

Pinellas County

*315 Court Street
Clearwater, Florida 33756*



Minutes - Final

Tuesday, December 12, 2017

2:00 PM

Public Hearings at 6:00 PM

BCC Assembly Room

Board of County Commissioners

*Janet C. Long, Chairman
Kenneth T. Welch, Vice-Chairman
Dave Eggers
Pat Gerard
Charlie Justice
John Morroni
Karen Williams Seel*

ROLL CALL - 2:01 P.M.

Present: 6 - Chairman Janet C. Long, Vice-Chairman Kenneth T. Welch, Dave Eggers, Pat Gerard, John Morroni, and Karen Williams Seel

Absent: 1 - Charlie Justice

Others Present: Jewel White, County Attorney; Mark S. Woodard, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Michael Schmidt, Board Reporter, Deputy Clerk

INVOCATION by Pastor Sheri Nicholson, Faith Family Outreach Church, Clearwater.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Pinellas County Employee Choir Performance.**

At the request of Chairman Long, the members of the Pinellas County Employee Choir introduced themselves, related the number of years they have worked for County Government, and sang the song "Marshmallow World."

**2. Doing Things! Employee Recognition:
- Matt Laverdure, Public Works.**

Chairman Long and Mr. Woodard recognized Public Works Vegetation Management Lead Spray Technician Matt Laverdure as a 19-year employee who works to remove invasive vegetation and debris to keep the County's water bodies and drainage areas clear, helping to eliminate mosquito-breeding areas, and noted that he demonstrates an outstanding passion for service by assisting with the Annual Employee Bike Drive delivering bikes to local children around the holidays and, during his time off, volunteering as a scout leader planning and preparing his troop for their yearly hike on the Appalachian Trail; whereupon, a video was shown highlighting the services he provides.

Deviating from the agenda, Chairman Long indicated that Item No. 4 would be addressed at this time.

4. Water Wise Awards Presentation.

Chairman Long called Pinellas County Extension Florida-Friendly Landscaping Agent Brian Niemann to the podium and discussed the history of the Florida-Friendly Landscaping Program, relating that the County entered into an interlocal agreement with Tampa Bay Water to provide Extension funding to protect and preserve water resources through education and targeted outreach.

Mr. Niemann provided background information regarding the Community Water-Wise Award Program and displayed photographs of the winning landscapes; whereupon, Chairman Long presented the Single-Family Residential award to Danny and Cooky O'Neal, Dunedin, and the Community Association award to Don Mariani, who accepted the award on behalf of Highland Lakes, Palm Harbor.

5. Thank You for Doing Business Award:
- Widescope Consulting and Contracting Services.

Chairman Long invited Widescope Consulting and Contracting Services CEO Hayes Fountain, Pinellas County Economic Development Director Mike Meidel, Business Assistance Senior Manager Cynthia Johnson, and Senior Business Assistance Specialist Yolanda Cowart to the podium. She provided background information about the company and presented Mr. Fountain with a plaque; whereupon, he thanked the Board and Ms. Johnson and her team for their continuous support.

3. Doing Things! TV - Pinellas Elves during the Holidays.

At Chairman Long's request, staff played a video highlighting Pinellas County's Annual Employee Bike Drive.

CONSENT AGENDA - Items 6 through 20 (Items 9, 12, and 16 addressed under Regular Agenda)

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

6. Vouchers and bills paid from October 29 through November 11, 2017.

Period: October 29 through November 4, 2017

Payroll - \$3,454,144.00

Accounts Payable - \$67,666,669.11

Period: November 5 through November 11, 2017

Payroll - None

Accounts Payable - \$18,113,566.49

Reports received for filing:

7. Dock Fee Report for the month of October 2017.

Miscellaneous items received for filing:

8. City of Clearwater Notices of Public Hearings regarding proposed Ordinances Nos. 9092-18 through 9095-18 amending the Land Use Plan and the Zoning Atlas; public hearings to be held February 1, 2018.

COUNTY ADMINISTRATOR DEPARTMENTS

Economic Development

10. Authority to advertise a public hearing to be held on January 23, 2018 regarding a proposed ordinance amending the Pinellas County Code by revising Sections 118-181 to 118-191.

Public Works

11. Joint Project Agreement with the City of Clearwater for utility work associated with the Sunset Point Road at Betty Lane Intersection Improvement Project.

County Project No. 001018A. Chairman authorized to sign and the Clerk to attest.

13. Local Agency Program Agreement with the Florida Department of Transportation for the Haines-Bayshore Road Project, from U.S. 19 North to Sunrise Boulevard.

Resolution No. 17-89 adopted approving the agreement (FDOT Financial Project No. 424564 6 58/68 01; County PID No. 002102A) providing for construction grant funding in the amount of \$740,580.00. Chairman authorized to sign and the Clerk to attest.

14. Second Amendment to the Federal Transit Administration grant funding agreement with the Metropolitan Planning Organization, now known as Forward Pinellas, for the Fort De Soto Bay Pier and Dock Replacement Project.

(FTA Grant No. FL-20-X004; County PID No. 000929A) Amendment approved extending the agreement duration by 75 months to December 31, 2023, updating contact information, and increasing the County's match amount to \$3,340,000.00 to include the cost of construction activities not included in the original scope of work. Chairman authorized to sign and the Clerk to attest.

15. Authority to advertise a public hearing to be held on January 9, 2018 regarding a proposed ordinance amending the County Code by revising Sections 170-269 relating to insurance and sureties, and 170-270 related to construction and restoration to address undergrounding of utilities.

Safety and Emergency Services

17. Resolution to receive Emergency Medical Services Trust Fund monies for pre-hospital emergency medical services.

Resolution No. 17-90 approved certifying that monies received will be used to improve and expand pre-hospital emergency medical services. Grant revenue in the amount of \$168,870.00 will be awarded upon application, with no matching funds required.

Chairman authorized to sign the grant application.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

18. Countywide Plan Map adjustment submitted by the City of Safety Harbor.

Forward Pinellas, in its role as the Pinellas Planning Council, recommended official acceptance of the adjustment, and staff concurred.

19. Countywide Plan Map adjustment submitted by the City of Tarpon Springs.

Forward Pinellas, in its role as the Pinellas Planning Council, recommended official acceptance of the adjustment, and staff concurred.

20. Countywide Plan Map - 2017 Annual Update.

Resolution No. 17-91 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, in its Resolution No. 17-4 adopted August 1, 2017, a copy of which has been made a part of the record.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

County Administrator

9. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending November 24, 2017.

Commissioner Gerard indicated that she would abstain from discussing and voting on the item due to a conflict of interest, and in accordance with the provisions of the Standards of

Conduct Law, submitted a Memorandum of Voting Conflict form, which has been made a part of the record.

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

Aye: 5 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

Abstain: 1 - Commissioner Gerard

Public Works

- 12.** Grant agreement with the Florida Department of Environmental Protection for the Sand Key Segment/Pinellas County Shore Protection Project.

FDEP Grant Agreement No. 17PI2 (County PID No. 001041A) approved, providing 50 percent of the County's non-federal cost share for an amount not to exceed \$4,647,520.00.

In response to queries by Commissioner Seel, Environmental Services Manager Andrew Squires stated that the County continues to seek easements for the beach nourishment project and discussed the process, noting that the Army Corps of Engineers is willing to increase the shoreline lengths if additional easements can be obtained before the start of construction.

Commissioner Morroni discussed the project's boundaries, relating that the Sand Key segment starts at Clearwater and extends down to North Redington Beach, and Mr. Squires provided input; whereupon, Mr. Woodard indicated that project descriptions can be more clearly stated in the future.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

- 16.** Award of bid to GLF Construction Corporation for the Orange Street - Alternate U.S. Highway 19 Pedestrian Trail Bridge Replacement Project.

Bid No. 178-0012-CP (PID No. 001005B) in the amount of \$1,191,575.00 awarded on the basis of being the lowest responsive, responsible bid received meeting

specifications. All work is expected to be completed within 270 consecutive calendar days.

In response to queries by Commissioner Eggers, Mr. Woodard referred to the original bidding process and related that the bid items were clarified and modified, and the results more closely meet the engineer's estimate; whereupon, Thomas Washburn, Public Works, indicated that the project was re-evaluated; that it was determined that the steel fencing structure did not need to be replaced; and that it was removed from the project scope.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

COUNTY ADMINISTRATOR DEPARTMENTS

Convention and Visitors Bureau

21. Revisions to the Elite Event Guidelines from the Tourist Development Council.

Revisions approved, as outlined in the Staff Report and accompanying documentation.

In response to queries by Commissioners Morroni and Seel, Visit St. Petersburg/Clearwater (VSPC) Chief Operating Officer Tim Ramsberger indicated that the TDC had accepted the Board's requested changes; and that advance notice of the guideline changes was provided during discussions with the applicants in the current funding cycle.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

22. Revisions to the Capital Projects Funding Program Guidelines from the Tourist Development Council.

Revisions approved, as outlined in the Staff Report and accompanying documentation.

Commissioner Seel referred to the definition of "Matching Funds" and expressed concern regarding the method of land valuation, indicating that it could be unfair to an applicant under certain conditions; whereupon, VSPC Consultant Dennis Long related that the intent of the revision is to clarify that the match only relates to land specifically acquired as part of the project to be funded.

Chairman Long pointed out that the document provides overall guidelines; and that all applications will be subject to consideration by the TDC and the County Commission, and Mr. Long provided additional input. Following discussion and at the suggestion of Commissioner Gerard, Mr. Long proposed that Section II, Definitions, be amended to indicate that Matching Funds would include "land acquired for the Capital Project at the purchase price or fair market value," and the members concurred.

A motion was made by Commissioner Gerard, seconded by Vice-Chairman Welch, that the item be approved as amended. The motion carried by the following vote:

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

- 23.** Resolution to affirm the County's commitment of Tourist Development Tax funds to the City of Dunedin for its spring training facility capital project.

Resolution 17-92 adopted affirming support in the amount of \$41,700,000.00.

Chairman Long called for citizens wishing to be heard, and the following individuals provided their comments and concerns:

Julie Ward Bujalski, City of Dunedin Mayor - Support
Carlos Velez, Americans for Prosperity - Oppose
Laura Hartman, Americans for Prosperity - Oppose
Pam Pravetz, City of Dunedin Chamber of Commerce Chairman - Support
Norm Lupo, Clearwater - Oppose

Mr. Woodard indicated that a detailed formal agreement will be presented at the end of January and discussed the negotiation process, relating that the County's commitment totals \$41.7 million; and that the Toronto Blue Jays have agreed to contribute an additional \$5 million, increasing their contribution to the project to approximately 25 percent, which falls within the range of similar transactions in the State of Florida. The members discussed the source of the Tourist Development Tax and limitations on its use, noted benefits to the community, expressed concerns pertaining to the amount/percent of the applicant's contribution, and thanked the City of Dunedin, Mr. Woodard, and staff for their efforts in negotiating the agreement.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

Planning

- 24.** Resolution approving the Affordable Housing Advisory Committee Report to the Board of County Commissioners related to State Housing Initiatives Partnership Program (SHIP) Affordable Housing Incentives.

Resolution 17-93 adopted approving the report and authorizing its submittal to the Florida Housing Finance Corporation.

Responding to the Chairman's call for citizens wishing to be heard, Mark Klutho, Largo, appeared and expressed his concerns.

In response to queries by Commissioner Welch, Bruce Bussey, Planning Department, indicated that the two vacancies on the Affordable Housing Advisory Committee have been filled and discussed two affordable housing incentives addressed in the SHIP report, noting that he will provide information relating to Reservation of Infrastructure Capacity and the 2007 report pertaining to Inclusionary Zoning; whereupon, responding to queries by Commissioner Eggers, he identified ways that the County has worked to better educate and inform developers of affordable housing incentives, noting that municipalities are aware of the program and members of the affordable housing development community typically contact the County for direct assistance.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

Safety and Emergency Services

- 25.** Hazardous Materials Response Team Agreement with the Cities of Largo, Pinellas Park, Seminole, and St. Petersburg, and the Palm Harbor Special Fire Control & Rescue District.

Agreements approved, effective retroactive to October 1, 2017, providing for reimbursement of costs as set forth in the Staff Report. Chairman authorized to sign and the Clerk to attest.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

Utilities

- 26.** Increase to the purchase authorization with Fastenal Corporation for requirements of Facilities Maintenance, Repair and Operation Supplies.

Authorization granted to increase Contract No. 167-0428-PB by \$266,500.00 for a revised total expenditure of \$516,500.00 through June 30, 2018. County Administrator granted future authority to extend the authorization.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

COUNTY ADMINISTRATOR

- 27.** County Administrator Miscellaneous:
- Court House Centennial video.

Mr. Woodard presented a video regarding the centennial of the old Courthouse, shared historical documents and photographs of the era, and briefly discussed the establishment of the Pinellas County Zoning Code.

Windsor School

Mr. Woodard provided an update regarding negotiations and due diligence pertaining to the acquisition of the Windsor School for a Lealman Community Center, indicating that the purchase price of the building will be \$11 million; that the original asking price of the building had been \$13 million; and that approximately \$250,000 will be needed for maintenance and repairs.

Chairman Long and Commissioners Welch, Seel, and Eggers expressed support for moving forward, and in response to their comments and queries, Mr. Woodard related that the school would be able to withstand a Category 3 hurricane; that most modern construction is built to endure such a storm; and that he would find out what the cost would

be to harden the building to Category 4 standards; whereupon, he provided information regarding current and future Penny for Pinellas funding being utilized to upgrade and harden local schools for use as shelter facilities and, noting no objections from the Board, indicated that his office would move forward to execute the purchase agreement that the members previously approved.

Joint Governmental Facility

Mr. Woodard related that following voter approval of Penny 4 in November, discussions commenced between the City of Clearwater and Pinellas County regarding the prospect of a joint governmental facility; and that discussions could continue into the New Year.

COUNTY ATTORNEY

28. County Attorney Miscellaneous.

Attorney White provided an update regarding potential opioid litigation and solicitation of legal services; whereupon, she briefly discussed a potential appeal by the Richman Group.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Human Resources

29. Sixth Amendment to the Agreement with Randstad US, LLC for requirements of Temporary Staffing Services.

Amendment to Contract No. 101-0217-P approved increasing the contract amount by \$1,100,000.00 for a total revised estimated expenditure in the amount of \$16,022,401.80. Chairman authorized to sign and the Clerk to attest.

Human Resources Director Holly Schoenherr provided background information regarding the item, relating that the amendment is to extend the current contract for temporary staffing services for a 90-day period in order to ensure an effective transition to a new provider. In response to comments and queries by Commissioner Welch, Ms. Schoenherr indicated that the Unified Personnel Board does not have a role in awarding contracts for temporary services; whereupon, she discussed the alternative minimum wage of \$12.50 per hour, reporting that Randstad is not required to pay that amount under its contract, and agreed to provide statistical information with regard to the temporary and contracted workforce, and Commissioners Gerard and Eggers provided input.

Commissioner Welch indicated that all individuals who work for the County should receive a living wage and be able to obtain health benefits. Following lengthy discussion in which Mr. Woodard and Ms. Schoenherr provided input, Purchasing Director Joe Lauro reported that the new provider of temporary staffing services will be subject to the \$12.50 per hour alternative minimum wage via its contract with the County, and brief discussion ensued.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

COUNTY ADMINISTRATOR REPORTS

30. County Administrator Reports: - Behavioral Health Presentation.

Mr. Woodard introduced the item; whereupon, Lourdes Benedict, Assistant County Administrator; Amedeo Colucci, Suncoast Center; and Kevin Morrone, Boley Centers, conducted a PowerPoint presentation titled *Doing Things! Behavioral Health Pilot Update*, a copy of which has been made a part of the record, and discussed the following:

Behavioral Health Pilot

- Why?
- What?
- Partners
- Interim Findings
- Current Situation
- Next Steps

In response to comments and queries by Commissioner Welch, Ms. Benedict provided information regarding the universal release form and how agencies maintain and share their data, and Mr. Marrone presented information concerning the vital importance of permanent supportive housing and an empowerment team, and brief discussion ensued, with input by Commissioner Eggers.

COUNTY COMMISSION

Deviating from the agenda, Chairman Long indicated that Item No. 37 would be addressed at this time and public comment would be received later in the meeting.

37. Fiscal Year (FY) 2018 Federal Legislative Program with corresponding Federal Legislative Update from Van Scoyoc Associates.

Intergovernmental Liaison Brian Lowack related that he had presented a proposed Federal Legislative Program at last week's work session; and that he made a few additions to the document following member discussions; whereupon, he provided a brief summary of the changes and requested that the members formally adopt the Fiscal Year 2018 Federal Legislative Program.

Mr. Lowack introduced Harry Glenn, Greg Burns, and Mary Scott Hardwick, Van Scoyoc Associates, indicating that they would provide an overview of the 2018 Federal Legislative Program.

Mr. Glenn discussed accomplishments during the past year, including institutionalizing the annual meeting with the Congressional Delegation and securing federal funding for local beach projects; whereupon, he discussed challenges moving forward, including improving the debris removal process following hurricanes. He discussed meetings with officials at the Department of Transportation and the Office of Management and Budget, indicating that they are pleased with the communitywide effort that is taking place with regard to improving transportation in the Tampa Bay area.

Mr. Burns and Ms. Hardwick discussed matters relating to the federal program and other areas of interest, including:

- Beach Nourishment
- Fiscal Year 2018 Appropriations
- National Flood Insurance Program
- Tax Reform
- Offshore Drilling
- Infrastructure Investment
- Waters of the United States

In response to comments and queries by Chairman Long, Messrs. Glenn and Burns discussed the National Flood Insurance Program, indicating that while the House has passed a bill reauthorizing the program, the Senate has yet to pass a bill; that the program has been temporarily extended so that it does not expire; and that it is not expected that the program will be allowed to lapse.

Chairman Long related that the members may want to focus on the Senate bill since the House bill would have a dramatic effect on real estate values and the local tax base; whereupon, Property Appraiser Mike Twitty provided information regarding the potential impacts on residential real estate and the tax roll.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

32. Appointment to the Unified Personnel Board (Board of County Commissioners as a whole).

Louise Dolsay reappointed following a ballot vote.

33. Appointment to the Value Adjustment Board (Board of County Commissioners as a whole).

Frank Makowski appointed following a ballot vote.

34. Appointments to the Feather Sound Community Services District, Inc. (Board of County Commissioners as a whole and Individual Appointments).

Individual appointments of Dimity B. Carlson, Marshall C. Deason, Susanne Hebert, Michael J. Koopman, Richard W. Pettit, Anne Pollack, and Harry Venezia approved.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

35. Appointments to the Historic Preservation Board (Board of County Commissioners as a whole and Individual Appointments).

Brian Smith and Vincent Luisi appointed as at-large members and Claire Cohn appointed as alternate member following a ballot vote.

36. Reappointments to the Parks and Conservation Resources Advisory Board (Individual Appointments).

Individual appointments of Bill Bucolo, Deborah J. Chayet, Mathew Eberius, Shelby Freeman, Dave Kandz, Mary Ann Renfrow, and Mary Rogero approved.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

38. Selection of 2018 Chairman and Vice-Chairman.

A motion was made by Commissioner Morroni, seconded by Commissioner Gerard, that Vice-Chairman Welch be selected as Chairman. The motion carried by the following vote:

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

Following discussion, a motion was made by Commissioner Eggers, seconded by Commissioner Morroni, that Commissioner Karen Williams Seel be selected as Vice-Chairman. The motion carried by the following vote:

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

39. County Commission Board Reports and Miscellaneous Items:

- Recap of 2017 accomplishments, Things Done!

Earlier in the meeting, Vice-Chairman Welch, on behalf of the Commissioners, County Attorney, and County Administrator, presented Chairman Long with a gift in appreciation of her passion, vision, and leadership over the past year.

The members wished everyone a Merry Christmas, Happy Hannukah, and safe New Year; whereupon, they reported on the activities of their assigned Boards and Committees and related or discussed the following items:

Commissioner Morroni

- The next Forward Pinellas meeting will take place tomorrow, December 13.

Commissioner Welch

- He attended the Pinellas Hope Tenth Anniversary Celebration on December 1 and the Convention and Visitors Bureau Annual Marketing Meeting on December 7.
- He attended the CareerSource Executive Committee Meeting, noting that there are plans to open a Charter School at the Science Center.

Commissioner Seel

- Thanked the members for selecting her as Vice-Chairman for the upcoming year.

Commissioner Gerard

- The Child Care Licensing Board welcomed Faith Bornoff as its new Executive Director at its last meeting.
- Reported that Commissioner Morroni will be sitting on the Pinellas Park Water Management District Board beginning in 2018.
- A Special Meeting of the Public Safety Coordinating Council will take place on Thursday, December 14.

- She and Commissioner Welch attended the Grand Opening of My Sistah's Place on December 1.
- All Pinellas Suncoast Transit Authority (PSTA) buses are now designated as a Safe Place for children in trouble.

Chairman Long

- Represented PSTA in Washington, DC, and met with staff from the Office of Management and Budget.
- Reported that she has been elected to serve as the new Tampa Bay Regional Planning Council Chair. She discussed the focus of the TBRPC for 2018 and invited the members to attend a discussion about sea-level rise and climate resilience on January 8.
- Highlighted various accomplishments of the Board during 2017.

Salary Increase for County Administrator Mark S. Woodard

Chairman Long proposed that County Administrator Woodard be granted a three-percent salary increase retroactive to the beginning of Fiscal Year 2018.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

CITIZENS TO BE HEARD

31. Public Comment.

Lenore Faulkner, Madeira Beach, re thanks and prayers

Walter Donnelly, St. Petersburg, re Pinellas Bayway utility undergrounding

Greg Pound, Largo, re Pinellas County Government

Mark Klutho, Largo, re stupidity, waste

David Ballard Geddis, Jr., Palm Harbor, re who's on first? what's on second?

Leroy Sullivan, Jr., Tampa, re his retirement from TECO; introduced his successor, Holly Miller

Meeting recessed at 5:34 P.M.

Meeting reconvened at 6:05 P.M.

PUBLIC HEARINGS

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

BOARD OF COUNTY COMMISSIONERS

- 40.** Ordinance amending the County Land Development Code by revising Section 170-267 relating to utility work definitions, amending Section 170-268 relating to permits, and amending Section 170-277 relating to small cell wireless facilities.

Ordinance No. 17-36 adopted. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard related that the ordinance is being amended to conform to changes that took place during the last legislative session; and that the substance of the ordinance is unchanged.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

- 41.** Resolution supplementing the FY 2018 Budget for unanticipated fund balances in the General Fund, Emergency Medical Services Fund, Building Services Fund, Solid Waste Renewal & Replacement Fund, Water Renewal & Replacement Fund, Sewer Renewal & Replacement Fund, Business Technology Services Fund, and Fleet Management Fund.

Resolution No. 17-94 adopted. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

- 42.** Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue and Refunding Bonds, Series 2017, in an aggregate principal amount not to exceed \$20,000,000.00 on behalf of Shorecrest Preparatory School.

Resolution No. 17-95 adopted approving the issuance of the bonds pursuant to Section 147(f) of the Internal Revenue Code of 1986. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

- 43.** Q Z-14-11-17 (Wal-Mart Stores East, LP) (To be withdrawn)
A request for a zoning change from CP-1, Commercial Parkway to CP-2, Commercial Parkway on approximately 12.38 acres located at the northwest corner of US Highway 19 North and Alderman Road in Palm Harbor (portion of parcel 31/27/16/00000/240/0100).

Chairman Long related that the item has been withdrawn at the applicant's request.

- 44.** Ordinance amending Pinellas County Code Chapter 42, Consumer Protection, by adding new Article XIII, Property Assessed Clean Energy (PACE) Program, providing for minimum standards and limitations for the operation of any PACE Program within Pinellas County.

Ordinance No. 17-37 adopted as amended. Two emails in support of and one email in opposition to the proposed ordinance have been received.

Responding to the Chairman's call for persons wishing to be heard, the following individuals presented their comments and concerns and responded to queries by the members:

Terry Stark, Ygrene Energy Fund - Support
Mike Antheil, Renovate America - Support
Conrad DeSantis, Counterpointe Energy Solutions - Support
Joe Farrell, Pinellas Realtor Association - Oppose
Todd Josko, Renew Financial - Oppose
Blake Ambrester, Solar Bear - Support
Amy Elliott, Dunedin - Support

In response to query by Commissioner Welch, Mr. Farrell indicated that the federal government has changed its mind on Federal Housing Administration loans and PACE; and that buyers will no longer be allowed to utilize FHA loans to purchase properties with PACE loans already in place.

Mr. Woodard indicated that a stakeholder forum was held in October in an attempt to achieve consensus regarding the proposed ordinance presented at the August 15 BCC

meeting. He related that the changes requested by the providers were received in late November; that they would have stricken many of the consumer protections that were placed in the ordinance at the Board's direction; and that while the document in front of the members contains some of the changes that were requested, it does not incorporate those recommendations that would reduce consumer protections.

In response to queries by Commissioner Welch, Chief Assistant County Attorney Don Crowell provided information regarding the stakeholder forum and discussed the ordinance revision process, issues raised by providers, the members' desire for consumer protections, and federal and state programs and regulations. He described the opt-out process, relating that the ordinance would allow any municipality to decline participation within 120 days; whereupon, Sharon Wright, Sustainability and Resiliency Manager for the City of St. Petersburg, related that she and a city attorney attended the stakeholder forum; that they are in favor of the ordinance; that there will be future opportunities to revise the document if needed; and that she has no concerns regarding the 120-day opt-out provision.

During discussion and in response to comments and queries by members, Attorney White related that all PACE loans are special assessments, Ms. Wright related that, to the best of her knowledge, the recent FHA ruling has not changed the City's opinion with regard to moving forward, and Ms. Elliott provided information regarding reporting metrics and recording requirements; whereupon, Commissioner Gerard indicated that she is ready to pass the commercial portion of PACE; and that the residential portion can continue to be refined. Commissioners Seel and Welch concurred, and Commissioner Morroni made a motion to that affect.

Attorney Crowell provided each of the members a redlined copy of the ordinance and reviewed document revisions. Discussion ensued regarding Board policy, consumers who wish to take advantage of PACE, and documentation to be completed and recorded by providers; whereupon, Commissioner Welch stated that although he would not support the current motion, he would support moving forward with both commercial and residential PACE.

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

Aye: 5 - Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Nay: 1 - Vice-Chairman Welch

Absent: 1 - Commissioner Justice

Chairman Long indicated that there were additional citizens who wished to speak; whereupon, the following individuals presented their comments and concerns:

Ed Kelly, Renovate America - Oppose
Frank Wilder, ACS Home Services - Support

Attorney White, with input by Attorney Crowell, presented information regarding the 120-day delay, the need to develop interlocal agreements, the timeframe for providers to make operational changes, the Truth in Lending Act, and consumer protections, and discussed additional language proposed by Commissioner Eggers to be placed in the Notice to Property Owner section of the ordinance; whereupon, Mr. Woodard related the staff has been working to put forward the policy direction of the members with regard to greater consumer protections, indicating that such protections are reasonable and work toward protecting the public trust.

A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the residential portion of the ordinance be adopted, including the additional language proposed by Commissioner Eggers. The motion failed by the following vote:

Aye: 3 - Chairman Long, Vice-Chairman Welch, and Commissioner Gerard

Nay: 3 - Commissioner Eggers, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

45. Appointments to 2018 Committees and Boards by Chairman-Elect.

Referring to a document titled *2018 Committee Board Appointments By Incoming Chair*, Vice-Chairman Welch indicated that the listing contains a mixture of Chairman appointments and appointments by the Board as a whole.

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

Aye: 6 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, and Commissioner Seel

Absent: 1 - Commissioner Justice

ADJOURNMENT - 7:26 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk