

Pinellas County

*315 Court Street
Clearwater, Florida 33756*



Minutes - Final

Tuesday, October 23, 2018

2:00 PM

Public Hearings at 6:00 PM

BCC Assembly Room

Board of County Commissioners

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

ROLL CALL - 2:04 P.M.

Present: 7 - Chairman Kenneth T. Welch, Vice-Chairman Karen Williams Seel, Jay J. Beyrouiti, Dave Eggers, Pat Gerard, Charlie Justice, and Janet C. Long

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

INVOCATION by Commissioner Welch.**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Pinellas County Employee Choir Performance:
Singing "God Bless America"
 - Rebecca Fiesbeck
 - Lisa Freeman
 - Willie Roundtree
 - Dan Glaser
 - Valerie Fuzz
 - Sherrill Culliver
 - Ova Moore
 - Michael Liadis

Chairman Welch welcomed the choir to the podium and introduced the members; whereupon, they sang *God Bless America*.

2. Veterans Day Proclamation:
Community Veterans Engagement Board
 - Milton White, Co-Chair
 - Julie Boor
 - Eugenia Simmons
 - Stacey-Rae Simcox
 - Zeffrey Mims
 - Frank Chicollo
 - Matthew Shankweiler
 - Rick Chesler

Chairman Welch pointed out that today's Board meeting is the last one before Veteran's Day; whereupon, he invited veteran leaders to join him at the podium, introduced them, and read a proclamation in recognition of the holiday. Mr. White provided information regarding the Community Veterans Engagement Board's purpose and accomplishments, and Mr. Woodard presented a photo mock-up of the planned Purple Heart Monument to be installed in War Veterans' Memorial Park next August.

Deviating from the agenda, Chairman Welch invited outgoing Commissioner Jay J. Beyrouti to the podium and presented him with a proclamation in recognition of his service on the Board after the death of Commissioner John Morroni; whereupon, Commissioner Beyrouti stated that it has been a great honor and privilege to have served on the Board and praised his colleagues for their non-partisan approach.

3. Partner Presentation:
Recognition to the County Administrator
- Matthew Campbell

Chairman Welch invited retiring County Administrator Mark Woodard to the podium, praised him for his 30 years of service to the County, and complimented him on creating the *Doing Things!* segment that is now part of most Board meetings. A video was shown honoring Mr. Woodard for his work; whereupon, Assistant County Administrator Jake Stowers, joined by the County Administrator's staff, presented him with a historical book regarding Pinellas County.

Kenneth City Town Manager Matthew Campbell, Safety Harbor City Manager Matt Spoor, and Belleair Town Manager JP Murphy presented Mr. Woodard with a proclamation from the Pinellas County Managers Consortium members thanking him for his work for the County; whereupon, the County Choir sang a song called *More*.

Bringing the segment honoring the retiring County Administrator to a close, Chairman Welch presented him with the key to Pinellas County.

CONSENT AGENDA - Items 4 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: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

4. Minutes of the County Administrator recruitment meeting held August 29, 2018 and the regular meeting held September 25, 2018.

Reports received for filing:

5. Quarterly Report of Routine Dock and Dredge/Fill Applications Received from July 1 to September 30, 2018.

6. Pinellas County Sheriff's Office Adopted Budget for Fiscal Year 2018-2019.

Miscellaneous items received for filing:

7. City of Clearwater Ordinances Nos. 9155-18 and 9158-18 adopted September 6, 2018, annexing certain properties.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

8. Award of bid to Lema Construction & Developers, Inc. for the new maintenance facility project at the St. Pete-Clearwater International Airport.

Bid No. 178-0077-CP (PID No. 000031A) in the amount of \$2,895,493.00 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. Chairman authorized to sign and the Clerk to attest.

County Administrator

9. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending September 30, 2018.
10. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending September 30, 2018.

Public Works

11. Award of bid to Florida Safety Contractors, Inc. for the Advanced Traffic Management System project at Alternate U.S. Highway 19 South from State Road 60 to 34th Street North.

Bid No.178-0458-CP (PID No. 002598A) in the amount of \$2,160,181.25 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 365 consecutive calendar days. Chairman authorized to sign and the Clerk to attest.

12. Award of bid to Keystone Excavators, Inc. for the Bee Branch Creek Phase 1 erosion protection project.

Bid No. 178-0505-CP (PID No. 002121A) approved in the amount of \$761,594.00 on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 300 consecutive calendar days. Chairman authorized to sign and the Clerk to attest.

- 13.** Joint Project Agreement with the City of Clearwater for utility work associated with the Hercules Avenue Sidewalk Phase 2 project from Sherwood Street to Sunset Point Road.
- (County Project No. 002686A) Agreement approved. Chairman authorized to sign and the Clerk to attest.

Real Estate Management

- 14.** Purchase authorization for requirements of heavy and light duty vehicles and equipment.

Contract No. 189-0047-PB approved for a total expenditure not to exceed \$6,558,918.00 pursuant to the pricing, terms, and conditions of the following contracts:

1. Florida Sheriff's Association/Florida Association of Counties (FSA/FAC) contracts: police-rated, administrative, utility vehicles, trucks and vans, and heavy equipment.
2. Sourcewell, formerly known as the National Joint Powers Alliance (NJPA): heavy and utility equipment.
3. Houston-Galveston Area Council (HGAC).
4. U.S. Communities (USC) Government Purchasing Alliance.
5. Various State of Florida, Department of Management Services (DMS), vehicles, equipment and fleet contracts.

Solid Waste

- 15.** Award of bid to A1 Assets, Inc. for requirements of recycling and demanufacturing of electronics.

Bid No. 178-0567-B in an annual amount of \$333,600.00 awarded on the basis of being the lowest responsive, responsible bid meeting specifications, for a 60-month term total of \$1,668,000.00. Contract includes a provision for price adjustments after the initial 24-month term and annually thereafter, as set forth in the Staff Report.

Utilities

- 16.** Award of bid to TLC Diversified, Inc. for the Pump Station 018 replacement project.

Bid No. 178-0478-CP (PID No. 003206A) in the amount of \$577,400.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 340 consecutive calendar days. Chairman authorized to sign the agreement and the Clerk to attest.

COUNTY ATTORNEY

- 17.** Transfer case of Arthur Basner v. Heritage Village & Inn, LLC; HUD Case No. 04-17-6733-8; PC Case No. 17-011 to another legal services provider.

18. Notice of new lawsuit and defense of the same by the County Attorney in the case of Yashica Clemmons, Ciara Butler, and Natasha Winkler v. Pinellas County, et al.; United States District Court for the Middle District of Florida; Case No. 8:18-cv-1497-EAK-AEP - constitutional violations arising from alleged wrongful deaths.
19. Notice of new lawsuit and defense of same by the County Attorney in the case of Crevello Properties, LLC v. Pinellas County; Circuit Civil Case No. 18-006039-CI-11 - action for declaratory judgment and injunctive relief.
20. Notice of new lawsuit and defense of the same by the County Attorney in the case of Lisa Eutize v. Jermaine Bennett and Pinellas County; Circuit Civil Case No. 18-005998-CI-20 - allegations of negligence resulting in personal injuries.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

21. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending September 30, 2018.
22. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending September 30, 2018.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

23. Authorization to apply for the Federal Aviation Administration Airport Improvement program discretionary funding for Federal Fiscal Year 2019 at St. Pete-Clearwater International Airport.
Staff authorized to submit an application for funding to design and construct new taxiways at the Airport. Chairman authorized to execute the application and the Clerk to attest.

Responding to the Chairman's call for public comments, Cody Loy, Largo, spoke in favor of the item.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 24.** Change Order No. 1 with Pepper Contracting Services, Inc. for the St. Pete-Clearwater International Airport landside and parking lot improvement project.

(Contract No. 167-0509-CP; PID No. 001546A) Change Order approved increasing the contact amount by \$319,300.00 for a revised total of \$13,558,199.88 and extending the term by 149 calendar days.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

Economic Development

- 25.** Resolution approving B8080654075 as a qualified applicant for the Qualified Target Industry Tax Refund program.

Resolution No. 18-84 adopted approving Project B8080654075 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local County financial support (total local contribution amount, \$33,000.00, 50 percent of which will be paid by Pinellas County over a series of fiscal years as determined by the State).

Mr. Woodard related that the applicant is a manufacturing business wishing to expand within the City of Oldsmar, creating 33 new jobs with pay levels of at least 100 percent of the State of Florida average annual wage; and that the County is competing with locations in Tennessee and Minnesota.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 26.** Resolution expressing support of B8080654075 as a qualified applicant for an Economic Development Ad Valorem Tax Exemption.

Resolution No. 18-85 adopted supporting Project B8080654075 as a qualified applicant pursuant to Section 196.1995, Florida Statutes, and authorizing the company to make improvements and/or tangible personal property additions before an Exemption Ordinance is adopted.

Economic Development Director Mike Meidel reported that the applicant currently operates its national headquarters in Pinellas County; that it qualifies as a target industry; that the

project's total estimated capital investment is \$13.3 million, including \$9 million in new construction and \$3 million in equipment; and that when the final ordinance is presented to the members, it will include the company name and terms of the agreement; whereupon, he discussed the steps involved if the City of Oldsmar wishes to enact an ad valorem tax exemption program.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 27.** Resolution approving A7010327720 as a qualified applicant for the Qualified Target Industry Tax Refund program.

Resolution No. 18-86 adopted approving Project A7010327720 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local County financial support (total local contribution amount, \$147,000.00, 100 percent of which will be paid by Pinellas County over a series of fiscal years as determined by the State).

Mr. Woodard related that the applicant is a defense manufacturing and engineering facility that wishes to expand within unincorporated Pinellas County, creating an estimated 147 new jobs with pay levels of at least 115 percent of the average annual wage for the State of Florida; and that the County is competing with a location in Kansas.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 28.** Resolution expressing support of A7010327720 as a qualified applicant for an Economic Development Ad Valorem Tax Exemption.

Resolution No. 18-87 adopted supporting Project A7010327720 as a qualified applicant pursuant to Section 196.1995, Florida Statutes, and authorizing the company to make improvements and/or tangible personal property additions before an Exemption Ordinance is adopted.

Mr. Woodard related that the applicant plans a total capital investment of approximately \$34 million.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 29.** Alcohol and Drug Abuse Trust Fund grant recommendations and agreement to fund seven non-profit agencies.

Recommendations submitted by the Substance Abuse Advisory Board approved for distribution of \$53,000.00 among seven projects, as set forth in the Staff Report. Grant agreement with the listed agencies approved.

Commissioner Gerard indicated that she would abstain from 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 Long, seconded by Commissioner Beyrouti, that the item be approved. The motion carried by the following vote:

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

Abstain: 1 - Commissioner Gerard

Human Services

- 30.** Grant award from the U.S. Department of Justice for the enhancement and expansion of the Pinellas County Family Drug Treatment Court.

Grant award approved for funding in the amount of \$889,229.00 over three years. No cash match is required.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 31.** Grant award from the U.S. Department of Health and Human Services for the Fiscal Year 2018 Expanding Access to Quality Substance Use Disorder and Mental Health Services Grant for the Health Care for the Homeless program.

Grant award approved for funding in the amount of \$315,750.00, including a one-time supplement in the amount of \$175,000.00. No match is required.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 32.** Grant award from the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance for the Comprehensive Opioid Abuse site-based program, category 6.

Grant award approved for funding in the amount of \$999,960.00 for a 36-month project period. No match is required.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 33.** Grant award from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, for Assisted Outpatient Treatment services for individuals with serious mental illness.

Grant award approved for funding in the amount of \$4,013,640.00 over four years. No match is required.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

Real Estate Management

- 34.** Resolution authorizing the lease of the Lealman Community Campus and Lease Agreements with the Children's Educational Services, Inc. dba The Broach School St. Petersburg and Excellerated Teaching Center, Inc. for the use of space at the Lealman Community Campus.

Resolution No. 18-88 adopted and lease agreements approved. Broach School lease term is three years with three additional three-year renewal options; rent is \$7,533.00 per month for the use of 10,044 rentable square feet of space. Excellerated Teaching Center lease term is one year with ten additional one-year renewal options; rent is \$3,921.75 per month for the use of 5,229 rentable square feet of space.

Mr. Woodard introduced the item, indicating that Items Nos. 34 and 35 relate to the Lealman Community Campus; whereupon, Planning Director Renea Vincent provided a brief overview of the preliminary tenant selection process and, referring to a PowerPoint presentation titled *Doing Things! Planning Department and Partners*, discussed the following:

- Lealman Community Campus - Making A Property A Place!
- Preliminary Space Programming
- Tenant Status Update
- Next Steps
- Floor Plans for the Two-Story and Single-Story Buildings

Following the presentation, Mr. Woodard discussed the purpose for acquiring the property, the strategies for attracting and retaining tenants, the rationale behind the rental rates, and the different business models for the not-for-profit partners, noting that staff has determined that the building's space and location would bring a fair market rate of \$13 per square foot; that the leases under Item No. 34 would offer a discounted rate of \$9 per square foot, which

will cover all County costs; and that the lease under Item No. 35 would offer a subsidized rate of \$2.50 per square foot, allowing recovery of the estimated utility costs; whereupon, Ms. Vincent explained that establishing a grant program will help the County recoup some of the costs and attract long-term tenants.

In response to queries by Commissioner Eggers, Ms. Vincent related that the original Letter of Interest was intended to appeal to a broad range of service providers; and that the second will be more targeted while still allowing interested organizations the opportunity to apply; whereupon, Attorney White related that the lease process varies from other facility agreements due to the property's location within a Community Redevelopment Area, noting that specific statutes allow for the solicitation of organizations that are committed to CRA-aligned activities and provide for below-market rental rates.

Responding to comments and queries by the members, Ms. Vincent discussed plans for overseeing facility and tenant operations, including proper staffing, managing public access to the common areas, and addressing safety measures and risk requirements, and Young Men's Christian Association of Greater St. Petersburg President and CEO David W. Jezek discussed the funding options available to qualified applicants, noting that no families are turned away for their inability to pay. Real Estate Management Director Andrew Pupke, with input by Mr. Woodard, discussed the lease agreement terms, County costs for contracted services and facility maintenance, rentable square footage, tenant improvements, and contract rates and options.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

35. Lease Agreement with The Young Men's Christian Association of Greater St. Petersburg, Florida, Inc. for the use of space within the Lealman Community Campus.

Agreement approved; lease term is five years with three additional five-year renewal options; rent is \$1,793.54 per month for the use of 8,609 rentable square feet of space.

Commissioner Seel indicated that the YMCA has applied to the Juvenile Welfare Board for project-related funding and suggested that the Board delay its vote on the item until the funding is awarded. In response to query by Commissioner Long, she indicated that the decision will likely be made at the November JWB meeting. Mr. Woodard related that YMCA President and CEO David W. Jezek has represented to staff that his organization plans to conduct the service and accommodate the lease independent of the JWB funding request; whereupon, Commissioner Long suggested that the item move forward.

In response to comments and queries by Commissioner Seel, Ms. Vincent related that notice was posted in the newspaper and on the County website; that no particular organization was targeted; that two other early learning/daycare organizations responded; and that the applications were reviewed by staff from several departments, as well as the Lealman Advisory Committee. Mr. Woodard discussed the outreach activities and

confirmed that there was a great deal of public engagement; that dozens of inquiries were received; and that the County knew that it would need to offer subsidies in order to attract the desired programs and services; whereupon, Commissioner Seel stated that she cannot support the item at this time.

Discussion ensued, and the members expressed concerns pertaining to notification of the lease rates, conducting outreach to other qualified applicants, YMCA's previous relationship with the site and a perceived unfair advantage; and proper advertisement; whereupon, Attorney White verified that posting a notice in the newspaper fulfills the statutory requirement, and discussion ensued.

Redevelopment Planning Manager Rachel Booth discussed the applicants and the review criteria, and indicated that R'Club first contacted the County after the Letter of Interest process had been completed. She stated that the leasing opportunity was fully announced, and information was brought to the Advisory Committee's attention throughout the process. Commissioner Seel noted that the JWB had previously discussed the possibility of a quality learning initiative in Lealman, and Ms. Booth indicated that the Letter of Interest and evaluation process acknowledged the service as a critical need.

Responding to queries and concerns expressed by the members, Ms. Booth indicated that the services would start on January 7, 2019, if the item were to be approved today; and that the YMCA Board is fully committed to self-funding the tenant improvements; whereupon, Mr. Jezek confirmed that his organization is not seeking reimbursement for the capital construction, furniture, fixtures, or equipment; that ongoing negotiations with the JWB pertain to operational funding; that the request would not be approved until January; and that the YMCA has offered community programs at the site for the last five years.

The members provided input and clarified that their concerns pertain to a competitive procurement process, not program content; whereupon, Mr. Woodard pointed out that the community development statutes do not require a competitive bidding process; and that staff is in full compliance with the law, and Ms. Vincent noted the advertisement and review timelines, relating that lease negotiations were well underway by the time staff received the R'Club inquiry in July.

Chairman Welch indicated that he would abstain from voting on the item due to a potential 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 Gerard, seconded by Commissioner Justice, that the item be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

Nay: 1 - Vice-Chairman Seel

Abstain: 1 - Chairman Welch

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

COUNTY ADMINISTRATOR

36. County Administrator Miscellaneous.

Mr. Woodard announced the advertisement of a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing to be held on November 20, 2018, on behalf of the Drs. Kiran and Pallavi Patel 2017 Foundation for Global Understanding, Inc., for consideration of an application to finance and refinance the acquisition of an approximately 27-acre parcel of property; and to renovate, construct, and equip an approximately 320,000-square-foot medical education and health sciences complex located at 3400 Gulf to Bay Boulevard, Clearwater.

COUNTY ATTORNEY

37. County Attorney Miscellaneous.

Attorney White congratulated Mr. Woodard on his long and respected career with the County and wished him the best in his future endeavors.

COUNTY ADMINISTRATOR REPORTS

38. County Administrator Reports:

- Tampa Hillsborough Expressway Authority (THEA) - Partnership Opportunity
- Code Enforcement Liens, Foreclosures and Demolition - Proposed Approach

Mr. Woodard introduced the item; whereupon, Robert Frye and Christina Kopp, Director and Deputy Director of Planning and Innovation, referred to a PowerPoint presentation titled *THEA - Partnership Opportunities* and presented information regarding the following:

- What is THEA?
- Strategic Blueprint Overview
- What THEA Owns, Operates, and Maintains
- What THEA Means to Community
- Sketch Level Analysis Process
- Sample Toll Road Analysis - Scenarios 1, 2, and 3
- Project Development Process
- Next Steps

Following the presentation, Mr. Woodard related that there are local partners that can help the county in reducing transportation issues; and that formalizing those relationships will be important in moving the county forward; whereupon, he suggested that the members consider the proposed interlocal agreement between Pinellas County and THEA; and that a work session could take place during the first quarter of 2019 and formal adoption of the agreement shortly thereafter.

In response to comments and queries by Chairman Welch and Commissioner Eggers, Mr. Frye indicated that THEA is an agency of the state; and that it has been enabled to work in adjacent counties since 2015; whereupon, he provided information regarding governance, current projects, collaborative efforts, and the sketch level analysis process, and Mr. Woodard provided input.

Commissioner Long related that a funding workshop will take place in January regarding opportunities for transportation solutions, and suggested that Mr. Frye conduct his presentation before the Tampa Bay Regional Planning Council and Tampa Bay Area Regional Transportation Authority; and that the topic of toll roads be brought forward at the next strategic planning session; whereupon, Mr. Woodard provided further information regarding the path forward, and discussion ensued with input by Mr. Frye and Commissioners Eggers, Justice, and Long.

Code Enforcement

Mr. Woodard indicated that the item relates to a discussion started at the last meeting regarding code enforcement issues in the unincorporated area and tools available to achieve compliance; whereupon, Development Review Services Director Blake Lyon referred to a PowerPoint Presentation titled *Doing Things! Development Review Services & Planning*, and presented information regarding the following:

- Tools - condemnation/demolition, foreclosure, injunctions
- Benefits of a proactive approach
- Data analysis - 411 properties with Special Magistrate liens, 30% homestead exempt
- Priorities - health/ safety/welfare, properties/owners with multiple violations, lien to property value ratio

In response to queries by Chairman Welch and Commissioner Seel regarding code enforcement issues, Mr. Lyon indicated that lien values on non-compliant properties can exceed assessed values by roughly 2 to 50 times; and that while there are mobile home parks included in those statistics, they fall under a different set of provisions, and Commissioners Eggers and Beyrouti provided input; whereupon, Mr. Woodard discussed methods by which the County can encourage and achieve compliance and presented information regarding a path forward.

CITIZENS TO BE HEARD

39. Public Comment.

Carl Folkman, Crystal Beach, re Crystal Beach

Lindsay Ball, Crystal Beach, re Crystal Beach

Greg Pound, Largo, re right to speak

David Ballard Geddis, Jr., Palm Harbor, re red tide/fish kill simultaneously!

Lenore Faulkner, Madeira Beach, re repeal HB7069

COUNTY COMMISSION

40. Resolution re-naming the former Windsor Charter School.

Resolution No. 18-89 adopted to rename the former Windsor Charter School as Lealman Exchange.

Mr. Woodard related that the Board directed staff to meet with the Lealman Community Redevelopment Area Advisory Committee to discuss potential names; and that staff has presented the Committee's recommendations as *Lealman Community Exchange* or *Lealman Exchange*.

Commissioner Justice noted conversations that he had with the community, staff, and the Advisory Committee, relating that consensus was reached on the term *exchange* as it represents a place where the community can come together to exchange ideas, cultural experiences, information, and various services and resources; whereupon, the members provided input.

A motion was made by Commissioner Justice, seconded by Commissioner Gerard, that the Board adopt a resolution renaming the property as Lealman Exchange. The motion carried by the following vote:

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

41. Resolution clarifying the delegated authority of the Human Resources Director to act as Plan Administrator of the Board of County Commissioners sponsored employee benefit plans.

Resolution No. 18-90 adopted.

Mr. Woodard provided background information regarding the item, relating that the changes provide for the establishment of a Benefits Advisory Committee; that its membership include the Appointing Authorities, two employees selected by the Employees' Advisory Council (EAC), and one retiree selected by the Retired Employees of Pinellas County; whereupon, he clarified the relationship between the Appointing Authorities and the HR Department, noting that the HR Director is an employee of the Personnel Board; that the

Personnel Board is an Appointing Authority; and that the HR Department serves the various Appointing Authority members.

At the request of Commissioner Seel, EAC member Lisa Arispe addressed the Board. She referred to a recent meeting in which the Appointing Authorities reached a consensus to establish a Benefits Advisory Committee and expressed her support for the item's approval; whereupon, she thanked Mr. Woodard for his work over the years.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouiti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 42.** Appointments to the Pinellas County Construction Licensing Board (Board of County Commissioners as a whole).

Jason A. Holloway and William Palmer were appointed as Consumer Representative and Beach Building Official, respectively, and Jim Ford was reappointed as South County Building Official following a ballot vote.

- 43.** Re-appointments to the Board of Adjustment (Commissioners Eggers & Gerard).

Re-appointments of Alan Bomstein by Commissioner Eggers and Deborah White by Commissioner Gerard approved. The terms shall run concurrent with the terms of the appointing commissioners.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouiti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 44.** Re-appointments to the Local Planning Agency Board (Commissioners Eggers & Gerard).

Re-appointments of Jerry Figurski by Commissioner Eggers and Paul Wikle by Commissioner Gerard approved. The terms shall run concurrent with the terms of the appointing commissioners.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouiti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 45.** County Commission New Business Items:
- Ready for 100 (Commissioner Long)

Commissioner Long provided a status update regarding the Tampa Bay Regional Resiliency Coalition Compact, reporting that 27 local governments have signed onto it; and

that efforts continue, with a goal of bringing the business community to the table for next year's summit.

Referring to her memorandum dated October 17, Commissioner Long provided information regarding the Sierra Club's *Ready For 100* clean and renewable energy campaign, and requested that the Board make it a priority for the January strategic planning session.

Phil Compton, Sierra Club Florida, discussed the lack of political action at the state and federal levels and affirmed that 100-percent clean energy is an attainable goal, and in response to query by Chairman Welch, agreed to provide information regarding Buncombe County, North Carolina, and its commitment to pursue clean energy.

Attorney White provided samples of local clean energy resolutions that have passed in Florida; whereupon, Commissioner Seel discussed the prospect of a presentation regarding clean energy, and Commissioner Gerard suggested the creation of an advisory committee on energy and renewable resources.

46. County Commission Board Reports and Miscellaneous Items.

The members expressed appreciation to Commissioner Beyrouiti and Mr. Woodard for their service to Pinellas County; whereupon, they reported on the activities of their assigned boards and committees and related or discussed the following items.

Commissioner Beyrouiti

- Indicated that it is a great privilege to be a County Commissioner, and thanked his fellow commissioners for their dedication and friendship, and for their support on two beach initiatives discussed at the last meeting.

Commissioner Eggers

- Presented information regarding recent and upcoming activities of the Palm Harbor Community Services Agency, Tampa Bay Water, and Forward Pinellas.
- Related that he attended the Pinellas County Contractor Licensing Department open house.
- Related that the Whispering Souls African American Cemetery cleanup is going well; and that many volunteers are helping to restore the site and properly identify burial sites.
- Expressed concern regarding the revised schedule for the Pinellas Trail pedestrian bridge replacement over Alternate U.S. Highway 19 in Palm Harbor.
- Reported that he has received many telephone calls from concerned citizens regarding political signs, and requested that County staff be consistent in how it enforces current policy when removing signs.

- Announced ceremonies to be held on Veteran's Day, November 11, at Crest Lake Park in Clearwater, Curlew Hills Memory Gardens in Palm Harbor, and the Safety Harbor Marina.

Commissioner Seel

- Related that one reply has been received in response to a request for proposals through the Homeless Leadership Board for family bridge housing, and the Board will be meeting next week to review it.

Commissioner Justice

- Attended Habitat for Humanity's inaugural *The Soul of Habitat* event at the historic Manhattan Casino on Saturday, and related that the group will dedicate a house in the Lealman community on Saturday morning.
- Reported that the dedication of Raymond H. Neri Community Park in Lealman will be held at 10:00 A.M. on October 27.
- Provided an update on the progress of the Museum of the American Arts and Crafts Movement under construction in St. Petersburg.

Commissioner Gerard

- Reported that Jennifer Brackney is the new CEO of CareerSource Pinellas.
- Noted that the Child Care Licensing Board has a group working on ways to encourage local citizens to make a profession of operating family daycare homes.
- Reported that the Youth Advisory Committee took a tour of the Pinellas County Jail.
- Invited the members to attend future Habitat for Humanity dedications, noting that there will be several in Ridgecrest.
- Indicated that a difference of opinion exists among Crystal Beach residents over the construction of a gazebo in Live Oak Park that was previously approved by the Board.

Chairman Welch

- Reported that he enjoyed the Contractor Licensing Department open house.
- Related that several commissioners joined him this morning at the Community Action Stops Abuse 22nd Annual Peace Breakfast, where St. Petersburg Assistant Police Chief Antonio Gilliam spoke about his personal experience as a child dealing with domestic violence, and thanked CASA for its service to the community.

Meeting Recessed: 5:49 P.M.

Meeting Reconvened: 6:05 P.M.

PUBLIC HEARINGS

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

Educational Facilities Authority

- 47.** Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue Bonds in an aggregate principal amount of not to exceed \$18,350,000.00 on behalf of Advantage Academy of Pinellas, Inc.

Resolution No. 18-91 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.

Mr. Woodard pointed out that the Pinellas County Educational Facilities Authority recommended approval of the request; and that the debt generated by the bonding would be that of the borrower, not of the County.

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

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

Absent: 1 - Commissioner Long

BOARD OF COUNTY COMMISSIONERS

- 48.** Proposed modifications to the Pinellas County Code related to purchasing.

Ordinance No. 18-34 adopted. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard provided background information relating to the proposed changes to the Code, indicating that they are largely administrative in nature and intended to clarify the language; that pursuant to the Board's recommendation, purchasing policies were reviewed

by the Inspector General's Office and Finance Division of the Clerk of the Circuit Court and Comptroller, whose letters, indicating concurrence with the proposed modifications, are included in the agenda backup materials. Responding to query by Commissioner Eggers, Purchasing Director Joe Lauro, with input by Mr. Woodard, provided clarification of the proposed modification relating to noncompetitive purchases associated with tourism promotion.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 49.** Petition of Boulevard Park Properties to vacate that portion of a 45-foot-right-of-way known as 20th Terrace Southwest (Dieffenwierth Avenue) lying adjacent to Lots 11 through 13 and Lots 14 through 16, and also that portion of the 6-foot alley lying north of and adjacent to Lots 11 through 13, Conrade's Addition to Largo, Plat Book 10, Page 66, lying in Section 3-30-15. (Legislative Hearing)

Resolution No. 18-92 adopted granting the petition. Clerk authorized to attest and record the resolution. Letters of no objection received from the appropriate parties. Interested property owners were notified as to the date of the public hearing. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard related that the above-referenced lots are located along a portion of a road where similar vacations have been approved; and that there have been no objections from staff or private utility providers.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 50.** Ordinance amending the Pinellas County Code, Chapter 122-Traffic and Vehicles, by revising Sections 122-32 and 122-35, repealing references to backing into parking spaces.

Ordinance No. 18-35 adopted. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard provided historical information regarding the prohibition for backing into parking spaces, relating that following a recent controversial incident, staff and Sheriff Robert Gualtieri reviewed the prohibition and found no law enforcement purpose for it; and that a letter from the Sheriff stating the same is included in the agenda packet.

Later in the meeting, Attorney White noted for the record that the ordinance contains a scrivener's error; and that the heading should read *Pinellas County Code*, not *Pinellas County Land Development Code*.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouiti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 51.** Ordinance amending the Pinellas County Land Development Code, Chapter 134-General and Administrative Provisions, Chapter 138-Zoning, Chapter 142-Airport Zoning, Chapter 154-Site Development, Right-Of-Way Improvements, Subdivisions, and Platting, and Chapter 166-Environmental and Natural Resource Protection; deleting Chapter 162-Signs and Chapter 170-Miscellaneous Provisions in their entirety (second hearing); and providing for amendment of the Pinellas County official zoning atlas and geographic information system to reflect changes in zoning district names. (Companion to Items No. 52 and 53)

Ordinance No. 18-36 adopted approving the amended Pinellas County Land Development Code and associated amendments to the zoning atlas and geographic information system. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard provided an overview of the request and responded to queries by the members, indicating that the proposed changes are substantially the same as presented to the Board at the first public hearing on September 13, 2018. He related that other than minor housekeeping changes, one substantive change has been made regarding the ability for commercial-like uses to be present within manufacturing zoning categories, which would be limited to the Lealman Community Redevelopment Area.

During discussion and in response to queries by Commissioner Seel, Long-Range Planning Manager Scott Swarengen referred to a document titled *Questions and Clarifications* and discussed the proposed requirements with regard to the Form Based Code District, Accessory Dwelling Units, and Short-Term Vacation Rentals; whereupon, Commissioner Seel congratulated staff on making headway with the amendments and complimented them on well-written and user-friendly text.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouiti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 52.** Ordinance amending the Pinellas County Land Development Code, Chapter 158-Floodplain Management, adding Appendix E to incorporate certain local administrative and technical amendments to the Florida Building Code relating to floodplain management. (Companion to Items No. 51 and 53)

Ordinance No. 18-37 adopted approving the amended Pinellas County Land Development Code. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard provided an overview of the request, noting that this is the second of two public hearings on the matter; and that following discussion at the first hearing, staff provided a supplemental report for clarification purposes, showing that of 16,500 mobile homes, approximately 40 are replaced on a yearly basis as a result of flood, fire, or reaching the end of their useful life.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 53.** Ordinance relocating Article V-Water and Navigation Regulations, Article II, Division 3-Mangrove Trimming and Preservation, and Article VI-Surface Water Management of Chapter 166-Environmental and Natural Resource Protection of the Pinellas County Land Development Code to Chapter 58-Environment of the Pinellas County Code; and amending Chapter 110-Special Assessments of the Pinellas County Code. (Companion to Items No. 51 and 52)

Ordinance No. 18-38 adopted approving the amended Pinellas County Land Development Code. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard provided a brief overview of the request, noting that the proposed Code changes are organizational in nature, for the purpose of improving readability and clarity.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

- 54.** (Q) Z/LU-21-09-18 (Clearwater Community Church, Inc.)

A request for a zoning change from RPD-10, Residential Planned Development - 10 units per acre and A-E, Agricultural Estate Residential to IL, Institutional Limited and a land use change from Institutional and Residential Low Medium to Institutional on approximately 9.59 acres located at 2897 Belcher Road in unincorporated Dunedin.

Resolution No. 18-93 and Ordinance No. 18-39 adopted approving the zoning and land use changes. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received.

Carl Towle, Clearwater, appeared on behalf of the applicant and briefly discussed the basis of the request.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

55. (Q) DA-23-09-18 (Huntley Properties, LLC)

Request for termination of a previously-approved Development Agreement regarding approximately 19.73 acres located at 7950 Park Boulevard in Pinellas Park.

Ordinance No. 18-40 adopted approving the termination. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard noted that the request was brought forth as a result of the subject parcel being annexed by the City of Pinellas Park earlier this year.

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

Aye: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

56. (Q) Z-24-09-18 (Olympia Management, LLC)

A request for a zoning change from R-R, Rural Residential to R-3, Single Family Residential on approximately 2.05 acres located at 2333 Tampa Road in Palm Harbor.

Resolution No. 18-94 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, 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: 7 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Long

57. (Q) Z/LU-11-06-18 (Pinellas Auto Sales)

A request for a zoning change from R-3, Single Family Residential to C-2, General Retail Commercial and Limited Services (0.32 acre) and C-2-CO, General Retail Commercial and Limited Services-Conditional Overlay (0.38 acre) with the Conditional Overlay limiting the use of the northern 220-foot portion of the property to the parking of vehicle inventory only, and a land use change from Residential Urban to Commercial General on approximately 0.70 acre located at 6789 Ulmerton Road in unincorporated Largo (a portion of parcel 30-16-70938-400-1302).

Resolution No. 18-95 adopted denying the request. Two letters in opposition were received in connection with the August 21 hearing, at which the case was continued.

Mr. Woodard noted that the item was continued to provide the applicant an opportunity to address code violations relating to the subject property. Principal Planner Michael Schoderbock provided an overview of the request, and referring to photographs of the subject site, related that he visited it yesterday and today with Code Enforcement officials, and the photographs were taken this morning; that several violations were discovered, including vehicles without license plates; outdoor automobile repair; an unpermitted storage

building, box trucks, and signs; remaining debris; and inoperable vehicles; whereupon, he indicated that staff recommends denial of the request due to continued violations and lack of proper maintenance of the property.

Responding to queries by Mr. Woodard, Mr. Schoderbock confirmed that additional violations have occurred since the first hearing, and Director of Development Review Services Blake Lyon provided further details regarding the violations relating to signs, box trucks, and automobile repair. In response to query by Commissioner Eggers, Attorney White indicated that testimony given by the applicant's neighbors at the initial hearing can be taken into consideration today.

Upon the Chairman's call for the applicant, Aneil Balkissoon, Largo, referred to photographs of the site, which have been distributed to the members and made part of the record, indicating that they were also taken this morning; that they demonstrate that the property has been drastically cleaned up; that the overgrown grass mentioned by his neighbor at the August 21 hearing has been cut; that the property would be very difficult to utilize as residential due to its dimensions and access issues; and that car parking is not a noticeable use, as compared to industrial uses surrounding other residential neighbors in the area.

Mr. Balkissoon discussed the citations, noting that despite his efforts to clean up the property, he received a ticket for having debris on a dump trailer, intended for cleanup; that violations such as the unpermitted shed, signs, and outdoor automobile repair have occurred because his request for rezoning has been in limbo; and that his neighbors are not being cited for committing the same violations, including grass overgrowth, debris, and unpermitted signs.

During discussion and in response to queries by the members, Mr. Balkissoon indicated that he has cleaned up the property considerably following the last meeting; that as a car dealer, he is licensed to own cars without license plates; and that he does automobile repair on the property; whereupon, Mr. Lyon explained that storing vehicles without plates on residential property is prohibited by the Code; and that under the C-2 zoning, automobile repair is required to be done inside a building. He and Attorney White further clarified that staff has changed its initial recommendation to approve the request based on concern over the applicant's ability to maintain the strict conditional overlay requirements, given the demonstrated lack of compliance in the past.

In response to further questions by the members, Mr. Lyon indicated that while developing a residential unit on the site would be challenging, it is a viable option; whereupon, he and Mr. Schoderbock referred to an aerial map and provided further information regarding the request, the purpose of the overlay, and the commercial zoning requirements relating to automobile repair and fencing.

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

Aye: 4 - Chairman Welch, Vice-Chairman Seel, Commissioner Beyrouti, and Commissioner Gerard

Nay: 2 - Commissioner Eggers, and Commissioner Justice

Absent: 1 - Commissioner Long

ADJOURNMENT - 7:17 P.M.

ATTEST: KEN BURKE, CLERK

Chairman

By _____
Deputy Clerk