

Pinellas County

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



Minutes - Final

Tuesday, March 5, 2024

9:30 A.M.

Hybrid In-Person and Virtual Regular Meeting

Board of County Commissioners

Kathleen Peters, Chair

Brian Scott, Vice-Chair

Dave Eggers

René Flowers

Charlie Justice

Chris Latvala

Janet C. Long

ROLL CALL - 9:33 A.M.

Present: 6 - Vice-Chair Brian Scott, Commissioner Dave Eggers, Commissioner René Flowers, Commissioner Charlie Justice, Commissioner Chris Latvala, and Commissioner Janet C. Long

Absent: 1 - Chair Kathleen Peters

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

INVOCATION by Rabbi Joshua Lobel, Temple B'nai Israel, Clearwater**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Government Finance Professionals Week Proclamation:
 - Ken Burke, Clerk of the Circuit Court and Comptroller and staff
 - Chris Rose, Director, Office of Management and Budget and staff

Acting Chair Scott invited Messrs. Burke and Rose and staff to join him at the podium and read a proclamation recognizing March 18 through 22, 2024, as Government Finance Professionals Week; whereupon, Mr. Burke provided brief comments.

2. Florida Surveyors & Mappers Week Proclamation:
 - Jared Phillips, Field Survey Section Manager, Public Works
 - Shirley Zeller, Mapping and Research Section Manager, Public Works

Acting Chair Scott invited Public Works Professional Land Surveyor Supervisor Trey Shimp and Ms. Zeller to join him at the podium and read a proclamation recognizing March 17 through 23, 2024, as Florida Surveyors & Mappers Week.

CITIZENS TO BE HEARD

3. Citizens To Be Heard - Public Comment.

Robin Davidov, St. Petersburg (submitted documents)
David Ballard Geddis, Jr., Palm Harbor (submitted documents)
Linda Wade, Palm Harbor
Greg Pound, Largo

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

4. Case No. CW 24-04 - Pinellas County
Countywide Plan Map amendment from Office and Preservation to Public/Semi-Public, regarding 3.4 acres more or less, located at 3720 and 3730 Tampa Road.

Ordinance No. 24-7 adopted approving Case No. CW 24-04. 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 Commissioner Eggers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

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

Absent: 1 - Chair Peters

5. Case No. CW 24-05 - City of Tarpon Springs.

Item continued to the April 9 meeting of the Board of County Commissioners.

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

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

Absent: 1 - Chair Peters

BOARD OF COUNTY COMMISSIONERS

6. Resolution to expand the boundaries of the County seat of Pinellas County (second public hearing).

Resolution No. 24-11 adopted expanding the boundaries of the current County seat of Pinellas County, the City of Clearwater, and setting forth the geographic boundaries of the expansion area. No correspondence has been received. No citizens appeared to be heard.

Commissioner Justice noted that one email has been received with concerns regarding property taxes.

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

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

Absent: 1 - Chair Peters

CONSENT AGENDA - Items 7 through 17

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

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

Absent: 1 - Chair Peters

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

7. Minutes of the regular meeting held January 30, 2024.

The item was approved as part of the Consent Agenda.

8. Vouchers and bills paid from January 21 through February 3, 2024.

Period January 21 - January 27, 2024

Accounts Payable - \$15,329,843.54

Payroll - None

Period January 28 - February 3, 2024

Accounts Payable - \$72,463,050.91

Payroll - \$5,555,675.86

The item was approved as part of the Consent Agenda.

Reports received for filing:

9. Dock Fee Report for the month of December 2023.

The item was approved as part of the Consent Agenda.

10. Dock Fee Report for the month of January 2024.

The item was approved as part of the Consent Agenda.

11. Quarterly Report of Routine Dock & Dredge/Fill applications received from October 1 through December 31, 2023.

The item was approved as part of the Consent Agenda.

12. Report of Expenditures Incurred Under the Incentives, Awards, and Recruitment Ordinance No. 07-26, Fiscal Year 2024 Quarter 1.

The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

Development Review Services

13. Plat of Summerset Villas; a private residential subdivision.

The item was approved as part of the Consent Agenda.

Public Works

14. Award of bid to Suncoast Development of Pinellas County, Inc, for Fiscal Year 2024-2026 Countywide Americans with Disabilities Act, sidewalk, drainage, and roadway improvements.

Contract No. 23-1224-ITB-C awarded in the amount of \$10,330,188.00 on the basis of being the lowest responsive, responsible bid received. All work to be completed within 455 consecutive calendar days.

The item was approved as part of the Consent Agenda.

Utilities

15. Award of bid to TLC Diversified, Inc. for the Pump Station Generator Improvement Project.

Bid No. 23-1202-ITB-C awarded to TLC Diversified, Inc., in the total not-to-exceed amount of \$5,784,701.00 on the basis of being the lowest responsive, responsible bidder. All work to be completed within 1,095 consecutive calendar days from notice to proceed.

The item was approved as part of the Consent Agenda.

16. Award of bid to TLC Diversified, Inc. for sanitary sewer pump station repair, rehabilitation, and improvement projects for Fiscal Years 2024-2027.

Bid No. 24-0073-ITB-C awarded to TLC Diversified, Inc., in the total not-to-exceed amount of \$7,375,435.00 on the basis of being the lowest responsive, responsible bidder. All work to be completed within 1,095 consecutive calendar days from the date of the notice to proceed.

The item was approved as part of the Consent Agenda.

17. Joint project agreement with the City of Largo for the relocation and replacement of the County's water system infrastructure in conflict with the City's proposed roadway and drainage system improvements along 127th Avenue, 122nd Avenue, 103rd and 104th Street North.

(Utility Relocation Project 004902A) Agreement approved. County to reimburse the City in an amount not to exceed \$2,000,000.00 for construction services, which includes \$1,587,500.00 for construction and \$200,000.00 for mobilization, maintenance of traffic, and miscellaneous administrative fees. Agreement effective upon execution.

The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None

COUNTY ADMINISTRATOR DEPARTMENTS

Development Review Services

18. Declare a County owned parcel as surplus and authorize the conveyance of the parcel to the Pinellas County Housing Authority.

Resolution No. 24-12 adopted declaring a County-owned parcel as surplus within the boundaries of Rainbow Village and granting authorization to donate the parcel to the Pinellas County Housing Authority for an affordable housing project for senior citizens.

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

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

Absent: 1 - Chair Peters

Public Works

19. Advanced Transportation Technology and Innovative Program grant application with the United States Department of Transportation Federal Highway Administration for the creation of a Pinellas Advanced SmartTracs System project.

Approval granted. Funding request is in the amount of \$2,000,000.00 (County match, \$6,333,620.00; total project cost, \$8,333,620.00).

Responding to a query by acting Chair Scott, Public Works Director Kelli Hammer Levy indicated that the grant funding provides \$500,000.00 per year over four years for a total of \$2,000,000.00; and that the County match would be taken from previously approved Advanced Traffic Management System funds.

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

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

Absent: 1 - Chair Peters

20. Bridge Investment Program grant application to the United States Department of Transportation, Federal Highway Administration for the replacement of Beckett Bridge over Whitcomb Bayou in the City of Tarpon Springs.

(County PID 001037A) Approval granted authorizing the County Administrator to sign and submit the grant application. Funding request is in the amount of \$21,313,600.00 (County match, \$5,328,400.00; total project cost, \$26,642,000.00).

In response to a query by Commissioner Eggers, Public Works Director Kelli Hammer Levy indicated that the application fulfills the grant's funding requirements; and that if grant funds are not received, Penny for Pinellas funds would need to be reprioritized should the County choose to move forward with the project.

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

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

Absent: 1 - Chair Peters

21. Resolution supporting a State Legislative proposal prepared collaboratively to consider changes to the Derelict Vessel Removal program.

Resolution No. 24-13 adopted.

In response to a query by acting Chair Scott, Deputy County Administrator Jill Silverboard

provided brief comments regarding the proposed resolution and indicated that the legislation has not yet been approved.

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

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

Absent: 1 - Chair Peters

Utilities

- 22.** Ranking of firms and agreement with 3B Cattle LLC for land management services on the Cross Bar and Al Bar Ranch property located in Pasco County, FL.

(Contract No. 23-1018-RFP) Ranking of firms and agreement approved in the total not-to-exceed amount of \$1,690,280.64, effective for 60 months from March 17, 2024.

Utilities Director Jeremy Waugh introduced Hydrogeology Manager David Adams and noted that he is the project manager for management of the Cross Bar and Al Bar Ranch. Referring to a PowerPoint presentation, Mr. Waugh provided historical information regarding property uses and land management services for the ranch. He discussed the contract history for management of the property, indicating that a previously consolidated contract has been divided into three individual contracts for land management and ecological and forestry services, which allows for more control over the activities on the property; and that the contract before the Board is for land management services; whereupon, he noted that all three of the contracts have five-year terms with several five-year renewal options, which allows for continuity of services.

In response to comments and queries by the members, Mr. Adams provided information regarding the revenue generated from timber and pine straw harvesting on the property. Mr. Waugh related that property operations are net cost neutral; that escalators have been built into the five-year extensions; and that contract extensions would be brought before the Board for approval; whereupon, he indicated that the proposed contract pricing aligns with the previous five-year contract amount.

Responding to queries by Commissioner Long, Mr. Waugh provided information regarding cattle operations on the property.

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

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

Absent: 1 - Chair Peters

- 23.** Resilient Florida Grant Program Agreement with the Florida Department of Environmental Protection for Wastewater Collection System improvements for up to fourteen mobile home communities.

FDEP Agreement No. 22FRP09 approved in the total amount of \$25,000,000.00 through September 30, 2026.

Mr. Burton noted that the grant would allow the mobile home communities to be brought onto the County's sewer system, thereby reducing the frequency of sanitary sewer overflows caused by capacity issues with the existing pipes; and that this involves a variety of funding sources, including funds from the American Rescue Plan Act.

In response to comments by Commissioner Eggers, Utilities Director Jeremy Waugh indicated that grant funds utilized to fund the improvements are protected by restrictions built into the agreements with the communities; that the County is granted easements across the portion of the properties where the infrastructure exists; and that the properties cannot be redeveloped in a manner that changes the use of the infrastructure.

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

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

Absent: 1 - Chair Peters

- 24.** Resilient Florida Grant Program Agreement with the Florida Department of Environmental Protection for reliability improvements at four County Utilities Department facilities.

Grant Agreement FDEP No. 22FRP10 approved in the total amount of \$3,435,850.00 through September 30, 2026. County match of at least 66.2% or \$6,729,387.00 is required.

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

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

Absent: 1 - Chair Peters

COUNTY ATTORNEY

- 25.** Proposed initiation of litigation in the case of Pinellas County v. William C. Keating - action for foreclosure of Special Magistrate lien.

Initiation of litigation approved.

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

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

Absent: 1 - Chair Peters

- 26.** Proposed initiation of litigation in the case of Pinellas County v. Pavel Pristash - action for foreclosure of Special Magistrate lien.

Initiation of litigation approved.

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

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

Absent: 1 - Chair Peters

- 27.** Proposed settlement in the case of Gregory Van Patten v. Pinellas County; Circuit Civil Case No. 21-003818-CI.

Settlement approved in accordance with the confidential memorandum dated March 5, 2024.

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

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

Absent: 1 - Chair Peters

- 28.** County Attorney Reports - None

COUNTY ADMINISTRATOR

- 29.** County Administrator Reports

Mr. Burton provided the following updates:

- Monthly financial updates will be forthcoming. Feedback regarding the reports is welcome in order to improve clarity and completeness.

- A draft agenda will be presented at a later time for the third Tri-County Board of County Commissioners meeting, which is scheduled for April 19, 2024, at Ruth Eckerd Hall.
- Legislative committees have concluded, and a Florida Retirement System bill providing for a cost-of-living adjustment is not anticipated to pass. Additionally, the County's appropriations requests are currently included and awaiting review by the Governor.

COUNTY COMMISSION

30. 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 Flowers

- National Association of Counties Annual Conference & Exposition scheduled for July
- Florida Association of Counties (FAC) Conference scheduled for June 25 through June 28
- FAC officer application deadline
- Tampa Bay Area Regional Transit Authority final closeout audit
- Continuum of Care (CoC) Committee discussion
- Tour of Eckerd College
- First Ladies in African American History event hosted by the Dr. Carter G. Woodson African American Museum
- Skyway Lofts II groundbreaking event
- Appreciation to Pinellas Suncoast Transit Authority members for service award
- W.E.B. Du Bois humanitarian award
- Legislation regarding Property Assessed Clean Energy (PACE) funding
- Comments regarding discussions with Tampa Bay Rays ownership

Commissioner Justice

- Boys & Girls Club annual gala
- Keep Pinellas Beautiful's Great American Cleanup at Gandy Beach
- Treasure Island and Madeira Beach Chamber of Commerce Annual Awards Luncheon
- Mattie Williams Neighborhood Family Center groundbreaking for expansion
- St. Petersburg Economic Development Corporation annual meeting
- St. Petersburg Downtown Partnership's Downtown Development Summit and statistics
- Timeline for potential approval of the County's appropriations requests

Commissioner Latvala

- Retirement of Juvenile Welfare Board Chief Financial Officer Laura Krueger Brock
- Habitat for Humanity home dedication in North Greenwood
- Youth Advisory Committee activity, end-of-year party, and Career Day
- Lyla Goode Foundation Chick-fil-A fundraiser scheduled for March 11

Commissioner Eggers

- Raising standards for retail pet stores
- PACE funding
- Discussion regarding the Tampa Bay Rays deal
- Charter Review Committee
- Opening day for Palm Harbor Little League
- Toronto Blue Jays opening day and recognition of former Dunedin Mayor Manny Koutsourais
- Meetings with the Boys & Girls Club and Junior Achievement
- Affordable housing discussion regarding eligibility of rehabilitation projects for Penny for Pinellas funds
- John Marroni First Responder Appreciation Dinner scheduled for March 23
- Emails regarding Duke Energy tree removal policy
- Waste-to-energy plant
- Sandbag machine presented at the Dunedin State of the City event

Responding to comments by Commissioner Eggers, Mr. Burton indicated that staff will conduct a presentation regarding the waste-to-energy plant and bring forward a new power agreement at a workshop scheduled for August.

Commissioner Long

- Topics discussed at a recent Business Technology Services Board meeting
- Meeting with Tampa Bay Rays executives
- Canvassing Board and concerns regarding safety of election staff

Responding to a query by Commissioner Long, Mr. Burton indicated that a discussion regarding artificial intelligence can be included in a future work session.

Commissioner Scott

- Tampa Bay Water updates
- Dunedin State of the City event
- Habitat for Humanity home dedication in North Greenwood
- Meeting with the Tampa Bay Rays ownership group
- Upcoming meeting with the Gulf Beaches Rotary Club
- Recognition of Commissioner Flowers for being awarded the W.E.B. Du Bois humanitarian award
- Skyway Lofts II groundbreaking

Skyway Lighting Resolution

Resolution No. 24-14 approved supporting the Florida Department of Transportation lighting of the Bob Graham Sunshine Skyway Bridge in recognition of the following:

- Child Abuse Prevention Month, March 31 - April 6, 2024
- Global Congenital Diaphragmatic Hernia Awareness Day, April 20, 2024
- National Gun Violence Awareness Wear Orange Weekend, June 7, 2024
- Juneteenth, June 19, 2024
- Down Syndrome Awareness Week, October 8 - 13, 2024
- Phelan-McDermid Syndrome Awareness Day, October 22, 2024

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

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

Absent: 1 - Chair Peters

Responding to queries by Commissioner Long and acting Chair Scott, Mr. Burton indicated that staff and the County’s outside counsel are working diligently to review documents related to the Tampa Bay Rays deal; that it is uncertain when the deal will be ready for a collective discussion; and that details regarding its approval still need to be developed.

ADJOURNMENT - 11:02 A.M.

Chair

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk