

Pinellas County



Minutes - Final

Thursday, May 28, 2020

9:30 A.M.

Virtual Regular Meeting

Board of County Commissioners

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

ROLL CALL - 9:30 A.M.

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

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

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

MOMENT OF SILENCE

Upon the Board's consensus, Chair Gerard announced that the Vessel Exclusion Amendment memorandum related to Item No. 8 will be addressed prior to the Agenda Briefing.

1. Local State of Emergency

Mr. Burton indicated that the resolutions presented today are to extend the Local State of Emergency from May 29 to June 5 and to repeal previous local orders regarding social distancing requirements and capacity limitations for beaches and childcare facility playgrounds effective at 3:00 P.M. today, and all remaining restrictions, including those affecting pools and public playgrounds, effective on June 1. He related that moving forward, the County should follow the Governor's orders, and stressed the need for personal responsibility; whereupon, Commissioner Peters moved, seconded by Commissioner Long, that hotel pools be permitted to open immediately, citing staffing challenges related to monitoring pool activity.

In response to a request by Commissioner Welch, Mr. Burton and Florida Department of Health in Pinellas County Director Dr. Ulyee Choe provided a brief update regarding recent COVID-19 data trends to support the decision to repeal current limitations.

The following monitoring metrics were discussed:

- Case counts
- Percent positivity
- Health system capacity
- Enhanced testing
- Syndromic surveillance

Responding to queries by Commissioners Welch and Eggers, Dr. Choe indicated that with the reopening of playgrounds, encouraging hand hygiene, sanitizing equipment, and the wearing of cloth masks is the best defense against the virus. Attorney White indicated that the resolution presented today maintains a strong suggestion that the public continue to monitor and comply with CDC guidelines and take personal protective measures, including wearing a cloth face mask indoors in public.

Pinellas County Sheriff Bob Gualtieri related that all posted signage regarding COVID-19 precautionary measures will stay in place, and Mr. Burton confirmed that the signs are non-specific to dates or changes made by resolutions; that signage will be added to County playgrounds; and that municipalities are being encouraged to do the same.

Responding to Chair Gerard's call for public input, Randy Matscherz, Tampa, expressed his concerns.

A motion was made by Commissioner Peters, seconded by Commissioner Long, that the proposed resolution lifting local restrictions be approved with an amendment to remove restrictions for hotel pools effective immediately. The motion carried by the following vote:

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

Resolution No. 20-46 adopted lifting local restrictions imposed in response to the novel coronavirus and its associated disease (COVID-19) except as provided therein.

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

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

Resolution No. 20-47 adopted extending the Local State of Emergency established in Resolution No. 20-16 until 3:00 P.M. on June 5, 2020.

Responding to query by Commissioner Welch, Sheriff Gualtieri confirmed that the Governor's moratorium on the filing of eviction actions for non-payment expires on June 2. He discussed the various phases of the eviction process, noting that he must take action once a judge issues a writ of possession.

During discussion and in response to comments by the members, Mr. Burton indicated that participation in the Pinellas CARES Financial Assistance Program is lower than expected, and outreach continues; that the program could be extended; that staff is gathering input from community organizations with regard to phase two program elements; and that recommendations will be brought before the Board in the next few weeks; whereupon, Clerk of the Circuit Court and Comptroller Ken Burke provided an update with regard to the CARES Small Business Grants Program.

Following discussion and upon consensus of the members, Commissioner Welch agreed to provide the Chair with a draft letter asking the Governor to consider extending the foreclosure and eviction moratorium through the end of June.

A motion was made by Commissioner Seel, seconded by Commissioner Long, that the Pinellas CARES Financial Assistance Program and the Pinellas CARES Small Business Grants Program be extended through June 30. The motion carried by the following vote:

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

2. Feather Sound Community Services District - Kevin Chambers

Referring to a PowerPoint presentation, Feather Sound Community Services District Treasurer Kevin Chambers discussed the Fiscal Year 2021 budget request. He provided an overview of the District's functions and indicated that the Board would like to replace streetlights with more energy-efficient light bulbs; that renovations of the main entrance area are almost complete; and that the budget proposal also requests funding for a dog park installation.

3. Palm Harbor Community Services District - Gene Coppola and Erica Lynford

Palm Harbor Community Services Agency Director Erica Lynford and Palm Harbor Library Director Gene Coppola presented the District's Fiscal Year 2021 budget request. Each provided an overview of their department's functions and related changes in business practices, new program successes, and sanitation efforts due to the COVID-19 pandemic.

Mr. Coppola communicated that a recent trend to eliminate the collection of fines for past due library materials is being considered by the Pinellas Public Library Cooperative and discussed the impact the action would have on the Palm Harbor and East Lake Libraries. Following brief discussion, Commissioner Gerard indicated that the Board will follow-up with the Library Cooperative.

4. East Lake Library Services District - Lois Eannel

East Lake Library Director Lois Eannel presented the East Lake Library Services District Fiscal Year 2021 budget request, provided an overview of the library's services before the COVID-19 pandemic, and discussed current efforts in preparation for reopening. She indicated that the library is looking to expedite the installation of an outdoor materials retrieval locker with 24-hour access; that the creation of a local and student art gallery will be funded by a private donation; and that there are plans to add an outreach coordinator position.

5. East Lake Recreation Services District - Mark Sanders

East Lake Recreation Director Mark Sanders presented the Fiscal Year 2021 budget request. He provided an overview of the District's functions and indicated that shade structures, additional seating, and increased security have been added; that new LED lighting has been installed throughout the complex; and that efforts to draft a reopening plan involving the youth sports organizations that utilize the recreation center are in progress.

In response to query by Mr. Sanders, Mr. Burton related that the Governor's Order issued on May 22 lifts the restriction on organized youth activities; that it is not specific and has been left open to interpretation; and that he is aware some facilities have opened for practice while implementing social distancing protocols.

Meeting Recessed: 11:22 A.M.

Meeting Reconvened: 11:33 A.M.

6. Pinellas Public Library Cooperative - Cheryl Morales

Library Cooperative Executive Director Cheryl Morales presented a short video and highlighted the services that libraries throughout the County have maintained during the pandemic. She related that most libraries will reopen on June 1, some with limited hours or services; that curbside delivery will continue; and that issuance of virtual library cards has allowed new patrons to take advantage of online offerings.

In response to the previous discussion regarding the elimination of library fines, Ms. Morales related that the Library Cooperative Board is remaining neutral on the *Fine Free* movement; that per the current Interlocal Agreement, the decision lies with the 14 library directors; that various surveys and data indicate positive results in other areas across the country, including cost savings; and that eliminating fines provides equity to people who cannot afford to pay them. Discussion ensued, and the members requested a summary of the research.

8. County Commission Board Reports and Miscellaneous Items

a.) Commissioner Long's Memo regarding Amendment to the Pinellas County Code relating to Vessel Exclusion Zones

Chair Gerard related that she and Parks and Conservation Resources Director Paul Cozzi met with boaters' groups via Zoom yesterday and discussed various alternatives with regard to Vessel Exclusion Zones at Fort DeSoto Park; and that the Board has received hundreds of emails on the topic following adoption of an ordinance on May 19; whereupon, the Commissioners related personal observations from recent visits to the area and discussed various safety concerns and possible courses of action, indicating that the previous discussion was not all-encompassing with regard to the issues; and that there is a need for a more in-depth discussion, noting the challenge of the issue being addressed through a virtual platform.

Responding to query by Chair Gerard, Attorney White advised that the Board cannot take action to rescind the ordinance today; that action has to be done by ordinance and properly advertised ten days in advance of holding a public hearing; and that the Board could direct staff not to pursue the permits for signage required to enforce the ordinance.

Following discussion, Commissioner Justice requested that the advertised meeting for review of Ordinance No. 20-09 also include an agenda item pertaining to the addition of a No Wake Zone, and Commissioner Long concurred; whereupon, Chair Gerard announced to the public that the Board has agreed not to implement the ordinance at this time and directed staff to halt pursuit of the related permits and signage.

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

Tammy Vasquez, Treasure Island
Randy Matscherz, Tampa
Tyler Payne, Treasure Island
Christine Shelton, St. Petersburg
Jeremy Evans, Bradenton
Chris Hunter, St. Petersburg
Todd Gonzalez, Apollo Beach
Jerry William, St. Petersburg
Raul Pou, St. Petersburg
Kevin Carlan, St. Petersburg
Richelle Valdez, Tampa
Steve Jones, St. Pete Beach
Brian Heath, St. Petersburg
Sebastian Font, St. Petersburg
John Kurzman, St. Pete Beach

Mr. Cozzi thanked members of the public for their input, indicating that at the Board's direction, staff will consider options to allow as many users as possible to take advantage of the resource while maintaining a safe environment.

Meeting Recessed: 1:01 P.M.

Meeting Reconvened: 1:30 P.M.

7. Agenda Briefing

Mr. Burton and Attorney White reviewed the agenda items to be addressed at the June 2, 2020 Commission meeting.

In response to queries by Commissioner Peters, Assistant County Administrator Lourdes Benedict provided information regarding Item No. 20, Renewal of the Behavioral Health Transportation Plan.

Referring to discussion earlier in the meeting, Mr. Burton confirmed that the 50-foot requirement for separation between boats was repealed by the Governor two weeks ago.

8. County Commission Board Reports and Miscellaneous Items - Continued

Responding to query by Commissioner Eggers, Mr. Burton reiterated the challenge of interpreting the Governor's order rescinding the ban on youth sports. He indicated that it is reasonable to assume that leagues and other organizations are allowed to begin youth sports without a ten-foot separation requirement; that large crowds and events will likely be addressed under the Governor's Phase 2 plan; and that he will review the order with Sheriff Gualtieri to provide the County's interpretation; whereupon, Commissioner Welch stated his concerns with the conflicting message of CDC guidelines and allowing contact sports.

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

Commissioner Justice

- Tampa Bay Estuary Program project funding update

Commissioner Peters

- Early Learning Coalition

Commissioner Seel

- Tampa Bay Area Regional Transit Authority/Envision 2030

Commissioner Long

- Tampa Bay Area Regional Transit Authority/Envision 2030

9. Virtual/In Person BCC Meetings

Referring to a document titled Phase Two Meeting Memorandum, Mr. Burton related that the Board should prepare to resume in-person meetings in anticipation of the Governor's orders; and that the Magnolia Room at the Pinellas County Cooperative Extension facility is able to accommodate social distancing guidelines while allowing public participation in person or via Zoom.

In response to query by Chair Gerard, Attorney White confirmed that the Cooperative Extension is utilized for voting and poll worker training. Mr. Burton related that alternative training arrangements have been made, and Commissioner Justice noted that the Commission is not scheduled to meet during the weeks of upcoming elections.

Responding to comments and queries by the members, Mr. Burton and Attorney White discussed the following:

- Status of upcoming quasi-judicial hearings
- Hybrid meetings - four Commissioners physically present, three attending virtually
- Alternate locations for large public hearings
- Availability of masks for staff and public participants
- Clarification of Sunshine Law and meeting requirements pertaining to a quorum
- Public hearing notice and advertising requirements

The members agreed to determine a date to resume in-person meetings at the June 2 meeting, contingent upon the Governor's order.

ADJOURNMENT - 2:26 P.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk