modifications to the zones adopted in 2008 to minimize safety concerns between beach visitors and vessels at Fort De Soto Park; whereupon, he discussed environmental challenges and concerns with regard to shared use.

In response to comments, concerns, and queries by the members, Mr. Cozzi discussed the following:

- Intent of the exclusion - preventing boaters and other watercraft from entering the interior of the lagoon
- Permitting process required for signage and buoys identifying exclusion areas and swim zones

- Boater access areas
- Complaints received of near accidents
- Seaplanes - cannot be regulated through vessel exclusion zones
- Enforcement responsibility - Sheriff Marine Unit and Florida Wildlife Commission
- Identified areas permissible to boaters
- Public beach parking access and beach accessibility
- Proposed location of swim buoys
- Degradation of sand dunes

Mr. Cozzi indicated that due to the natural evolution of the sandbar and ebb shoal, without the exclusions, the beach size would need to be reduced to minimize hazards.

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

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

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

CONSENT AGENDA - Items 2 through 11

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

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

2. Minutes of the emergency meeting held April 13 and the regular meetings held April 16 and April 21, 2020.
3. Vouchers and bills paid from April 12 through April 25, 2020.

Period: April 12 through April 18, 2020

Accounts Payable - \$5,656,687.34

Payroll - \$3,893,323.71

Period: April 19 through April 25 2020

Accounts Payable - \$19,787,495.08

Payroll - None

Reports received for filing:

4. Dock Fee Report for the month of April 2020.
5. Juvenile Welfare Board Quarterly Financial Statements for the periods ended December 31, 2019 and March 31, 2020.

Miscellaneous items received for filing:

6. Notice of St. Petersburg City Council Public Hearings to be held on May 7, 2020 regarding proposed amendments to the Intown Redevelopment Plan, the Intown West Redevelopment Plan, and the South St. Petersburg Redevelopment Plan.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

7. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending April 30, 2020.

Public Works

8. Award of bid to RJP Enterprises, Inc. for the Roosevelt Stormwater Facility Improvements project.

Bid No. 190-0130-CP (PID No. 003130A) in the amount of \$2,187,566.50 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 300 consecutive calendar days.

Utilities

9. Joint Project Agreement with the City of Madeira Beach for construction services for relocation and replacement of County water mains, sewer gravity mains, force mains and reclaimed water mains, including appurtenances, in conjunction with the proposed City of Madeira roadway, sidewalk and drainage construction improvements for Crystal Island along Crystal Drive, Lillian Drive, Flamingo Drive and John Pass Avenue.

(City Project No. 2013-80; County PID No. 004463A) Agreement approved. County to pay the City an amount not to exceed \$2,453,000.00, which includes all construction services and an additional ten percent cost of \$223,000.00 for mobilization, maintenance of traffic, and miscellaneous administrative fees. Clerk authorized to attest.

COUNTY ATTORNEY

10. Notice of new lawsuit and defense of the same by the County Attorney in the case of Colin Ashton v. Pinellas County; Circuit Civil Case No. 19-008560-CI-11- allegations of negligence resulting in personal injuries.

11. Notice of new lawsuit and defense of the same by the County Attorney in the case of BWW 19.009 ST PETE, LLC v. Barry A. Burton; Circuit Civil Case No. 20-001788-CI-8 - temporary injunction.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

12. Local State of Emergency.

Mr. Burton discussed the activities and restrictions outlined in Executive Order No. 20-123, Full Phase 1 of the Governor's Plan for Florida's Recovery, and highlighted social distancing and safety requirements. He related that a document titled *State of Florida & Pinellas County Additional Guidance for Phase 1 Reopening with Restrictions* is available on the Pinellas County website and the Sheriff's website to clarify the expectations of the order. Noting that the Executive Order allows for the opening of vacation rentals upon approval of a written request and plan from the County, he stated that the request has been submitted to the Florida Department of Business and Professional Regulation and is pending approval, and discussion ensued.

In response to query by Commissioner Welch, Mr. Burton discussed the geographical restrictions encouraged by the Governor regarding rental reservations from high COVID-19 areas, indicating that language pertaining to the stipulation was limited in the plan as it was not a written directive in the Executive Order.

At Commissioner Justice's request, Florida Department of Health (DOH) in Pinellas County Director Ulyee Choe provided a brief update regarding COVID-19. He discussed the number of cases and deaths in Pinellas County, the focus on and partnership with long-term care facilities, and the continued efforts for community testing; whereupon, he opined that all re-openings should include social distancing aspects and encouraged the wearing of masks.

Responding to query by Commissioner Welch, Mr. Burton discussed testing centers throughout the county and related that the County continues to support the efforts of each organization; whereupon, he noted that test availability exceeds demand at this time; and that AdventHealth will be opening a north county testing site in the near future.

In response to queries by Commissioners Welch and Eggers, Dr. Choe indicated that private vendors and hospitals are working to expedite the results of COVID-19 tests, and further discussions are taking place; and that the DOH has been working with various jurisdictions to include pop-up testing sites in transportation disadvantaged areas.

Responding to comments by Commissioner Eggers, Mr. Burton, related that inconsistent data has been received from the State pertaining to the percent of positive new cases and therefore it has not been included on the County website; whereupon, Dr. Choe indicated that the information is available on the DOH County-specific report; and that he will work with Mr. Burton to provide a shareable link, and discussion ensued.

Commissioner Seel shared concerns regarding a lack of social distancing and encouraged marketing campaigns pertaining to safer practices. She opined that a co-op advertising campaign between Visit St. Pete/Clearwater and Visit Tampa Bay should be considered as Florida begins to reopen to tourists.

In response to comments by Commissioners Long and Gerard, Mr. Burton discussed the challenges faced by the Data Group in obtaining accurate information pertaining to test results and reflecting current trends of the overall population, nursing homes, and hospital data. He indicated that moving forward, efforts will be made to include data pertaining to the number of tests and new cases that are asymptomatic and symptomatic.

Responding to Chair Gerard's call for citizens wishing to be heard, the following individuals expressed their concerns:

John Lannon, Clearwater
Karen Mullins, Dunedin
Mary Lewarne, Indian Rocks Beach

A motion was made by Commissioner Welch, seconded by Commissioner Long, that the order extending the Local State of Emergency be approved. The motion carried by the following vote:

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

Resolution No. 20-44 adopted ratifying, restating, readopting, and extending the local state of emergency established in Resolution No. 20-16, as well as all resolutions and orders issued pursuant thereto, unless expressly rescinded by another action of the Board, until 3:00 P.M. on May 29, 2020.

13. Notice of grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Care for the Homeless program to support coronavirus disease 2019 responses.

(Notice of Award No. H8CCS35074-01-00) Grant award approved providing funding in the amount of \$58,607.00 for a one-year period beginning March 15, 2020. No County match is required.

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

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

14. Notice of grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Center Coronavirus Aid, Relief, and Economic Security Act Funding.

(Notice of Award No. H8DCS36100-01-00) Grant award approved providing funding in the amount of \$626,255.00 for a one-year period beginning April 1, 2020. No County match is required.

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

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

15. Interlocal Agreement and Memorandum of Understanding with the Sixth Judicial Circuit Court of Florida for County-Funded Court Employees.

Interlocal Agreement and Memorandum of Understanding approved effective July 1, 2020 through June 30, 2024, as set forth in the Staff Report.

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

Planning

16. Resolution approving a substantial amendment to the Fiscal Year 2019-2020 Annual Action Plan and an amendment to the Citizen Participation Plan for the purpose of receiving Community Development Block Grant and Emergency Solutions Grant Coronavirus Response funds.

Resolution No. 20-45 adopted approving the amendment to the existing plans and authorizing submittal to the United States Department of Housing and Urban Development (HUD). Chair or designee authorized to sign and the Clerk to attest applications, certifications, and HUD Grant Agreements; Chair or designee authorized to sign Request

for Release of Funds and authority to use grant funds; County Administrator authorized to implement Coronavirus Response Programs; Chair or designee authorized to sign and the Clerk to attest specific performance and land use restriction agreements, including amendments; Planning Department Director or designee authorized to serve as Local Administrator for the HUD Environmental Review Online System; Planning Department Director or designee authorized to sign and file necessary forms, reports, and other administrative documents related to the administration of the substantial amendment to the Annual Action Plan.

No correspondence has been received. No citizens appeared to be heard.

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

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

Public Works

17. Supplemental No. 1 to the County Incentive Grant Program Agreement with the Florida Department of Transportation for the Phase 3 Advanced Traffic Management System/Intelligent Transportation System project.

(FDOT Financial Project No. 437046 1 54 01, Contract No. G1995; County PID No. 002601A) Supplemental agreement approved decreasing the grant amount from \$2,000,000.00 to \$806,624.00; agreement expires October 1, 2021. Chair authorized to sign and the Clerk to attest.

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

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

Solid Waste

18. Second Amendment to the Agreement with Covanta Projects, LLC for Waste to Energy Facility Operator Technical Recovery Plan projects.

Mr. Burton indicated that the item has been deferred to the June 23 agenda, as the amendment has not yet been signed by the other party.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS**Emergency Medical Services Authority**

- 19.** Renewal of Certificates of Public Convenience and Necessity for non-medical wheelchair transport and stretcher van providers.

Renewal certificates issued for the following providers in accordance with Pinellas County Code Section 54. Chair authorized to sign the certificates.

Wheelchair Van Transport Providers

Trinity Mobility, Inc. d/b/a A Trinity Wheelchair Transportation; Access A Ride, Corp.; Americhair Transport Service, Inc.; ANCLA Transportation, L.L.C.; Care Ride, L.L.C.; Pinellas Transportation, L.L.C.

Wheelchair and Stretcher Van Transport Providers

Lifefleet Southeast, Inc. d/b/a American Medical Response (AMR); Be Safe Transportation, L.L.C.; KERT, L.L.C.; MedFleet, L.L.C.; On-Time Transports, L.L.C.; PH Transport & Delivery L.L.C.; VCare Medical Transport, L.L.C.; Wheelchair/Stretcher Limo, Inc.; Wheelchair Transport Service, Inc.

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

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

COUNTY ATTORNEY

- 20.** Proposed initiation of litigation in the case of Pinellas County v. L. Scott Shoemaker - action for injunctive relief.

Attorney White related that the case is a code enforcement matter; and that the defendant has been given an opportunity to bring the property into compliance but has failed to do so.

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

- 21.** County Attorney Reports.

Attorney White announced a recently filed complaint against the County and the State of Florida related to COVID-19, noting that the matter will appear on a future agenda.

COUNTY ADMINISTRATOR REPORTS

22. County Administrator Reports:

- CARES Update
- Mitigation in Parks

CARES Update

Mr. Burton acknowledged the significant effort of staff involved in the application process for the Pinellas CARES programs, and thanked community members and volunteers for their input, noting that discussions regarding phase two are in progress.

Human Services Director Daisy Rodriguez provided an update on the status of the Pinellas CARES Financial Assistance Program, noting that over 130 cases have been completed and closed, and 641 are currently in progress. She discussed outreach efforts through marketing and community partnerships, related that various stakeholders are working to assist applicants with technology processes, and indicated that a list of the required documentation is available on the County website.

Economic Development Director Mike Meidel provided an update on the Pinellas CARES Small Business Grants Program and discussed various statistics pertaining to applications and outreach efforts, including email, television, and social media.

Responding to queries and comments by Commissioner Gerard, Mr. Burton clarified the required qualifications to participate in the program. He discussed the complexity of the forms and the necessity of the audit; whereupon, Mr. Meidel provided a timeline of the program and noted the various sources utilized to identify non-essential businesses that were significantly impacted by the required closure. Mr. Burton indicated that eligibility requirements would be expanded for phase two of the program; that the processing of applications will require additional staff; and that recommendations for phase two will be presented to the Board in the near future.

In response to queries by Commissioner Eggers, Mr. Burton cited the challenges in estimating the number of residents that would utilize the program and reiterated the extensive outreach efforts. He indicated that the intention moving forward into phase two is to survey key individuals and organizations, gather ideas, and refine the program's final criteria with a tentative goal of late June for implementation; whereupon, he related that the deadline to utilize the funds is the end of this calendar year; and that placing funds in reserve is a consideration, due to the possibility of a fall outbreak.

Responding to queries by Commissioners Seel and Welch, Mr. Burton related that not-for-profit organizations are included in the survey efforts, and Ms. Rodriguez related that the majority of payments issued under the Financial Assistance Program are for rent relief.

Mitigation in Parks

Referring to a memorandum titled Recent Land Management Practices at Regional County Parks and an attachment titled Vegetation Thinning in County Parks Report, Parks and Conservation Resources Director Paul Cozzi clarified the purpose of the activity recently completed involving 60 acres in four parks. He noted that the reaction of park patrons was unexpected; and that for future activities, signage and education on the need for the process will be provided.

In response to query by Commissioner Long, Mr. Cozzi related that the areas addressed will become more aesthetically pleasing with the summer rain; and that the process will need to be repeated in three to five years to mitigate potential catastrophic damage.

COUNTY COMMISSION

23. County Commission New Business Items.

The members commented on various topics, as follows:

Commissioner Justice

- Area Agency on Aging of Pasco-Pinellas meal delivery

Commissioner Long

- Governor's appointment of Julie Marcus as Supervisor of Elections
- Aerial tour of beaches

Commissioner Seel

- Tampa Bay Area Regional Transit Authority

Commissioner Gerard

- Hurricane preparedness during COVID-19 pandemic

Commissioner Eggers

- Palm Harbor Community Services Agency meeting

ADJOURNMENT - 4:23 P.M.

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk

Chair