

# **Pinellas County**

*315 Court Street  
Clearwater, Florida 33756*



## **Minutes - Final**

**Tuesday, May 8, 2018**

**9:30 AM**

**BCC Assembly Room**

## **Board of County Commissioners**

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

**ROLL CALL - 9:32 A.M.**

**Present:** 6 - Chairman Kenneth T. Welch, Vice-Chairman Karen Williams Seel, Dave Eggers, Pat Gerard, Charlie Justice, and Janet C. Long  
**Absent:** 1 - John Morroni

**Others Present:** Jewel White, County Attorney; Mark S. Woodard, County Administrator; Jeanette L. Phillips, Director, Finance Division; and Lynn M. Abbott, Board Reporter, Deputy Clerk

**INVOCATION by Reverend Becky Robbins-Penniman, Church of the Good Shepard, Dunedin.**

**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. International Internal Audit Awareness Month Proclamation:  
- Melissa Dondero, Assistant Inspector General, Division of Inspector General

Chairman Welch invited Ms. Dondero to the podium, presented her with a plaque, and read a proclamation recognizing May 2018 as International Internal Audit Awareness Month.

Ms. Dondero introduced her colleagues Jason Stanley, Robert Poynter, Anne DiNatale, Corey Atha, Cassie Moreau, Darcy Eckert, and Mary Beth Makrianes, and thanked the Board on behalf of the division, noting that Inspector General Hector Collazo and Clerk of the Circuit Court and Comptroller Ken Burke were unable to attend and conveyed their appreciation for the award. She related that the proclamation demonstrates the Board's support for the internal audit profession and the services that have been provided for the past 35 years, and serves to build awareness of the essential role internal auditing plays in strong organization governance, internal audit control, and effective risk management.

2. Emergency Medical Services (EMS) Week Proclamation:  
- Jon Michael Farris, Paramedic, Sunstar  
- Chief Rick Graham, President, Pinellas County Fire Chiefs Association

Chairman Welch called forward Mr. Farris and Chief Graham and provided a brief history of the Pinellas County Emergency Medical Services Authority, noting the dedicated efforts of the highly skilled and professional EMS personnel; whereupon, he presented them with a plaque and read a proclamation recognizing May 20 through May 26, 2018 as Emergency Medical Services Week.

Mr. Farris and Chief Graham expressed gratitude to the Commissioners, emergency medical and firefighter personnel, and citizens for their recognition.

Chairman Welch mentioned that Commissioner Morroni has been a long-time advocate for emergency services personnel and thanked him for his support, noting that he is probably watching the live broadcast of the meeting.

3. EMS Professionals of the Year Award:

Emergency Medical Dispatcher

- Sandy Stoinski, Public Safety Telecommunicator III, Pinellas County Emergency Communications/Regional 911

Emergency Medical Technician (EMT)

- Aaron Dill, Field Training Officer/EMT, Sunstar Paramedics Paramedic

- Stephen Bailey, Lieutenant/Paramedic, Largo Fire Rescue Pinellas Federal Credit Union

- Sherry Belcher, President/CEO

- Gina Signor, VP of Administration

Chairman Welch acknowledged that Pinellas Federal Credit Union has been a supporter of the EMS Professionals of the Year Award for 28 consecutive years and introduced Mses. Belcher and Signor as its representatives. He noted that EMS Advisory Council Chairman Dr. David Weiland and Vice-Chairman Kelly Cullen were unable to attend today's meeting and expressed the Board's appreciation of their partnership.

Chairman Welch invited EMS and Fire Administration Division Director Craig Hare forward to lead the presentation; whereupon, a video was played highlighting the services of Ms. Stoinski, Mr. Dill, and Lieutenant Bailey. Mr. Hare presented the awards to the winners, and Mses. Belcher and Signor provided monetary gifts; whereupon, Chairman Welch congratulated the awardees and thanked them for their service.

4. Partner Presentation:

- Dr. Angus Jameson, Medical Director, EMS

Referring to a PowerPoint presentation titled *Doing Things! EMS System Clinical Update*, Dr. Jameson discussed the state of the system, including operational statistics and focus areas; clinical education and provider wellness programs; quality management advances; ongoing clinical challenges; and quality management goals and opportunities; whereupon, he responded to queries by the members.

## 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



**5. Case No. CW 18-05 - Pinellas County**

Countywide Plan Map amendment from Recreation/Open Space to Residential Low Medium, regarding 0.3 acre more or less, located on the east side of Pine Street, 200 feet north of Wilcox Road in Dansville (subthreshold amendment).

Ordinance No. 18-16 adopted approving Case No. CW 18-05. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni

**6. Case No. CW 18-07 - City of Clearwater**

Countywide Plan Map amendment from Residential Low Medium to Office, regarding 0.2 acre more or less, located at 1524 South Highland Avenue (subthreshold amendment).

Ordinance No. 18-17 adopted approving Case No. CW 18-07. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni

**7. Case No. CW 18-08 - City of Clearwater**

Countywide Plan Map amendment from Office to Public/Semi-Public, regarding 0.1 acre more or less, located at 720 Tuskawilla Street (subthreshold amendment).

Ordinance No. 18-18 adopted approving Case No. CW 18-08. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni



**8. Case No. CW 18-10 - City of Clearwater**

Countywide Plan Map amendment from Residential High and Residential Low Medium to Office, regarding 1.3 acres more or less, located at 1528 Lakeview Road (subthreshold amendment).

Ordinance No. 18-19 adopted approving Case No. CW 18-10. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni

**9. Case No. CW 18-11 - City of Dunedin**

Countywide Plan Map amendment from Residential Low Medium to Residential Medium, regarding 2.4 acres more or less, located at 801 Main Street (subthreshold amendment).

Ordinance No. 18-20 adopted approving Case No. CW 18-11. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni

**10. Case No. CW 18-06 - City of Safety Harbor**

Countywide Plan Map amendment from Residential Low Medium to Public/Semi-Public and Preservation, regarding 7.3 acres more or less, located at the northeast corner of Pine Street and Dr. M. L. King, Jr. Street North (4th Street Detention Pond ) (regular amendment).

Ordinance No. 18-21 adopted approving Case No. CW 18-06. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni

**11. Case No. CW 18-09 - City of Clearwater**

Countywide Plan Map amendment from Recreation/Open Space to Public/Semi-Public, regarding 7.5 acres more or less, located at 1005 Old Coachman Road (regular amendment).

Ordinance No. 18-22 adopted approving Case No. CW 18-09. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

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

**Absent:** 1 - Commissioner Morroni

**12. Case No. CW 18-12 - City of Clearwater**

Countywide Plan Map amendment from Public/Semi-public, Retail Services, Residential Low Medium and Activity Center to Activity Center, regarding 555.8 acres more or less, generally located south of Palm Bluff Street, west of Highland Avenue, north of Druid Road, and east of Clearwater Harbor (regular amendment). (Companion to Item #13)

Ordinance No. 18-23 adopted approving Case No. CW 18-12. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

In response to queries by Commissioner Seel, City of Clearwater Senior Planner Ellen Crandall related that the amendment will not affect an existing land use provision in the Old Bay character district; that no changes to the Community Redevelopment Area (CRA) are being proposed at this time; that the City's newly hired CRA director is working on amendments to Chapter 4 and the Tax Increment Financing (TIF) district; and that additional information will be submitted by the end of summer as required for Pinellas County's 15-year review of the CRA Plan.

Referring to a presentation titled *Clearwater Downtown Redevelopment Plan*, Forward Pinellas Planning Division Manager Rodney Chatman pointed out the subject property's location, boundaries, and surrounding land uses, and provided an overview of the proposed amendment, noting that it seeks to expand boundaries and amend densities, intensities, and height allowances associated with the Special Area Plan, which is part of the Clearwater Downtown Redevelopment Plan; that the amendment is consistent with the Countywide Rules; and that staff recommends approval.

Commissioner Justice commented that changing the land use to Activity Center will significantly increase the density allowances for each parcel, and responding to his query, Mr. Chatman indicated that the County has not conducted an analysis to determine the total potential impact.

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

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

**Absent:** 1 - Commissioner Morroni

#### COUNTY ADMINISTRATOR DEPARTMENTS

13. Proposed amendments to the Clearwater Downtown Redevelopment Plan for the Clearwater Downtown Community Redevelopment Area. (Regular agenda item) (Companion to Item #12)

Resolution No. 18-24 adopted approving amendments to the Clearwater Downtown Redevelopment Plan by repealing and replacing Chapters 1 through 3 and Appendices 2 through 6, deleting Appendices 9 and 10, and reformatting Chapter 4 without substantial content changes. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard introduced the item, relating that the amendments will harmonize with the adjustments to the Countywide Plan Map approved under Item No. 12.

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

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

**Absent:** 1 - Commissioner Morroni

#### CONSENT AGENDA - Items 14 through 22

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

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

**Absent:** 1 - Commissioner Morroni

#### CLERK OF THE CIRCUIT COURT AND COMPTROLLER

14. Minutes of the regular meeting held April 10, 2018.
15. Vouchers and bills paid from April 8 through April 14, 2018.



Period: April 8 through April 14, 2018

Accounts Payable - \$16,438,892.28

Payroll - None

Reports received for filing:

16. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Annual Report for the Year Ending December 31, 2017.

Miscellaneous items received for filing:

17. Florida Department of Revenue Approved Fiscal Year 2017-2018 Budget Amendment for the Pinellas County Tax Collector.

Development Review Services

18. Plat of Tuscany Highlands.

Plat submitted by H3O Design on behalf of Mako6, LLC accepted and approved for recording.

Public Works

19. Award of bid to M.T.M. Contractors, Inc., for the Haines-Bayshore Road Sidewalk Improvement project.

Bid No. 178-0089-CP (PID No. 002102A) in the amount of \$685,546.05 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 120 consecutive calendar days. Chairman authorized to sign the agreement and the Clerk to attest.

Real Estate Management

20. Declare surplus and authorize the sale or donation of miscellaneous County-owned equipment and vehicles.

Authorization granted. Miscellaneous equipment consisting of 58 computers from the Office of the Public Defender to be donated to Vincent House, Juvenile Welfare Board of Pinellas County, and Ready for Life. Excluding any interested governmental or other not-for-profit agencies on the Social Action Funding List, the remaining assets are to be liquidated through public auction conducted by Tampa Machinery Auction, Manheim, and GovDeals.com under existing approved contracts. Distribution of proceeds approved as recommended in the Staff Report.

Safety and Emergency Services

21. Award of bid to Master Medical Equipment, LLC for the requirements of refurbished Philips MRx defibrillators.

Bid No. 178-0264-B in the amount of \$328,750.00 (including a contingency not to exceed \$65,750.00) awarded on the basis of being the only responsive, responsible bid received meeting specifications. Contract is for a 12-month term, during which the County may elect to procure additional defibrillators at the unit price of \$13,150.00, which is offered with a provision for increase as set forth in the Staff Report.

## COUNTY ATTORNEY

22. Notice of new lawsuit and defense of the same by the County Attorney in the case of Susan Baker v. Pinellas County Board of County Commissioners and Pinellas County; Circuit Civil Case No. 18-000485-19 - allegations of negligence resulting in personal injuries.

**REGULAR AGENDA**

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

## COUNTY ADMINISTRATOR DEPARTMENTS

Economic Development

23. Resolution approving B7111450363 as a qualified applicant for the Qualified Target Industry Tax Refund program.

Resolution No. 18-25 adopted approving Project B7111450363 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support (total local contribution amount, \$60,000.00, 50 percent of which will be paid by Pinellas County, to be paid over a series of fiscal years as determined by the State).

Mr. Woodard related that a technology-centric business service enterprise is seeking to relocate its international headquarters to the City of St. Petersburg, creating 50 new jobs at 150 percent or more of the State of Florida average annual wage; and that the County is competing with locations in California, Georgia, and Illinois.

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

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

**Absent:** 1 - Commissioner Morroni

### Management and Budget

- 24.** Resolution supplementing the Fiscal Year 2018 General Fund Budget for unanticipated revenues and realigning appropriation from the General Government (Reserve for Contingencies) cost center to the Emergency Events cost center in the General Fund for expenditures related to Hurricane Irma.

Resolution No. 18-26 adopted appropriating earmarked receipts for a particular purpose (unanticipated revenue from the Federal Emergency Management Agency (FEMA) in the approximate amount of \$4.6 million) and realigning appropriation in the approximate amount of \$12.7 million.

Responding to queries by Commissioners Seel and Eggers, Mr. Woodard indicated that despite assurances from the Office of Governor Rick Scott and the White House following Hurricanes Irma and Maria, reimbursements by FEMA have not been issued quickly; that his level of confidence in receiving the additional expected reimbursement in the amount of \$17.6 million by the end of Fiscal Year 2019 is not as high as the anticipated reimbursement of \$4.6 million in the current fiscal year; and that the County will submit reimbursement requests on behalf of the various Enterprise Funds; whereupon, he explained that the current reserve level would be lowered from 15.1 percent to 12.8 percent, but would return to approximately 15 percent should the Fiscal Year 2019 reimbursement be received.

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

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

**Absent:** 1 - Commissioner Morroni

### COUNTY ADMINISTRATOR

- 25.** County Administrator Miscellaneous - None.

### COUNTY ATTORNEY

- 26.** County Attorney Miscellaneous - None.



## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Housing Finance Authority

27. Resolution approving the issuance by the Housing Finance Authority of Pinellas County of its Multifamily Housing Revenue Bonds to finance a multifamily residential rental housing project.

Resolution No. 18-27 adopted approving the issuance of the bonds in a principal amount not to exceed \$8,200,000.00 for the benefit of SP Trail, LLC, a Florida limited liability company, or its affiliate; no County general funds are required; all lendable funds are generated from the sale of tax-exempt housing bonds.

Mr. Woodard indicated that while the Board had previously approved the transaction, that approval will expire before the bond closing date; and that the resolution would allow for the construction of an 80-unit affordable housing project in the City of Clearwater.

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

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

**Absent:** 1 - Commissioner Morroni

## COUNTY ADMINISTRATOR REPORTS

28. County Administrator Reports:
- Comprehensive Plan Update
  - Doing Things! TV - Reaching out to the Community

Mr. Woodard introduced the Comprehensive Plan Update report, commending Planning Department staff for their ingenuity in creating a video that presents the Comprehensive Plan in simple terms. Long Range Planning Division Manager Scott Swearengen introduced the plan update team members, Principal Planners Becca Stonefield and Alexandra Keen, and referring to the project website titled *Plan Pinellas*, linked from the Planning Department homepage, provided a summary of the project; whereupon, he played a video featuring a fifth-grader explaining the purpose of the Comprehensive Plan and the reasons for and phases of the update.

Mr. Swearengen provided information regarding open houses for community input with respect to the plan and presented guide packets for the public, noting that in addition to English, the packets would be available in Spanish and Vietnamese.

In response to queries by Chairman Welch and Commissioner Seel, Mr. Swearengen agreed to provide a link to the video and information regarding the final date for the June open house to the Commissioners.

Following introduction by Mr. Woodard, a video was shown to highlight staff's efforts in engaging the public by (1) speaking with school children on Junior Achievement Day regarding the function of government, (2) educating the public about reducing waste at the annual Eco Fun Festival, and (3) holding a discussion with young women at East Lake High School on making a positive public impact by pursuing engineering careers.

## CITIZENS TO BE HEARD

### 29. Public Comment.

David Ballard Geddis, Jr., Palm Harbor, re Election "distinctly" of choice - submitted document

Greg Pound, Largo, re truth

## COUNTY COMMISSION

### 30. County Commission New Business Items:

- Florida Firearms Preemption Lawsuit (Commissioner Long)
- 2018 TBARTA DRAFT Interlocal Agreement (Commissioner Long)
- State Mandate School Safety - Funding Responsibility (Commissioner Welch)
- CareerSource Pinellas Update (Commissioner Gerard)

Deviating from the agenda, these items were addressed out of order.

#### State Mandate School Safety - Funding Responsibility

Chairman Welch referred to a memorandum from Mr. Woodard dated May 4 included in the agenda packet and indicated that, as previously discussed, the County had agreed to financially assist the School Board in implementing the state mandate regarding public safety personnel for Florida public schools in the absence of other funding options; and that based on discussions with Pinellas County School Board Superintendent Michael Grego and the School Board members, the School Board is willing to fund a portion of the full personnel costs, which raises the question of whether the County would fund the remaining \$2.7 million.

Responding to queries by Chairman Welch and Commissioner Eggers, Mr. Woodard clarified that the mandate is directed to the School Board, which has the ability but not the desire to increase the school millage rate in order to fund school safety personnel. He indicated that if residents were to be presented with a referendum question and voted for a tax increase, it would take effect next fiscal year, starting on October 1, 2018; whereupon, he related that the School Board has approximately \$46 million in unrestricted reserves



which could be used to cover the interim period, which is from August 13, the start of the school year and the mandate deadline, through October 1; and that the School Board has the ability to meet the recurring need for safety personnel through an increase in the school millage rate.

Pinellas County Sheriff Bob Gualtieri pointed out that the reason he initially brought forward the issue regarding the need for the funding of safety personnel to the BCC a month and a half ago was because of a tight mandate deadline and assurances by Superintendent Grego that the School Board did not have sufficient reserves or the ability to increase its millage rate until 2020 to provide the required funding. He stressed that the mandate requires that by August 13, the beginning of the next school year, there must be an armed person in all Florida schools: a safe school officer, which is either a police officer or a deputy sheriff serving as School Resource Officer (SRO), or a guardian under a Guardian Program.

During discussion and in response to queries by the members, Sheriff Gualtieri indicated that in addition to the 15 SROs already supplied by the School Board, the total conservative number of positions needed, including SROs, supervisors, and relief personnel, is 68; that the portion the School Board proposes to pay would leave a gap of \$2.7 million, which is the amount that it is requesting from Pinellas County; and that since the County already contributes approximately \$1.3 million toward school safety costs each year, its total annual recurring contribution would amount to approximately \$4 million. He noted that the costs presented in the letter and contract from Superintendent Grego included in the agenda packet are different because they do not include the necessary costs of SROs for Charter schools and relief and supervision personnel, as the School Board has refused to address those.

Responding to queries by Commissioner Seel, Sheriff Gualtieri discussed the requirements for preparing personnel under the Guardian Program, noting that the School Board did not authorize it, preferring to place experienced law enforcement officers in the schools over the guardians, and he agrees; whereupon, he addressed the need for the SROs to have vehicles for the storage of essential equipment and transport, indicating that there are ways to significantly mitigate the start-up costs of the SRO services from what was initially discussed, including utilizing older model vehicles that were slated to be auctioned.

In response to queries and concerns by the members, Sheriff Gualtieri indicated the following:

- The School Board's plan to have his office hire personnel to provide SRO services for approximately 12 to 18 months, after which the School Board would assume that role and provide their own safety personnel, is unfeasible.
- He can provide his existing personnel to fulfill the need for SROs on a temporary basis for up to 90 days, as doing so for a longer period of time would take away from other essential law enforcement functions.



- The \$67-million Guardian Program fund is non-recurring, and if it becomes available for SRO service costs, he suggests using it for non-recurring start-up costs.
- Many other Florida counties are implementing the Guardian Program.
- No other County Commission in the state has assumed the responsibility of paying for SROs under the mandate. (Mr. Woodard provided input.)
- So far, only two small municipalities in Pinellas County have decided to staff their own SROs.
- The \$164 million allocated by the state for SROs in all Florida schools under the mandate consists of a \$100-million new allocation and a \$64-million existing allocation, which has historically only partially been used by the school districts for SROs.
- The School Board has opted not to use the Guardian Program and has not provided the needed funding for the SROs. The matter is urgent because both avenues require time for hiring and training. In the absence of action by the School Board, Sheriff Gualtieri is prepared to authorize and set up training for the Guardian Program to show that he has done everything possible to comply with the mandate.

Commissioner Long opined that because the state created the mandate, it should pay for the safety personnel along with the School Board and, in response to her queries and comments, Chairman Welch referred to a letter sent to Governor Rick Scott and state legislature leaders addressing issues of state funding and school hardening, as well as a request to use the money designated for the Guardian Program to pay for SROs; whereupon, he indicated that it is important to identify all the facts prior to having a productive joint meeting with the School Board.

During discussion, Chairman Welch indicated that it appears the School Board has the capacity and the reserves to provide the needed funding, and Commissioner Justice stated that it should exhaust all other options before requesting assistance from the County. Additionally, the members questioned the County's responsibility for the existing annual \$1.3-million subsidy of school safety, noting that the BCC recently raised the Health Department millage rate to provide for school nurses; whereupon, Commissioner Eggers noted that county residents will ultimately be the ones paying for school safety; and that if the County and the cities financially assist the School Board with its funding responsibilities, it may create a problem regarding how the School Board's actual financial burden is viewed by the state.

Following further discussion, the members reached consensus that the School Board should bear the full cost of school safety personnel; and that as a partner concerned for its school children, the County stands ready to provide financial assistance as a last resort; whereupon, Chairman Welch directed that Mr. Woodard draft a response to the School

Board outlining today's discussion and the consensus reached by the members, including the potential responsibility of the School Board to absorb the current school safety subsidy provided by the County.

In response to the Chairman's call for persons wishing to be heard, Greg Pound, Largo, presented his comments regarding the item.

#### CareerSource Pinellas Update

Commissioner Gerard reported that CareerSource Tampa Bay plans to completely separate from CareerSource Pinellas by July 1, and there should be a new interlocal agreement between the BCC and CareerSource Pinellas in place by that time.

Mr. Woodard provided input, indicating that in light of recent events and findings pertaining to governance, internal control, and firewalls, the Board should re-examine the old interlocal agreement, as well as CareerSource bylaws; whereupon, he recommended that former Chief Assistant County Attorney Dennis Long assist with the review, given his legal expertise and familiarity with CareerSource. County Attorney Jewel White agreed, and discussion ensued.

Responding to queries by the members, Mr. Woodard indicated that Mr. Long would be engaged to provide recommendations regarding management and operational matters and not in a legal counseling capacity, which would be fulfilled by the County Attorney's Office; that the associated costs have not yet been determined; and that Economic Development Director Mike Meidel has conducted preliminary research regarding the matter on which Mr. Long would be working. Following discussion regarding the cost of engagement, Mr. Woodard indicated that he will provide information regarding the potential scope of work and estimated cost.

Chairman Welch referred to a letter from CareerSource Counsel Charlie Harris to the BCC dated May 7, 2018 and responded to statements contained therein, indicating that while the Commission has made every effort to be deferential with respect to CareerSource Board members in considering their reappointment, it must exercise the oversight afforded to it by the Department of Economic Opportunity (DEO) and the Department of Labor given the problems which had occurred during the time that those Board members were presiding, such as the multi-thousand-dollar debt associated with the Science Center and the issues of nepotism and the employment placement scam perpetrated on the Sheriff's Office.

Noting instances of misrepresentation by Mr. Harris and the inaccuracies and lack of transparency with regard to the letter, Chairman Welch provided a chronological account of events related to the matter of the CareerSource Board firing an external audit firm under the counsel of Mr. Harris without the knowledge of the Audit Committee; whereupon, he reiterated that the culture of the organization cannot be changed by simply removing its CEO and not also changing the counselor and the Board members who had allowed the problems to occur. In response to query by Commissioner Long, he indicated that the DEO



found no records of a CareerSource Board action appointing Mr. Harris as the organization's attorney; and that he wishes to see that documentation, and Commissioner Gerard provided input regarding another inaccurate statement from the letter, which indicated that the CareerSource Board voted to give former CareerSource CEO Ed Peachy a settlement offer in the amount of \$52,000, noting that the vote was actually rescinded.

During discussion and responding to queries by the members, Mr. Woodard related that the CareerSource Board membership application process has begun; and that some of the existing members whose terms expire at the end of June have been advised to formally reapply if they wish to do so. Mr. Meidel discussed the required membership composition and application process, indicating that there is a total of 45 available positions; that the web portal for applications will remain open until May 29 at 3:00 P.M.; that at the June 19 BCC meeting, the Commission would vote with regard to the members whose terms are expiring; and that the portal could be reopened later for additional applicants, and Commissioner Gerard provided suggestions regarding the application process and input relating to the CareerSource Executive Committee membership and functions.

Commissioner Justice conveyed his respect for Mr. Harris; whereupon, he emphasized that the Commission was entrusted by the state and federal agencies with the authority to take certain actions with regard to CareerSource, indicating that specifics regarding that authority need to be included in the new interlocal agreement. He also expressed hope that the parties involved in the CareerSource reform would look beyond the past and toward improving the organization.

#### Florida Firearms Preemption Lawsuit

Commissioner Long indicated that pursuant to her conversation with Attorney White, member consensus is needed in order to proceed with filing a firearms preemption lawsuit similar to those filed by other Florida local governments.

During discussion and responding to queries by the members, Attorney White referred to the *Complaint for Declaratory Relief* addressing the provisions of Section 790.33, Florida Statutes, which has been made a part of the record, and provided an explanation of the matter, indicating the following:

- Broward County recently filed a lawsuit, in addition to other local government entities.
- The firearms preemption is the only preemption regulation that attaches personal liability to Commissioners and removal from office as penalties for its violation.
- Constitutionality of the personal liability aspect of the statute's penalty provisions is at the core of the lawsuits. If the County files, it could also attempt to address the preemption provision.



- Filing the lawsuit is a serious matter, and it is important that the members are certain in their desire to do so.
- The County Attorney's Office could likely handle the suit.
- While a judgment would be specific to the parties filing the suit, the decision could ultimately have a statewide benefit, if it is upheld at the appellate level.

Following discussion regarding the cost of filing, prior discussions of the topic, and awareness of the Board's position by the Legislative Delegation, Commissioner Justice noted that there has not been substantial discussion on the matter. Chairman Welch opined that while nationwide or at least statewide decisions with regard to issues related to firearms are more effective, the Board should stand up to the unwarranted punitive nature of the preemption.

Commissioner Long pointed out that the matter has nothing to do with Second Amendment rights; and that at its basis is the inability of local governments to discuss issues of public safety, specifically as they relate to children.

The members agreed that more detailed information regarding the matter is needed before moving forward, and Attorney White indicated that the information would be provided. In response to query by Chairman Welch, Commissioner Eggers expressed disappointment regarding the inability of government entities to solve problems outside of court. He agreed that penalties for the preemption violation are excessive and stressed the need to have more information as well as an opportunity to discuss the matter with the Legislative Delegation before filing a lawsuit.

#### 2018 TBARTA DRAFT Interlocal Agreement

Commissioner Long referred to the draft Interlocal Agreement between the Tampa Bay Area Regional Transit Authority (TBARTA) and Hernando, Hillsborough, Pasco, Pinellas, and Manatee Counties, and requested the members' feedback, noting that the Board's support of the agreement would reflect the County's leadership to make an impact on regional public transportation; that the new TBARTA organization has been under scrutiny regarding financial matters in an effort to improve its operations; and that the joint effort of all regional transit agencies for public benefit is unprecedented.

Responding to queries by Chairman Welch, Commissioner Long confirmed that the County contribution to TBARTA under the agreement would be approximately \$86,000 of a \$300,000 total, which would be used for operations; and that there are additional sources of funds for operations. She noted that TBARTA's budget would be changing dramatically over the next three months; and that the organization received \$1 million in funding from the state last year and is working to ensure sustainable funding going forward; whereupon, she discussed the plans for the Central Avenue Bus Rapid Transit project.

During discussion, Commissioner Seel, with input by Mr. Woodard, spoke about the sources of funding for the County's contribution, the importance of all participating counties in providing their share, and her concern regarding the cost of hiring a search firm for replacement of TBARTA Executive Director Ramond Chiaramonte, whose contract will expire in 2019; whereupon, responding to query by Chairman Welch, she indicated that she would contact Mr. Chiaramonte about posting TBARTA's current budget on its website. Commissioner Eggers indicated that it would be valuable to have Forward Pinellas Executive Director Whit Blanton review the draft agreement; and that there should be more detail relating to how the funds will be spent.

In response to concerns raised by Commissioner Gerard, Attorney White indicated that if the members decide to go forward with the agreement, it would need to be modified, including inserting a fiscal non-funding clause and a funding cap provision.

Chairman Welch confirmed that the \$86,000 contribution is acceptable; whereupon, the consensus of the members was that the agreement would be brought back for their consideration after the discussed modifications are made.

### 31. County Commission Board Reports and Miscellaneous Items.

The members reported on the activities of their assigned Boards and Committees and related or discussed the following items:

#### Commissioner Justice

- The Tampa Bay Estuary Board will meet on May 18 regarding its final work plan to be submitted to the Environmental Protection Agency. The program was approved for full federal funding, enabling financing of several projects throughout the Tampa Bay region.
- The Area Agency on Aging of Pasco-Pinellas annual luncheon and installation of officers was held on April 27 at Ruth Eckerd Hall; he thanked the Commissioners who attended.
- He will travel to Panama City next week for the Gulf Consortium meeting to vote on the State Expenditure Plan for the Consortium dollars.

#### Commissioner Long

- Attended the 2018 Bus and Paratransit Conference hosted by the American Public Transportation Association in Tampa.
- Attended the 2018 International Bus Roadeo hosted by the Pinellas Suncoast Transit Authority (PSTA) and Hillsborough Area Regional Transit Authority (HART) on May 5.
- The May 11 Tampa Bay Transportation Management Area (TMA) Leadership Group meeting will take place in Land O' Lakes.

- Looks forward to the Forward Pinellas meeting on April 11.
- AmSkills has not met yet in 2018.
- The 26th Annual Future of the Region Awards event will be held on May 18 at the Hilton St. Petersburg Carillon Park.

#### Commissioner Gerard

- Discussed the possibility of a resolution or ordinance with regard to Faith and Action for Strength Together (FAST), noting that Attorney White is researching the matter.
- Provided an update on drafting of an ordinance regarding the Property Assessed Clean Energy (PACE) Program relating to the residential part of the program and requested permission to continue working on it with Chief Assistant County Attorney Don Crowell and bring it for the Board's consideration once it is finalized. Commissioners Seel and Eggers voiced concerns regarding ensuring that the ordinance addresses issues relating to consumer protection. Following discussion, Chairman Welch indicated that there is consensus for Commissioner Gerard to continue working on the item.
- Toured the Gracepoint Foundation facility in Tampa and provided information regarding services that the organization offers; whereupon, the members discussed the need for a receiving facility for individuals detained under the Marchman Act in Pinellas County.

#### Commissioner Eggers

- Forward Pinellas will meet tomorrow to discuss regional priorities and the Regional Transit Feasibility Plan. Mr. Blanton's performance review is coming up this month.
- The MyVA Community Engagement Board will meet on May 21.
- Tampa Bay Water will have a budget public hearing on June 18. A review of the organization's General Manager, Matthew Jordan, is coming up.
- The TMA Leadership Group will meet in Land O' Lakes on May 11 to develop recommendations regarding regional priorities.
- Dunedin's Senior Hall of Fame Luncheon and Awards Ceremony will recognize the 2018 honorees on May 16.
- A Gateway Master Plan Mid-County workshop is scheduled for May 10 at the EpiCenter, St. Petersburg College.
- The 29th Annual Pinellas County Fallen Law Enforcement Memorial is set for May 9.



- Thanked the Sheriff's Office for allowing him to ride on a helicopter last week to view the ongoing beach nourishment project.
- Toured a Community Health Center facility and met with providers in an effort to learn about options to provide better and less expensive services to the residents.
- Expressed disappointment that none of the Commissioners were able to appear at a recent event recognizing graduates, and discussed the need for a better system to coordinate their attendance at community events.

#### Commissioner Seel

- Attended the First Annual Sharing Symposium organized by the Florida Department of Elder Affairs, where Pinellas County was recognized for its age-friendly innovative practices and research, and commended staff for their efforts in that regard.
- The Homeless Leadership Board met last week. She praised the agency's work on a data summary report containing a comparative analysis and information for future planning; whereupon, she noted a remarkable improvement that the agency is experiencing under the leadership of Susan Myers and complimented Amy Foster on her work as the Board Chair.
- Will be unable to attend the next Juvenile Welfare Board meeting. The agenda will include approval of the myON Reader Program for Lutheran Services Florida, pursuant to her request.
- Expressed sympathies to the family of Karen Aungst, noting her numerous contributions to the Clearwater community and the citizens as the 'First Lady' of Clearwater.

#### Commissioner Welch

- The Tourist Development Council (TDC) met last Thursday and considered the St. Petersburg/Clearwater Area Convention and Visitors Bureau budget. The agency has made good organizational changes and continues to be a great asset to the County and is slated to bring in almost \$9 million in bed tax revenue in May. He recommended that the next TDC workshop, scheduled for June 20, include topics pertaining to events funding, capital projects, and similar matters; whereupon, he indicated that PSTA Chair Janet Long and Mr. Blanton would provide information regarding potential transportation issues; and that a joint meeting of the BCC and TDC could take place in August.

During discussion, Commissioner Justice cautioned against making plans with regard to potential funding opportunities for utilizing bed tax funds for transportation-related projects allowed through recent legislation prior to obtaining more information regarding all legal uses of funds, noting that they are not limited to transit. Chairman Welch assured the members that there will be no recommendations made at the June

workshop relative to projects under the new legislation and indicated that all Commissioners are invited to attend; whereupon, at the request of Commissioner Justice, he directed Mr. Woodard to arrange for a discussion of the said legislation, including a presentation by the County Attorney's Office, at an upcoming BCC workshop.

- Indicated that he will be appointing Michael Jalazo to the Pinellas County Public Safety Coordinating Council.
- Attended the Mayors' Council meeting last week, at which St. Petersburg College President Tonjua Williams discussed an opportunity for local government leaders to talk about the role of education and workforce development; whereupon, he indicated that if the members wish to participate in the forum, he would convey that information to Dr. Williams.
- Commended the Marketing and Communications Department on its website with regard to Public Service Recognition Week and thanked all County employees for the great job they do each and every day.
- Congratulated the Tampa Bay Lightning on its successful games.
- Attended the funeral of Lakewood High School senior Bryson Welton-Williams and extended condolences to his family.
- Presented recommendations from Belcher Elementary School students regarding Penny for Pinellas spending.

**ADJOURNMENT - 1:36 P.M.**

ATTEST: KEN BURKE, CLERK

By *Norman D. Jay*  
Deputy Clerk

*Kenneth T. Wild*  
Chairman

