

Pinellas County

*Pinellas County Cooperative Extension
12520 Ulmerton Road, Largo*



Minutes - Final

Tuesday, July 13, 2021

2:00 P.M.

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

Board of County Commissioners

*Dave Eggers, Chair
Charlie Justice, Vice-Chair
Rene Flowers
Pat Gerard
Janet C. Long
Kathleen Peters
Karen Williams Seel*

ROLL CALL - 2:03 P.M.

Present: 5 - Chair Dave Eggers, Vice-Chair Charlie Justice, Rene Flowers, Pat Gerard, and Janet C. Long

Absent: 2 - Kathleen Peters, and Karen Williams Seel

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

INVOCATION by Rev. J.C. Pritchett, Interdenominational Ministerial Alliance, St. Petersburg.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. National Parks and Recreation Month Proclamation:
Parks and Conservation Resources Advisory Board
- Debbie Chayet, Chairman
- Peg Cummings, Vice Chairman

Chair Eggers read a proclamation recognizing the month of July as National Parks and Recreation month and expressed appreciation for the work done by Pinellas County Parks and Preserves staff; whereupon, Parks and Conservation Resource Advisory Board Vice-Chairman Peg Cummings acknowledged Parks and Conservation Resources Director Paul Cozzie and his team for their hard work.

2. Employee Recognition Award:
Veteran Services
- Cleosinda Mizutani, Office Specialist
Building & Development Review Services
- Leila Kheireddine, Project Coordinator
- Michael Howsare, Project Coordinator
- Dayne Morris, Engineer

Chair Eggers introduced Ms. Mizutani and invited her to the podium. A video was played which provided an overview of her role and accomplishments. She thanked the Board of County Commissioners, Human Services Department, Veterans Services, colleagues, her family, and the veterans she serves.

Chair Eggers recognized Building and Development Review Services (BDRS) staff and invited them to the podium, noting that BDRS Director Blake Lyon was present on behalf of Ms. Kheireddine. A video was played which provided an overview of the Department's part in a multi-phase software implementation project and highlighted the accomplishments of Messrs. Howsare and Morris, and Ms. Kheireddine. Mr. Morris noted the efforts of the

entire Department in partnership with Business Technology Services. Mr. Lyon commended Office of Technology and Innovation Program Manager Vestina Crayton for her role as a technical partner.

3. Partner Presentation:

- Vernon Bryant, Executive Director, Florida Botanical Gardens Foundation

Mr. Bryant thanked Parks and Conservation Resource (PCR) Director Paul Cozzie for extending an invitation to speak and acknowledged the hard work and dedication of the Foundation's Board of Directors and its community partners. He referred to a PowerPoint presentation that highlighted the updated strategic plan; whereupon, he thanked PCR for its partnership and funding contributions.

4. Business Partner Presentation:

- Paul Peiffer, President, AFC Urgent Care

Chair Eggers provided brief remarks regarding AFC Urgent Care and invited Mr. Peiffer to the podium; whereupon, Mr. Peiffer discussed AFC Urgent Care's role in the community and its available services. He thanked Pinellas County, the Small Business Development Center (SBDC), and SBDC Consultant Kurt Forster for business guidance and support.

CITIZENS TO BE HEARD

5. Citizens To Be Heard - Public Comment.

David Ballard Geddis Jr., Palm Harbor (submitted documents)

Kenneth Brant, St. Petersburg

Nancy Obarksi, Indian Rocks Beach

Don House, Indian Rocks Beach

Mack Johnson, Largo

Greg Pound, Largo

Jacquelyn Payke, Palm Harbor

Rory King, St. Petersburg

Commissioner Long related concerns voiced by Ms. Obarksi and Mr. House regarding the Indian Rocks Beach re-nourishment project. Mr. Burton indicated that he was aware of residents' concerns and Deputy County Administrator Jill Silverboard noted that some work has been completed; that the project is on hold while they wait on information from the U.S. Army Corps of Engineers; and that information would be shared as soon as it is received.

Referencing concerns stated by Ms. Payke regarding the replacement of trees with dumpsters at the intersection of Shady Lane and Hillsborough Road, Mr. Burton clarified that the dumpsters are actually recycling sites. He stated that Parks and Conservation Resources will patrol the site to prevent illegal dumping and to ensure cleanliness; that new trees were planted to mitigate the loss of existing trees; that the site will be fenced to

provide a visual buffer; and that he will follow up on the project's progress.

In response to concerns expressed by Rory King and queries by the members, Pinellas County Economic Development Division Director Cindy Margiotta acknowledged that a Property Assessed Clean Energy (PACE) project has not happened yet; that the County has received inquiries regarding the program; and that a few companies have indicated that progress payments were an issue, and discussion ensued.

CONSENT AGENDA - Items 6 through 22 (Item 17 addressed under Regular Agenda)

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

6. Minutes of the in-person and virtual regular meeting held April 27, 2021.

This item was approved as part of the Consent Agenda.

7. Vouchers and bills paid from May 23 through June 12, 2021.

Period: May 23 through May 29, 2021

Accounts Payable - \$24,567,577.53

Payroll - \$3,996,463.74

Period: May 30 through June 5, 2021

Accounts Payable - \$52,563,088.38

Payroll - None

Period: June 6 through June 12, 2021

Accounts Payable - \$13,875,570.09

Payroll - \$4,038,905.25

This item was approved as part of the Consent Agenda.

Reports received for filing:

8. Dock Fee Report for the month of May 2021.

This item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

9. Report of Discounts, Errors, Double Assessments, and Insolvencies with the Tax Collector Recapitulation for the 2020 Tax Roll.
This item was approved as part of the Consent Agenda.

10. Eastlake Oaks Community Development District proposed Operating Budget for Fiscal Year 2022.
This item was approved as part of the Consent Agenda.

11. City of Clearwater Ordinance Nos. 9448-21 and 9451-21 adopted June 3, 2021, annexing certain properties.
This item was approved as part of the Consent Agenda.

12. City of Seminole Ordinance No. 04-2021 adopted May 25, 2021, annexing certain properties.
This item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

13. (Deferred to a future BCC meeting)
Award of bid to Centennial Contractors Enterprises, Inc., Harbour Construction, Inc., Johnson-Laux Construction, and New Vista Builders Group, LLC for requirements of Job Order Contracting for large construction projects.
This item was approved as part of the Consent Agenda.

14. Declare surplus and authorize the sale of County-owned equipment and vehicles.
This item was approved as part of the Consent Agenda.

County Administrator

15. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending June 21, 2021.
This item was approved as part of the Consent Agenda.

16. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending June 30, 2021.
This item was approved as part of the Consent Agenda.

Utilities

18. Award of the bid to four contractors: Astra Construction Services, Caladesi Construction Co., Archer Western, and TLC Diversified, Inc. for Job Order Contracting for as-needed work on wastewater treatment and water facilities, underground utility repair, maintenance, and minor construction.

Bid No. 21-0241-CP awarded to the following contractors in an amount of \$5,000,000.00 over a five-year term for each firm, for a total expenditure not-to-exceed \$20,000,000.00, on the basis of being the lowest responsive, responsible bids received meeting specifications:

- Astra Construction Services
- Archer Western
- Caladesi Construction Co.
- TLC Diversified, Inc.

Bids from Gibraltar Construction Co. and Wing Plumbing rejected as non-responsive for not meeting specifications.

This item was approved as part of the Consent Agenda.

19. Award of bid to Polydyne, Inc. for reclaimed methanol and Colonial Chemical Solutions, Inc., for virgin methanol - a Tampa Bay Purchasing Cooperative Contract.

Bid No. 21-0219-B awarded in the estimated average annual amount of \$709,550.00 for a sixty-month term and not-to-exceed a total expenditure of \$3,547,750.00, based on being the lowest responsive, responsible bid received meeting specifications. Contract provides for price adjustments at twelve-month intervals, as set forth in the Staff Report. The City of Oldsmar as a Cooperative participant is responsible for its own award and funding for the five-year term.

Bid from Brenntag Mid-South, Inc. rejected as non-responsive for not meeting specifications.

This item was approved as part of the Consent Agenda.

COUNTY ATTORNEY

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

This item was approved as part of the Consent Agenda.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

21. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending June 30, 2021.

This item was approved as part of the Consent Agenda.

22. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending June 30, 2021.

This item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Management and Budget

17. Fiscal Year 2021 Board Budget Amendment No. 3 to realign appropriation from Reserves to Contingency in the General Fund for unanticipated Fiscal Year 2021 expenditures.

Amendment approved realigning \$925,810.00 from General Fund Reserves for Contingencies to Administrative Services for unanticipated expenses related to COVID-19. Unanticipated costs due to COVID-19 will be submitted for reimbursement under the Federal Emergency Management Agency public assistance grant.

In response to a query by Commissioner Long, Office of Management and Budget Director Bill Berger noted that the proposed Fiscal Year 2022 budget sets the reserve level at \$152,000,000.00, and discussion ensued.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

COUNTY ADMINISTRATOR DEPARTMENTS

Convention and Visitors Bureau

- 23.** Fiscal Year 2022 Elite Event funding recommendations from the Tourist Development Council, including a waiver of the Elite Event Funding Program Guidelines scoring requirements.

Recommendations approved to fund the following Fiscal Year 2022 Elite Events for a total maximum expenditure in an amount not to exceed \$1,000,000.00, as delineated in the Staff Report: Valspar PGA Championship, Pelican LPGA Women's Championship, Outback Bowl & Clearwater Beach Day, Hooters Clearwater Offshore Nationals, Clearwater Jazz Holiday, Pier 60 Sugar Sand Festival, Martin Luther King Jr. Parade Weekend, St. Pete Pride, Enchant St. Petersburg, King of the Beach (Fall), King of the Beach (Spring), Sanding Ovations Masters Cup, Gasparilla Bowl, DTSP Songwriters Festival, St. Pete BikeFest, Festivals of Speed, Dunedin Highland Games & Festival, and Localtopia. The Tourist Development Council (TDC) recommended that the BCC consider a waiver of the guidelines as to the minimum scoring criteria for the Localtopia event. Convention and Visitors Bureau staff to negotiate the terms and final funding amounts for each agreement. County Administrator authorized to execute the agreements.

Responding to queries by Chair Eggers, Visit St. Pete/Clearwater President and CEO Steve Hayes provided a brief summary of the most recent TDC Elite Events Funding Committee meeting, explained the purpose of the funding, and discussed plans for a TDC workshop in the fall to re-evaluate the guidelines and to consider introducing smaller grants; whereupon, in response to a query by Commissioner Justice, he provided information regarding the Pelican LPGA Women's Championship and related that it is a newer event that began last year.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

Economic Development

- 24.** Application for the Florida Job Growth Grant Fund in the amount of \$4,000,000 to fund a portion of the design, construction, and equipping of an approximate 45,000-square-foot purpose built, state-of-the-art facility to house the Tampa Bay Innovation Center incubator.

Application approved for submission (total estimated project cost, \$15,608,795.00).

Responding to a query by Chair Eggers, Mr. Burton explained that the purpose of the application is to offset County expenses associated with the program in light of increased construction costs that have led to the project's overall cost to surpass the original budget.

Assistant County Administrator Kevin Knutson provided an update to the project's timeline and related that Tampa Bay Innovation Center Director Tonya Elmore is in the process of

hiring a point person for raising a portion of the funds.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

25. Three applications for funding under the Penny for Pinellas Employment Sites Program.

Applications for funding conditionally approved following successful completion of due diligence to comply with the program guidelines, and authority delegated to the County Administrator to negotiate and execute all agreements and associated documentation, as set forth in the Staff Report, for the following projects:

- Brooker Creek V, LLC in the amount of \$908,500.00
- CMNY Transitions, LLC in the amount of \$1,723,000.00
- Multi-Use Sensitive Compartmented Information Facility (SCIF) in the amount of \$183,655.00

Business Development Manager Teresa Brydon referred to a PowerPoint presentation titled *Employment Sites Program First Round Applications*, providing information regarding the Employment Sites Program (ESP), its timeline, and a summary of market statistics for Pinellas County that contributed to the creation of the ESP. She noted that the majority of industrial and office buildings are outdated, placing the County below its competition in the market for bringing in new business opportunities.

Ms. Brydon indicated that funding for Brooker Creek V, LLC would be used for a purchase of fill dirt required for construction; whereupon, she, with input by Mr. Burton, responded to queries by the members concerning the project costs and funding objectives, assuring that the agreements would include checks and balances.

Ms. Brydon explained that the requested funds for CMNY Transitions, LLC would be utilized for reconstruction of a stormwater pond system. Responding to a query by Chair Eggers, she indicated that it is anticipated that the facility may create over 190 jobs, noting that the number of jobs for this and the Brooker Creek projects are speculative; whereupon, Commissioner Flowers expressed concerns regarding flooding in the area.

Ms. Brydon related that the Multi-Use SCIF project is being developed by Florida International University's National Forensic Science Technology Center; and that it would benefit over 800 companies in Pinellas County, which work with the United States Department of Defense (DOD), noting that MacDill Air Force Base remains closed to the public as a result of the pandemic. Commissioner Long requested delaying consideration of the SCIF for three weeks to potentially allow for a greater local opportunity, and

discussion ensued, with some members expressing concerns regarding the request and Ms. Brydon and Mr. Burton indicating that additional opportunities may still be considered if presented later; whereupon, Ms. Brydon summarized the staff's recommendation for conditional approval of the applications, noting that due diligence will be conducted by staff with regard to the agreements, and discussed the next steps in the ESP application process.

Responding to queries by the members, Ms. Brydon, with input from Mr. Burton, related that the agreements for the aforementioned projects would be presented to Mr. Burton, rather than to the Board, for approval; that a SCIF is a self-contained unit where individuals with proper security clearance may communicate with or work on projects in collaboration with the DOD; and that the unit would be manufactured in Jacksonville by SCIF Solutions, a veteran-owned small business, and placed inside the National Forensic Science Technology Center's existing structure on Bryan Dairy Road in Largo.

During continued discussion regarding the agreements approval process recommended by staff and in response to a query by Chair Eggers, Attorney White advised that if the members wish to approve the agreements for the three projects rather than delegate the authority to the County Administrator, the delegation can be eliminated, noting that the approval is within the Administrator's monetary authority.

A motion was made by Commissioner Long, seconded by Commissioner Flowers, that the applications of Brooker Creek V, LLC, and CMNY Transitions, LLC, be approved as recommended by staff. The motion carried by the following vote:

Aye: 4 - Chair Eggers, Commissioner Flowers, Commissioner Gerard, and Commissioner Long
Nay: 1 - Vice-Chair Justice
Absent: 2 - Commissioner Peters, and Commissioner Seel

A motion was made by Vice-Chair Justice to approve the Multi-Use SCIF project application under the condition that the agreement be brought back to the Board for final approval. The motion failed for lack of a second.

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

Aye: 4 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, and Commissioner Gerard
Nay: 1 - Commissioner Long
Absent: 2 - Commissioner Peters, and Commissioner Seel

Housing & Community Development

26. Resolution adopting Forward Pinellas's Safe Streets Pinellas Action Plan and a "Vision Zero" approach to County decision-making, policy development, project planning, and implementation.

Resolution No. 21-44 adopted, approving the Plan in recognition of the importance that local government decisions have upon the health, safety, and mobility of its citizens, and adopting a "Vision Zero" approach to County decision-making, policy development, project planning, and implementation, to eliminate traffic fatalities and serious injuries on the Pinellas County transportation network by 2045 for the health, safety, and welfare of citizens and visitors.

In response to queries by Chair Eggers, Forward Pinellas Executive Director Whit Blanton, with input from Principal Planner Caroline Lanford, elaborated on Forward Pinellas's initiatives and provided an update on tracking injuries on Pinellas trails.

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

Aye: 4 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, and Commissioner Long

Absent: 3 - Commissioner Gerard, Commissioner Peters, and Commissioner Seel

Public Works

27. Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection for the former Baypointe Golf Course Brownfield site.

Agreement approved allowing the County to receive tax credit incentives providing reimbursement of certain costs associated with site rehabilitation; maximum amount up to \$500,000.00 in tax credits annually.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

Safety and Emergency Services

28. Issuance of a Certificate of Public Convenience and Necessity for provision of Helicopter Ambulance Service in Pinellas County.

Certificate approved and issued to Med-Trans Corporation, d/b/a Med-Trans Florida, in accordance with Chapter 54, Pinellas County Code and Florida Statutes, Section 401.25.

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

- Aye:** 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long
- Absent:** 2 - Commissioner Peters, and Commissioner Seel

COUNTY ATTORNEY

- 29.** Proposed initiation of litigation in the case of Pinellas County v. Daniel Bornstein - action for injunctive relief.

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

- Aye:** 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long
- Absent:** 2 - Commissioner Peters, and Commissioner Seel

- 30.** Proposed settlement in the case of Alexis Rodriguez v. Pinellas County, Florida; Circuit Civil Case No. 19-008075-CI-15.

Settlement approved in accordance with the confidential memorandum dated July 13, 2021.

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

- Aye:** 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long
- Absent:** 2 - Commissioner Peters, and Commissioner Seel

- 31.** Proposed settlement through Plan Confirmation in the case of In re: Purdue Pharma L.P., et al, debtors - Purdue Pharma, L.P. Case No 19-23469 (bankruptcy).

Settlement approved in accordance with the confidential memorandum dated July 13, 2021.

Attorney White introduced the item and explained that while it is active litigation, much of the information within it is in the public domain; that the Board's approval would convey its thoughts on the case before the court; and that the case is part of broader legislation that is occurring across the country.

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

- Aye:** 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long
- Absent:** 2 - Commissioner Peters, and Commissioner Seel

- 32.** Resolution authorizing the County Administrator to enter into necessary agreements with the Florida Attorney General regarding the prospective allocation and use of settlement proceeds relating to the opioid epidemic.

Resolution No. 21-45 adopted granting the specified authorization to the County Administrator and granting authority to execute agreements as necessary to approve participation in the Florida Plan, as well as the allocations and abatement priorities set forth therein. The resolution does not delegate settlement approval to the County Administrator.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

- 33.** Delegation to the County Administrator the authority to enter into an interlocal agreement establishing the Opioid Abatement Funding Advisory Board.

Delegation of authority approved granting the specified authorization to the County Administrator.

Attorney White related that this agreement with other local litigating municipalities would ensure that regional funds are spent within the county and on abatement programming determined locally to be in the best interest of Pinellas County.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

- 34.** County Attorney Reports:
- County Redistricting Board Update

Attorney White indicated that member appointments would be added to the agenda of the August 10 BCC meeting; that the Redistricting Board would present its findings to the Commissioners in November in preparation for the BCC's final action in December; and that according to statute, the Commissioners need to act during an odd-numbered year, however, the Board has the option to wait until 2023 as other local governments have done.

COUNTY ADMINISTRATOR

35. County Administrator Reports:

- Recycling center in Wall Springs Park, Palm Harbor
- Report from Dr. Ulyee Choe containing various COVID-19 updates
- FEMA Maps
- Fiscal Year 2022 Proposed Budget

Recycling center in Wall Springs Park, Palm Harbor

Responding to citizens' remarks made during public comment, Mr. Burton, with input from Deputy County Administrator Jill Silverboard, discussed recycling drop-off sites at regional parks and the postponement of a recycling center construction at Wall Springs Park to allow staff the opportunity to meet with local residents about the project.

Report from Dr. Ulyee Choe containing various COVID-19 updates

Mr. Burton related that he would be presenting the COVID-19 report in Department of Health in Pinellas County Director Dr. Choe's absence and elaborated on local coronavirus statistics and the County's collaborative efforts with the Department of Health to market vaccination events, noting that virus transmissibility is a major concern; whereupon, he responded to queries and comments by the members.

FEMA Maps

Mr. Burton and Floodplain Administrator Lisa Foster briefed the members on the County's outreach efforts relating to resiliency and adopting higher building standards in order to prevent flooding and decrease flood insurance rates and indicated that feedback has been received from the Pinellas Realtors Organization in support of the matter; and that efforts to achieve a consistent countywide development standard are ongoing; whereupon, they responded to queries by the members.

Fiscal Year 2022 Proposed Budget

Referring to a PowerPoint presentation titled *Proposed FY22 Annual Operating and Capital Budget*, Mr. Burton discussed finding operational efficiencies to address strategic needs and initiatives in the areas of behavioral health, public safety, parks, sidewalks, sustainability and resiliency, transportation, technology, and affordable housing and provided an overview of budget-related changes from Fiscal Years 2019 to 2022 and the Fiscal Year 2022 budget recommendations, including a full millage rate rollback.

During discussion and in response to queries by the members, Mr. Burton provided additional information regarding the strategic initiatives and budget recommendations and indicated that a proposed five-cent per-gallon increase on all fuel purchases would facilitate necessary transportation infrastructure maintenance and improvements; and that a full rollback of the General Fund and Health Department's millage rates is feasible due to

leftover funds from last year.

Office of Management and Budget Director Bill Berger reported on the Fiscal Year 2022 budget summary; Penny for Pinellas funds; budgets for BCC departments, Constitutional Officers, and other agencies; staffing levels; additional decision packages; user fee changes; and the budget timeline; whereupon, he responded to queries by the members regarding reserve levels, budget projections, and other matters, and Mr. Burton provided input, noting that the proposed budget reflects a conservative approach and transparency.

COUNTY COMMISSION

- 36.** Reappointments/appointments to the Parks and Conservation Resources Advisory Board (Board of County Commissioners as a whole).

Lindsay M. Cross reappointed and Lara Wojahn appointed to each serve a one-year term beginning August 1, 2021.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

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

The members indicated that they have no updates to report.

Meeting Recessed: 5:42 P.M.

Meeting Reconvened: 6:15 P.M.

PUBLIC HEARINGS

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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

- 38.** Ordinance amending the Countywide Rules (first public hearing).

First public hearing held. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposed amendments. One letter has been received in support of the proposal. No citizens appeared to be heard. Second public hearing to be held on August 10, 2021.

Forward Pinellas Principal Planner Linda Fisher referred to a PowerPoint presentation titled *Proposed Amendments to the Countywide Rules* and provided background information pertaining to senior housing. She highlighted the proposed changes and how they respond to changing conditions to meet local needs, noting that the addition of a senior housing bonus allows local government to offer incentives for senior housing under certain provisions, including design criteria and prohibitions; and that the proposed revisions to the map adjustment process will provide clarity in administrative actions.

BOARD OF COUNTY COMMISSIONERS

- 39.** Ordinance providing for the repeal of Section 126-1 of the Pinellas County Code, relating to vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in public easements and right-of-way.

Ordinance No. 21-16 adopted approving the repeal request. No correspondence has been received. No citizens appeared to be heard.

Utilities Director Megan Ross indicated that Section 126-1 of the Code is no longer applicable and does not align with the existing right-of-way permitting process.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

- 40.** Petition of Robert W. Morgan to vacate the south 30 feet of the 60-foot-right-of-way of 54th Avenue North, lying north of and adjacent to lot 7, per Orange Estates of Saint Petersburg First Addition, Plat Book 36, Page 13, Lying in Section 3-31-15, Pinellas County, Florida. (Legislative Hearing)

Petition denied. Letters of no objection have been received from the appropriate parties and interested parties were notified as to the date of the public hearing. Bright House requested that the applicant be aware that if the possibility of relocation occurs, the relocation would be at the expense of the petitioner. No correspondence has been received. No citizens appeared to be heard.

Referring to a PowerPoint presentation containing photographs and maps, Director of Building and Development Review Services Blake Lyon provided information regarding the location of the right-of-way in relation to the surrounding area, property ownership, and utilities, indicating that the petitioner is seeking to vacate the right-of-way to establish ownership of the existing vegetation and landscaping.

Responding to queries by the members, Mr. Lyon and Public Works Director Kelli Hammer Levy provided information regarding future projects in the area for stormwater drainage, sidewalks, and pedestrian refuge, and Mr. Lyon indicated that it would be premature to vacate the right-of-way due to possible projects that could begin within the next few years; and that the Board could consider recommending that staff engage in a right-of-way utilization permit for the existing landscaping improvements on the property while the County does not have an immediate need for a project.

In response to queries by Commissioner Flowers, Attorney White indicated that if the petition to vacate were to be granted, the ownership transfers to the petitioner and there would be an extensive legal process to reacquire the vacated portion for any future stormwater drainage improvements.

Petitioner Robert Morgan, St. Petersburg, responded to queries by the members and indicated that he uses the right-of-way for green space, for which he installed a sprinkler system; whereupon, discussion ensued, with input from Messrs. Lyon and Burton, pertaining to the petitioner's comments and the consideration of a right-of-way utilization permit.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the petition to vacate be denied; and that staff begin the permitting process with Mr. Morgan so he may utilize the right-of-way until the County deems a stormwater drainage project to be necessary in the area. The motion carried by the following vote:

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

41. Case No. Q Z/LU-21-01 (Noell Family, LLC, Attn: Chris Noell) (2nd hearing)

A request for a land use change from Residential Suburban and Preservation to Residential Low and Preservation and a zoning change from R-A, Residential Agricultural and R-3, Single Family Residential to R-5-CO, Urban Residential-Conditional Overlay and PC, Preservation/Conservation.

Ordinance No. 21-17 and Resolution No. 21-46 adopted approving the land use and zoning changes, respectively. The Local Planning Agency recommended approval of the request. One hundred and three comments and several petitions with a total of 5,445 signatures in opposition have been received.

Referring to a PowerPoint presentation containing photographs and maps, Principal Planner Michael Schoderbock provided information regarding the location of the property in relation to the surrounding area, proposed zoning and land use changes, and traffic impacts and mitigation. He indicated that the Board approved the transmittal of the Ordinance on April 27 and deferred action on the zoning Resolution; that staff submitted the Ordinance for State Agency Review, from which no letters of objection were received; that Forward Pinellas recommended approval of the amendments; and that the applicant met with the Suncoast Primate Sanctuary representatives to discuss concerns about the development.

Mr. Schoderbock responded to queries by the members and related that the proposed use is a single-family attached subdivision with a conditional overlay limiting the density and use to 68 one-story villas or two-story townhomes, which was amended from the applicant's initial request; and that current land use and zoning allows for 12 units total. He noted that changing the zoning and not the land use would allow for a total of 47 units; and that approving both changes without the conditional overlay would allow for 82.

With regard to traffic mitigation, Mr. Schoderbock indicated that staff has received no objection to the proposed changes from the Florida Department of Transportation (FDOT); that the applicant met with FDOT for approval regarding the installation of a southbound left-turn lane from U.S. Alternate Highway 19 onto Valley Road and an offsite sidewalk along Pleasant Avenue and Valley Road from the proposed development to the Pinellas Trail; and that the request is compatible with the surrounding area and consistent with the Comprehensive and Countywide Plans.

Brian Aungst, Clearwater, appeared and indicated that he represents the applicant; that FDOT approved the aforementioned road improvements; and that a transportation management plan has been completed and submitted to staff for review. He noted that the application proposes a development with 3.16 units per acre even though the future land use on the Countywide Plan Map allows up to 10 units per acre; and that the land use change would increase the preservation area from 4.9 to 6.3 acres based on a wetland survey.

Robert Pergolizzi, Clearwater, related that the addition of a left-turn lane on Alternate U.S. 19 would solve existing traffic problems, expand capacity of the road, and increase the safety of those entering Valley Road; and that following a discussion with the Suncoast Primate Sanctuary representatives, the applicant revised the conditional overlay of the development to reflect decreased density and a larger buffer along the western boundary of the site adjacent to the Pinellas Trail and the Sanctuary, inclusive of a 20-foot setback and an eight-foot-high opaque fence with a five-foot landscape buffer having 30% opacity at the time of installation. He indicated that the neighboring property will have access to a public road through the proposed improvements on Pleasant Avenue; whereupon, Mr. Aungst provided additional comments regarding the density of the proposed development.

Upon call by the Chair for public comment, the following individuals stated their concerns, citing increased density, safety, traffic, and impacts on the primates in the neighboring wildlife sanctuary and the environment:

Deborah Cobb, Palm Harbor (spoke on behalf of others in attendance)
Lauren Rubenstein, St. Petersburg (spoke on behalf of others in attendance)
Dale Jacquay, Palm Harbor
Rick Leslie, Palm Harbor
David Ballard Geddis Jr., Palm Harbor

Responding to concerns from the public regarding traffic and on behalf of the applicant, Michael Yates, Palm Traffic, Tampa, provided information regarding the transportation management plan and indicated that additional vehicle trips generated would be minor if 47 total units were allowed versus 68 total units; and that adding the left-turn lane would result in a 20% improvement in capacity of the roadway, reducing the potential for accidents and delays.

Mr. Pergolizzi, with input from Mr. Aungst, related that where the property has frontage along Pleasant Avenue, the applicant will dedicate ten feet of the subject property to extend the public right-of-way to 50 feet, meeting Pinellas County standards; and that any extra property will be deeded to the owners of the neighboring property.

Responding to queries and comments by the members, Mr. Schoderbock indicated that due to state and local policy, the County cannot designate land within a coastal high hazard area with a future land use category that permits more than five units per acre; that based on the exhibits submitted with the application, the applicant is proposing to concentrate the majority of the development outside of the coastal high hazard areas; and that the current land use is consistent with the Countywide Plan Map but the zoning restricts the lot sizes, setbacks, and the use of the property.

Mr. Pergolizzi related that the widening of U.S. Alternate Highway 19 for the southbound left-turn lane would cost approximately \$200,000.00, fully funded by the applicant; whereupon, brief discussion ensued, with input from Mr. Schoderbock, regarding the conditional overlay.

Mr. Aungst reiterated the plans for the proposed development, stated that the applicant has lowered the density to 64 one-story villas or two-story townhomes, and requested a continuance if the Board cannot reach a majority vote. In response to queries by Chair Eggers, Mr. Aungst related that removal of four units from the western boundary of the property will account for the decrease.

Attorney White advised that if the will of the Commission is to stipulate where the units must be built then a continuance would be appropriate to allow staff to work with the applicant on a development agreement since it cannot be included in the conditional overlay; whereupon, Commissioner Long moved, seconded by Commissioner Flowers, that the case be continued.

Discussion ensued, with input from Messrs. Schoderbock and Aungst, and Commissioner Long withdrew her motion and then moved, seconded by Commissioner Flowers, that the application be approved with the unit count limited to 64 one-story villas or two-story townhomes.

Following Attorney White's advisement, Commissioner Flowers added that the motion is inclusive of the conditional overlays, with the exception of the items that are not under the control or purview of the Board, and includes the recommendation as presented by staff.

Mr. Pergolizzi affirmed the following commitments that the applicant has agreed to:

- Construction of a southbound left-turn lane and associated widening on U.S. Alternate Highway 19 at Valley Road
- Repaving of Pleasant Avenue
- Installation of offsite sidewalk along Pleasant Avenue and Valley Road from the proposed development to the Pinellas Trail

A motion was made by Commissioner Long, seconded by Commissioner Flowers, that the land use and zoning be approved as recommended by staff, amending the maximum number of units allowed on the property to 64 one-story villas or two-story townhomes. The motion carried by the following vote:

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

- 42.** Ordinance amending Chapter 138-Zoning and Chapter 146-Historic Preservation of the Pinellas County Land Development Code establishing the Downtown Palm Harbor Form-Based Code.

First public hearing held. No correspondence has been received.

Planning Division Manager Evan Johnson referred to a PowerPoint presentation and provided information regarding the request, including public and stakeholder engagement, recent studies and projects, location, and structure of the Downtown Palm Harbor Form-Based Code. He indicated that the goal of the code is to promote redevelopment by simplifying the process and providing flexibility where appropriate.

Attorney White advised the Board that they should accept public comment on Public Hearing Item Nos. 42 and 43 but should not take action until the second hearing. Mr. Johnson related that due to recent changes in state legislation related to building design standards, staff is working with the County Attorney's Office on modifying language within the form-based code; and that minimum sidewalk sizes will be adjusted and setbacks will have additional flexibility within the plan.

Upon call by the Chair for public comment, the following individuals appeared and expressed their opinions:

Neil Valk, Palm Harbor
Dean Maratea, Palm Harbor
David Ballard Geddis Jr., Palm Harbor
Phil Phillips, Palm Harbor

Chair Eggers expressed his gratitude to staff for their hard work to improve and provide development opportunities in Downtown Palm Harbor, highlighting the importance of resident input towards progress.

43. Case No. Z/LU-28-11-19 (Pinellas County) (first hearing)

A request for a zoning change from OPH-D, Old Palm Harbor Downtown, C-2, General Commercial and Services, C-2-H, General Commercial and Services-Historic Preservation Overlay, R-3, Single Family Residential, R-4, One, Two, and Three Family Residential, LO, Limited Office, GO, General Office, C-1, Neighborhood Commercial, E-1, Employment 1, E-1-Co, Employment 1-Conditional Overlay and E-2, Employment 2 to DPH-FBC, Downtown Palm Harbor - Form Based Code District on approximately 64 acres comprising the greater Downtown Palm Harbor area.

First public hearing held. The Local Planning Agency recommended approval of the request. One comment in opposition has been received. No citizens appeared to be heard.

Planning Division Manager Evan Johnson indicated that the proposed zoning change would reassign all current zoning categories to the new Downtown Palm Harbor - Form Based Code, which will include detailed development standards.

44. Resolution approving the Fiscal Year 2021-2022 Annual Action Plan and authorizing actions related to the administration and operation of the Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant programs.

Resolution No. 21-47 adopted approving the Plan for Community Planning and Development and authorizing the submittal of the annual action plan 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, and specific performances and land use restrictions agreements, including amendments; Chair, or designee, authorized to sign the Request for Release of Funds and Authority to Use Grant Funds; County Administrator, or designee, authorized to execute Housing Program Security Instruments, Agency Agreements, and Land Use Restriction Agreements, including amendments; Housing and Community Development Department Director, or designee, authorized to serve as Local Administrator for the HUD Environmental Review online system, and to sign and file necessary forms, reports, and other administrative documents related to the administration of the Annual Action Plan; and Housing and Community Development Department authorized to hold a public hearing on needs and performance in the first quarter of 2022 to initiate the 2021-2022 action plan process.

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

In response to a query by Commissioner Justice, Community Development Manager Bruce Bussey indicated that the Department informs the public of the application process by utilizing advertisements, contacting non-profit agencies, and conducting public meetings in the community.

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

Aye: 5 - Chair Eggers, Vice-Chair Justice, Commissioner Flowers, Commissioner Gerard, and Commissioner Long

Absent: 2 - Commissioner Peters, and Commissioner Seel

