

Pinellas County

*333 Chestnut Street, Palm Room
Clearwater, FL 33756*



Minutes - Final

Tuesday, December 12, 2023

2:00 P.M.

Hybrid In-Person and Virtual Regular Meeting

Public Hearings at 6:00 P.M.

Board of County Commissioners

Janet C. Long, Chair

Kathleen Peters, Vice-Chair

Dave Eggers

Renè Flowers

Charlie Justice

Chris Latvala

Brian Scott

ROLL CALL - 2:00 P.M.

Present: 7 - Chair Janet C. Long, Vice-Chair Kathleen Peters, Commissioner Dave Eggers, Commissioner René Flowers, Commissioner Charlie Justice, Commissioner Chris Latvala, and Commissioner Brian Scott

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

INVOCATION by Reverend Dr. John A. Evans, Friendship Missionary Baptist Church, St. Petersburg.

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND AWARDS

1. Community Partner Recognition:

Gator Dredging

- William Coughlin
- Philip Findlay
- Tyler McDougal
- Patrick Sullivan
- Dominick Dimento
- Chris Clausan
- Zach Wiand

Aptim

- Beau Suthard
- Nicole Sharp
- Doris Otero

Chair Long invited those in attendance to join her at the podium and recognized Gator Dredging, Aptim, County staff, and external partners for their efforts with the emergency beach erosion control project; whereupon, a video was displayed highlighting beach renourishment progress.

Mr. Burton recognized municipal partners and all staff involved in the success of the project.

2. Community Water Wise Awards Program:

- Angela and Richard Clemow, Clearwater
- Cornelia and Bill Richards, Clearwater
- Doris Heitzmann, Florida-Friendly Landscaping Program Coordinator, Pinellas County Extension

Chair Long invited Ms. Heitzmann to join her at the podium and provided information regarding the Community Water Wise Awards program, and Ms. Heitzmann provided brief remarks; whereupon, she invited the award recipients to join her at the podium, recognized their water conservation efforts, and presented them with awards.

- 3. Partner Presentation:
- Pinellas Suncoast Transit Authority (PSTA)

Chair Long invited PSTA CEO Brad Miller and the PSTA Board members in attendance to join her at the podium and recognized PSTA for its receipt of the American Public Transportation Association’s 2023 Outstanding Public Transportation System Award; whereupon, Mr. Miller provided brief comments.

Referring to a PowerPoint presentation, Mr. Miller related that PSTA was also the recipient of the Florida Public Transportation Association’s 2023 Outstanding Public Transportation System Award; whereupon, he provided an update on the SunRunner, the PSTA Access Program, customer satisfaction survey results, and the various transportation services offered by PSTA, including a new on-demand route in Safety Harbor, as suggested by Commissioner Scott.

Deviating from the agenda, Commissioner Eggers recognized his executive assistant, Kimberly Greenleaf, for her hard work and dedication over the last nine years and related that she is retiring at the end of the year.

CITIZENS TO BE HEARD

- 4. Citizens To Be Heard - Public Comment.

Vince Cocks, St. Petersburg
David Ballard Geddis, Jr., Palm Harbor (submitted documents)
Greg Pound, Largo
David Lee, Lealman
Andrea Wells, Clearwater
Lee Jacobs, Redington Beach

CONSENT AGENDA - Items 5 through 19 (Item No. 18 addressed under Regular Agenda)

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

- 5. Minutes of the regular meetings held October 17 and October 31, 2023.

The item was approved as part of the Consent Agenda.

6. Vouchers and bills paid from October 22 through November 11, 2023.

Period October 22 - October 28, 2023

Accounts Payable - \$31,555,697.84

Payroll - \$4,823,446.08

Period October 29- November 4, 2023

Accounts Payable - \$65,789,049.02

Payroll - None

Period November 5 - November 11, 2023

Accounts Payable - \$18,012,570.92

Payroll - \$4,541,864.68

The item was approved as part of the Consent Agenda.

Reports received for filing:

7. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-28 dated November 6, 2023 - Investigative Review of County Administration Sale of Property.

The item was approved as part of the Consent Agenda.

8. Dock Fee Report for the month of October 2023.

The item was approved as part of the Consent Agenda.

9. Quarterly Donation Listing of \$1,000 or Greater for the quarter ending September 30, 2023.

The item was approved as part of the Consent Agenda.

10. State of Florida Constitutional Officer Financial Report for 2022-2023 - Pinellas County Clerk of the Circuit Court and Comptroller, pursuant to Section 218.36, Florida Statutes.

The item was approved as part of the Consent Agenda.

11. State of Florida Constitutional Officer Financial Report for 2022-2023 - Pinellas County Sheriff, pursuant to Section 218.36, Florida Statutes.

The item was approved as part of the Consent Agenda.

12. State of Florida Constitutional Officer Financial Report for 2022-2023 - Pinellas County Property Appraiser, pursuant to Section 218.36, Florida Statutes.

The item was approved as part of the Consent Agenda.

13. State of Florida Constitutional Officer Financial Report for 2022-2023 - Pinellas County Tax Collector, pursuant to Section 218.36, Florida Statutes.
The item was approved as part of the Consent Agenda.
14. State of Florida Constitutional Officer Financial Report for 2022-2023 - Pinellas County Supervisor of Elections, pursuant to Section 218.36, Florida Statutes.
The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

15. Award of bid to Schindler Elevator Corporation for annual requirements of elevator maintenance and repair services.
Contract No. 23-0726-ITB awarded in a total not-to-exceed amount of \$1,291,880.00 for a 36-month term on the basis of being the lowest responsive, responsible qualified bid received. The contract replaces Contract No.178-0498-M and has a provision for two 12-month extensions, as outlined in the Staff Report.
The item was approved as part of the Consent Agenda.

County Administrator

16. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending November 14, 2023.
The item was approved as part of the Consent Agenda.

Economic Development

17. Award of bid to Air Mechanical & Service Corp. for the STAR Center Chiller 2 replacement.
Contract No. 23-1128-ITB-C awarded in the amount of \$977,540.00 on the basis of being the lowest responsive, responsible bid received meeting specifications. All work to be completed within 550 consecutive calendar days.
The item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

19. 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.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Public Works

- 18. Award of bid to Preferred Materials Inc. for Fiscal Year 2024 Pavement Preservation - Package 1.

Contract No. 23-0831-ITB-C awarded in the amount of \$3,936,393.00 on the basis of being the lowest responsive, responsible bid received. All work to be completed within 330 consecutive calendar days.

Responding to a comment by Commissioner Eggers, Public Works Director Kelli Hammer Levy provided information regarding the contract, noting that the County website allows residents to view roads that are currently being resurfaced, as well as those that are scheduled for future resurfacing.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

- 20. Palm Harbor Area Senior Council, Inc. Fiscal Year 2024 Municipal Services Taxing Unit Special Projects funding request.

Funding request approved in the one-time expenditure amount of \$18,849.20 for renovations of the Sunderman Recreation Complex restrooms located at 1631 9th Street in Palm Harbor.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

21. Palm Harbor Parks and Recreation Fiscal Year 2024 Municipal Services Taxing Unit special projects funding request.

Funding request approved in the one-time expenditure amount of \$20,000.00 for updating and remodeling the outdoor bathrooms at J. Steven Putnam Community Park located at 799 Riviere Road in Palm Harbor.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Convention and Visitors Bureau

22. Interlocal Agreement with the City of St. Petersburg for sharing consultant costs associated with the development of financing, design, and construction of the new stadium project.

Agreement approved providing a maximum amount of \$624,000.00 to the City for 50% of the consulting costs for the new stadium project. The agreement will terminate on December 31, 2024, or earlier, if all services have been provided and payments made.

Responding to a query by Commissioner Eggers, Mr. Burton confirmed that the St. Petersburg City Council approved the contract.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Housing & Community Development

23. Resolution approving the Affordable Housing Advisory Committee Report related to the State Housing Initiatives Partnership Program Affordable Housing Incentives.

Resolution No. 23-105 adopted approving the report and authorizing its submittal to the Florida Housing Finance Corporation.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Management and Budget

24. Amendment to realign Reserves-Future Years-Tourist Development-Beach Nourishment with Post Idalia Emergency Shore Stabilization to fund stabilization design and construction.

Resolution No. 23-106 adopted approving the realignment of \$16,000,000.00, as outlined in the Staff Report.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Public Works

25. Award of bid to Vecellio & Grogan, Inc. for Pinellas Trail Loop North Gap - Lake Tarpon Outfall Canal Bridge.

Contract 23-0340-ITB-C awarded in the amount of \$5,898,196.00 on the basis of being the lowest bid received, as detailed in the Staff Report. All work to be completed within 365 consecutive calendar days.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

26. Grant funding agreement with the Florida Department of Environmental Protection for the Pinellas County Dune Restoration Project.

Mr. Burton requested that the item be pulled from the agenda to allow staff more time to correct certain issues.

27. Supplemental No. 1 to the State funded Grant Agreement with the Florida Department of Transportation, providing construction and construction engineering inspection services for the Advanced Traffic Management System/Intelligent Transportation System project on State Road 580 / Skinner/Main from U.S. Alternate 19/State Road 580/Broadway to U.S. 19.

Supplemental agreement approved for FDOT Financial Project No. 448512 1 54 01 with a County match of \$1,083,291.00, for an estimated total project amount of \$2,166,582.00. Agreement term expires May 13, 2025.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

28. Supplemental No. 1 to the State funded Grant Agreement with the Florida Department of Transportation, providing construction and construction engineering inspection for the Advanced Traffic Management System /Intelligent Transportation System project on State Road 586/Causeway Boulevard/Curlew Road from the Honeymoon Park entrance to U.S. 19.

Supplemental agreement approved for FDOT Financial Project No. 448513 1 54 01 with a County contribution of \$1,354,532.00, for an estimated total project amount of \$2,709,064.00. Agreement term expires May 13, 2025.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Safety and Emergency Services

- 29. Renewal of Certificates of Public Convenience and Necessity for Advanced Life Support providers.

Certificates renewed and issued to providers as set forth in the Staff Report, pursuant to Pinellas County Code, Chapter 54, and in accordance with Florida Statutes, Section 401.25. Certificates will expire on December 31, 2024.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

- 30. Termination of agreement for convenience with Bourntec Solutions, Inc. for Oracle Enterprise Resource Planning Modernization.

Termination of agreement for convenience approved (Contract No. 190-0719-G).

In response to a query by Commissioners Eggers, Business Technology Services (BTS) Chief Information Officer Jeff Rohrs related that no funds have been expended on the contract to-date; and that a business case for a new system is currently being developed.

Mr. Burton discussed the current level of service provided by Oracle and the costs associated with the implementation of a new system, noting that users have requested a more modern and responsive system; whereupon, Commissioner Flowers provided brief comments regarding the difficulties experienced by various County departments and divisions when attempting to utilize the Oracle system.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Countywide Planning Authority**31.** Countywide Plan Map - 2023 Annual Update.

Resolution No. 23-107 adopted accepting the amended Countywide Plan Map and directing that it be filed with the Clerk of the Board of County Commissioners as the official Countywide Plan Map, as recommended by Forward Pinellas, in its role as the Pinellas Planning Council.

Commissioner Eggers indicated that concerns have been raised by citizens regarding traffic congestion at the Keystone Road and East Lake Road intersection and expressed the need for short- and long-term solutions for the area; whereupon, Mr. Burton indicated that this issue could be discussed when the East Lake corridor study is presented at a future work session, noting that part of the study provides short- and long-term solutions for the aforementioned intersection.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Emergency Medical Services Authority**32.** Amendment to the Advanced Life Support First Responder Agreement with 3 municipalities and independent fire districts.

Sitting as the Pinellas County Emergency Medical Services (EMS) Authority, the Board approved the amendment to the EMS Advanced Life Support First Responder Agreement with 18 municipalities and independent fire districts for specific enhancements outlined in the Staff Report. The current agreement will expire on September 30, 2024.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

COUNTY ATTORNEY

33. Proposed ratification of initiation of litigation in the case of Pinellas County v. Scott Newmark; County Civil Case No. 23-008323-CO - petition for custody of cruelly or neglectfully treated animals.

Action taken by the County Attorney's Office with the Chair's approval of authority to initiate litigation, ratified.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

34. County Attorney Reports - None

COUNTY ADMINISTRATOR

35. County Administrator Reports

Mr. Burton introduced Amy Davis, related that she will be working with the Lealman, Ridgecrest, and High Point communities, and provided information regarding her start date; whereupon, Ms. Davis commented on joining Pinellas County.

Mr. Burton thanked staff for their efforts in obtaining four statewide grants totaling \$51 million; whereupon, he discussed the specific projects, funding sources, and allocations.

Mr. Burton thanked all County staff for their hard work throughout the year and wished everyone a happy holiday season.

COUNTY COMMISSION

36. Appointments to the Emergency Medical Services Advisory Council (Board of County Commissioners as whole).

Sitting as the Emergency Medical Services Authority, the Board approved the appointments of Dr. Matthew A. Liao-Troth as the St. Petersburg College President's representative, and District Chief Lindsey Kensinger as the City of St. Petersburg Fire Chief's alternate representative, for terms ending October 2025.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

37. Appointment to the Parks and Conservation Resources Advisory (Individual appointment by Commissioner Eggers).

Appointment of Tex Carter approved for a term of one year, ending on November 14, 2025.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 38.** Appointment to the Pinellas Public Library Cooperative (Board of County Commissioners as a whole).

Appointment of Karen LaCorte-Nies approved to fill an existing vacancy, expiring September 30, 2025.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 39.** Reappointment to the Pinellas Park Water Management District Board (Board of County Commissioners as a whole).

Reappointment of Michael Farrell approved for a term of three years, beginning on January 1, 2024, and expiring on December 31, 2026.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 40.** Appointment to the Value Adjustment Board (Board of County Commissioners as a whole).

Following a ballot vote, Frank Makowski reappointed for a term of two years, beginning on January 1, 2024, and expiring December 31, 2025.

- 41.** Appointments/Reappointments to the Feather Sound Community Services District (Individual appointments/reappointments by Commissioners Long, Justice, Eggers, Latvala, Peters, and Flowers).

Appointment of William Wynne and reappointments of Marshall Deason, Calvin Warren, Kevin Chambers, Ryan Andrews, Jessica Hooper, and Ryan Halstead approved for terms of one year, beginning January 1, 2024, and ending December 31, 2024.

Earlier in the meeting, Commissioner Scott requested that Ryan Halstead be added to the list for approval as his reappointment to the District.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 42.** Appointments/Reappointments to the Historic Preservation Board (Individual appointments by Commissioners Scott and Peters, and Board of County Commissioners as a whole).

Reappointment of Ramona Pletcher and appointment of Joseph Oliveri approved for a term of three years, beginning January 1, 2023, and expiring December 31, 2025.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Following a ballot vote, Vincent Luisi and Brian Smith reappointed for three-year terms, beginning January 1, 2023, and expiring December 31, 2025. Hillary Van Dyke appointed to serve as an alternate for a three-year term, beginning January 1, 2023, and expiring December 31, 2025.

During discussion and in response to comments by Commissioner Eggers, Attorney White confirmed that HPB members do not appear to have term limits.

- 43.** Reappointment to the Lealman Community Redevelopment Area Citizen Advisory Committee (Board of County Commissioners as a whole).

Reappointment of Jeremy Heath approved for a term of three years, beginning January 1, 2024, and ending December 31, 2026.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 44.** 2024 Chair Board Appointments

Assignments approved as set forth in the attachment to the Staff Report.

Commissioner Flowers and Chair Long expressed disappointment that Commissioner Flowers was not reappointed to the Pinellas Suncoast Transit Authority (PSTA) Board. Commissioner Peters related that the assignments were based on their areas of expertise, noting that it is important for Commissioners to experience other committees and departments, and Commissioner Eggers provided input.

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

Aye: 6 - Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Nay: 1 - Chair Long

45. County Commission New Business:
Pertinent and timely Committee/Board updates, policy considerations, administrative/procedural considerations, and other new business.

The Commissioners provided updates regarding their assigned boards and committees and discussed various issues as follows:

Commissioner Scott

- Code Enforcement
- Holiday Lights in the Gardens at Florida Botanical Gardens
- Yes to Rec Seminole Open House
- Seminole Tuesday Club
- Palm Harbor Christmas Parade
- Historic Preservation Board

Commissioner Flowers

- CareerSource Pinellas
- Pinellas Suncoast Transit Authority
- Tampa Bay Regional Planning Council
- Tampa Bay Regional Resiliency Leadership Summit
- Broadband Equity Access and Deployment (BEAD) Program funding
- Live Local Act
- Florida Association of Counties

Commissioner Justice

- Condolences to the Lealman Fire District for the loss of Lieutenant Daniel Fitzgerald
- Pop Stansell Park pier ribbon cutting
- Mattie Williams breakfast
- Learning Independence for Tomorrow (LiFT) Academy Rise Awards luncheon

Commissioner Latvala

- Sheriff's Volunteer Patrol
- Suncoast Behavioral Health Center

Commissioner Eggers

- Westchase community meeting
- Chanukah Celebration at Coachman Park
- Removal of industrial debris from County Road 39
- Nebraska Avenue project
- Pop Stansell Park pier ribbon cutting
- Thanked Chair Long for her leadership

Commissioner Peters

- Health and Human Services Leadership Board
- Opioid Abatement Funding Advisory Board
- Thanked Chair Long for her leadership

Chair Long

- Florida Association of Counties Legislative Conference
- State Delegation meeting
- Premiere of documentary on C.W. Bill Young
- Tampa Bay Transportation Management Area Leadership meeting
- ARK Innovation Center tour and ribbon cutting
- Meeting with new CEO of St. Petersburg Economic Development
- Mayor's Council luncheon
- Home for the Holidays adoption event at Tropicana Field
- Tourist Development Council

Chair Long referred to comments made by Commissioner Latvala at a work session and requested that the members provide consensus to send a letter on behalf of the Board regarding its support for selection of the Dr. Carter G. Woodson African American Museum as the location of the State's African American museum; whereupon, the members agreed for the letter to be sent.

Thereupon, Suncoast Behavioral Health Center President/CEO Barbara Daire appeared, discussed the Center's services and accomplishments, and responded to queries by Commissioner Latvala and Chair Long regarding suicide statistics, updates to the Center's website, and the process for making appointments to the Center's Board of Trustees.

Meeting Recessed: 4:42 P.M.

Meeting Reconvened: 6:03 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

Deviating from the agenda, Chair Long indicated that Item No. 53 would be addressed at this time.

- 53. Ordinance creating a Municipal Services Taxing Unit for recreation services and facilities in the unincorporated Seminole area.

Ordinance No. 23-33 approved establishing a Municipal Services Taxing Unit (MSTU) within a specific area of the unincorporated Seminole area described as the “district”, for the purpose of funding maintenance, operation, and capital improvements to recreation facilities within the boundaries of the district. Three letters and one petition with 121 signatures in support, and one email in opposition have been received by the Clerk.

In response to the Chair’s call for those wishing to speak, the following individuals appeared:

- Bradley Felten, Seminole
- Cayson Martino (no address provided)
- Steve Cecil (no address provided, submitted documents)
- Amanda Felten (no address provided)

Chair Long invited all of the youth athletes in attendance to introduce themselves; whereupon, she called on the following remaining individuals who wished to speak:
 Eugene Civello, Seminole
 Billy Hofacker, Seminole
 Karen Czarnia, Seminole

In response to a query by Commissioner Scott, Mr. Burton confirmed that the item's approval by the Board would establish the MSTU; and that staff would present a proposed budget for the MSTU as part of the Fiscal Year 2025 budget process.

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

- Aye:** 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

- 46. Case No. DA 23-01 - City of St. Petersburg
 Countywide Plan Map amendment from Activity Center and Target Employment Center to Activity Center and Target Employment Center, regarding 17.91 acres more or less, located at the northwest corner of Gandy Boulevard and I-275.

Ordinance No. 23-29 adopted approving Case No. DA 23-01. Forward Pinellas, in its role as the Pinellas Planning Council and the Planners Advisory Committee, recommended approval of the amendment. No correspondence has been received. No citizens appeared to be heard.

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

- Aye:** 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

BOARD OF COUNTY COMMISSIONERS

47. Case No. FLU-23-01 (La Mirage Beauty Salon, Inc.)

A request for a Future Land Use Map amendment from Residential/Office General to Institutional on approximately 3.3 acres located at 3720 and 3730 Tampa Road in Palm Harbor. (Companion to Item No. 48)

Ordinance No. 23-30 adopted approving Case No. FLU-23-01. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received.

Appearing on behalf of the applicant, Todd Pressman, St. Petersburg, related that while this request was before the Board several months ago, it was remanded and amended to meet staff's recommendations; and that no opposition has been received.

Responding to a query by Commissioner Justice, Mr. Burton related that the difference between the prior and current request is the addition of the development agreement.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

48. Case No. ZON-23-01 (La Mirage Beauty Salon, Inc.)

A request for a zoning change from GO, General Office to GI, General Institutional, with a Development Agreement allowing up to 23,314 square feet of building area for the uses permitted in the GI zone at a building height as allowed by the GI zone and terminating a 2014 deed restriction that limits building area to 14,690 square feet, on approximately 3.3 acres located at 3720 and 3730 Tampa Road in Palm Harbor. (Quasi-Judicial) (Companion to Item No. 47)

Resolution No. 23-108 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 Vice-Chair Peters, seconded by Commissioner Scott, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

49. Case No. LDR-23-01 (Pinellas County/Housing and Community Development Department)
(second public hearing)

A request to amend the Pinellas County Land Development Code Section 138-2153 to adopt the Lealman Form Based Code (L-FBC) and adding Article XI - the Lealman Form Based Code to Chapter 138 of the Land Development Code. (Companion to Item No. 50)

Ordinance No. 23-31 adopted approving the changes as set forth in the Staff Report. 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 Vice-Chair Peters, seconded by Commissioner Scott, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

50. Case No. ZON-23-05 (Pinellas County/Housing and Community Development Department)
(second public hearing)

A request to change the zoning classification of approximately 168.63 acres comprising various parcels within the Lealman Community Redevelopment Area from C-1, Neighborhood Commercial, C-2, General Commercial and Services, E-1, Employment-1, E-2, Employment-2, I, Heavy Industry, GO, General Office, LO, Limited Office, GI, General Institutional, R-3, Single Family Residential and R-4, One, Two, and Three Family Residential to L-FBC, Lealman Form Based Code District. (Companion to Item No. 49)

Resolution No. 23-109 adopted authorizing the changes as set forth in the Staff Report. 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 Vice-Chair Peters, seconded by Commissioner Scott, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

51. Resolution approving through Interlocal Agreement indebtedness and expenditure of Pinellas County Tax Increment Financing funds pursuant to the City of Dunedin Redevelopment Plan, subsequently amended as the City of Dunedin Community Redevelopment Agency Downtown Master Plan 2033, for the Dunedin Redevelopment District pursuant to the Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes; and providing for an effective date.

Resolution No. 23-110 adopted approving the agreement. No correspondence has been received.

Dunedin Mayor Julie Ward-Bujalski expressed appreciation to the County for its continued partnership with the City and highlighted the success of the Dunedin Community Redevelopment Area (CRA). She discussed future projects and annual visitation to Dunedin, noting that the City is financially preparing for when the CRA expires; whereupon, she requested the Board's support of the resolution in order to complete unfinished initiatives.

Responding to comments by Chair Long, Mr. Burton indicated that this is not an extension of the CRA, but rather is an issuance of debt which requires the Board's approval, per the interlocal agreement; whereupon, Commissioner Eggers expressed his positive experiences in Dunedin and support for the CRA.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

52. Ordinance approving Jabil, Inc. for an Economic Development Ad Valorem Tax Exemption.

Ordinance No. 23-32 adopted approving the tax exemption for Jabil, Inc., pursuant to Section 196.1995, Florida Statutes, and Pinellas County Ordinance 2018-08. No correspondence has been received by the Clerk.

Responding to queries by Commissioners Eggers and Scott, Director of Economic Development Dr. Cynthia Johnson provided information regarding the tax exemption's duration and percentage amount and the differences between Phases I and II of the project.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

54. Appeal by Mark and Debra Colburn of the issuance of County Dock Permit No. WND-22-00252 granted to Rostam Holding, LLC for a residential multiuse six-slip dock at 1605 Pass-a-Grille Way, St. Pete Beach, 33706.

Mr. Burton related that this item was withdrawn by the applicant.

55. Appeal by Brian and Lori Myrback of the issuance of County Dock Permit No. WND-20-00231REV granted to Dr. James P. Donovan for a dock and boat lift at 106 Harbor Drive, Palm Harbor, 34683.

Appeal denied. One letter in support has been received by the Clerk.

Attorney White reviewed the quasi-judicial hearing process for the appeal, indicating that the property owner must prove that the dock permit is consistent with County Code and dock regulations; and that the basis of the Board's decision should be based on the dock permit's consistency with the Code, as well as whether there is competent and substantial evidence to support that decision. She noted that staff and the applicant will each have 20 minutes to present; and that the appellant is requesting 20 minutes to present through legal counsel; whereupon, she recommended that the Board vote regarding the appellant's request to speak for 20 minutes.

A motion was made by Commissioner Latvala, seconded by Commissioner Scott, that the appellant receive 20 minutes to present. The motion carried by the following vote:

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Environmental Program Manager Julee Sims noted that the application permit included in the agenda packet is a revised version of the document; and that staff requests that the original permit application be introduced into the record; whereupon, she distributed the original permit application and provided an overview of the Water and Navigation regulations which pertain to appeals.

Referring to a PowerPoint presentation containing photographs and maps, Ms. Sims pointed out the location of the subject property and provided background information related to its previous and current owners and the location of the dock and boat lift. She related that Dr. Donovan applied for a permit in 2020 for modifications to the dock and boat lift, which were authorized by a permit issued in 2001; that a new permit application included a request to extend the dock by 8 feet and shift the boat lift seaward by approximately 6 feet; and that variances allowing modifications to the dock length and the position of the boat lift were approved on May 5, 2021, by the Board of Adjustment and Appeals (BAA).

Ms. Sims related that Dr. Donovan's neighbors, Brian and Lori Myrback, filed an appeal with the Circuit Court seeking to overturn the BAA's ruling on the boat lift; that on August 2, 2022, the Court ruled in their favor, thus rescinding the BAA's variance that allowed the boat lift to shift seaward; and that an application by Dr. Donovan to revise his permit was approved by staff on April 28, 2023, shifting the boat lift back to its prior location. She related that the Myrbacks are now seeking to overturn Dr. Donovan's revised permit, indicating that their position is that any part of the dock or boat lift extending outside of the center one-third of his property should either match the permit issued in 2001 or receive a variance from the BAA or BCC; and that the Myrbacks are concerned that a larger vessel could utilize the boat lift due to the removal of a stub out.

Ms. Sims indicated that in response to the Myrbacks' position and concerns, staff submits that County Code does not require permits for the removal of docking facilities; that County Code does not generally regulate the type or size of vessels utilizing docking facilities; that placing the boat lift in the same location shown in the 2001 permit is consistent with County Code; and that because the Myrbacks did not appeal the variance allowing the extended dock, it must be permitted by staff in the absence of other factors warranting denial, which are not present here; whereupon, she stated that staff recommends upholding the issuance of County Dock Permit No. WND-20-00231REV.

Katie Cole, Clearwater, appeared and indicated that she represents the applicant and introduced Terri Skapik. Ms. Skapik, Woods Consulting, outlined her qualifications to the members; whereupon, at the request of Ms. Cole, Chair Long accepted Ms. Skapik as a qualified dock permitting expert in Pinellas County.

Ms. Skapik indicated that she has been working with Dr. Donovan since 2020 to develop a plan to replace the dock, which has needed repairs due to aging and storms; that it was deemed necessary to replace all structural components of the dock; and that due to the presence of seagrass beds on the north side of the dock, she recommended that the boat lift remain on the south side.

Ms. Skapik provided background information on the variances, setbacks, and the permitting process, indicating that the current permit allows for the reconstruction of the dock with an 8-foot length extension; and that the boat lift would remain in its current location. She indicated that the proposed dock is appropriate due to historic boating activity and the efforts to preserve the seagrass beds.

Ms. Cole further reviewed the history of the permit and the opposition from the Myrbacks, noting that State law and County Code do not grant view rights across a neighbor's property; and that the applicant, Ms. Skapik, and County staff, whom have spent hours diligently analyzing the permit, agree that this permit was properly issued and meets County Code. She requested that the BCC uphold the permit and deny the appeal.

Referring to photographs, Edward Cole, Palm Harbor, indicated that he represents the Myrbacks and provided a lengthy overview of the Myrbacks' position and reasons for opposition, relating that the boat lift should be located on the north side of the dock towards the center one-third of Dr. Donovan's property, in accordance with Section 58-555(b)(1) of the Code; and that the Myrbacks do not want the boat lift 4.79 feet from their property. He related that the 2001 permit was granted due to the approval by the previous owners of the Myrbacks' property; and that he disagrees with the above testimony regarding removal of the stub out, allowable size for docking vessels, waterfront view rights, and other topics. Thereupon, Mr. Cole indicated that the application should be subject to proper variance approval through the BAA.

Responding to queries by the Commissioners, Ms. Sims, with input from Ms. Skapik, provided clarifying comments and related that Pinellas County is designated as an aquatic preserve, which imposes restrictions on development and also attempts to minimize impacts on protected resources, such as seagrass beds; and that the boat lift is located in its original position approved in the 2001 permit.

In rebuttal, Ms. Cole summarized the events leading up to today's hearing and reiterated that the dock permit was properly issued and meets the criteria in the Code for issuance.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

- 56. Resolution supplementing the Fiscal Year 2024 Operating and Capital Budget for unanticipated revenue for the American Rescue Plan Act, Capital Projects and General Funds, revenue replacement for the General Fund, and unanticipated fund balance for the General Fund. Realign appropriation from General Fund Reserves for unanticipated expenditures at the Public Safety Complex.

Resolution No. 23-111 adopted recognizing and appropriating unanticipated revenue and revenue replacement and realigning of funds as outlined in the Staff Report. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 6 - Chair Long, Vice-Chair Peters, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

Nay: 1 - Commissioner Eggers

Commissioner Eggers provided brief comments regarding the reasoning for his dissenting vote.

- 57. Award of bid to Ring Power Corporation for the Public Safety Campus Generator Fuel Replenishment System project. (Regular Agenda Item that is companion to Item No. 56)

Contract No. 23-1008-ITB-C awarded in the amount not to exceed \$440,129.00 for a duration of 180 consecutive calendar days on the basis of being the only responsive bid.

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

Aye: 7 - Chair Long, Vice-Chair Peters, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Scott

ADJOURNMENT - 8:01 P.M.


Chair

ATTEST: KEN BURKE, CLERK

By 
Deputy Clerk

