

Pinellas County



Minutes - Final

Wednesday, March 25, 2020

9:00 A.M.

Emergency Board of County Commissioners (BCC) Meeting

BCC Assembly Room

Board of County Commissioners

Pat Gerard, Chair

Dave Eggers, Vice-Chair

Charlie Justice

Janet C. Long

Kathleen Peters

Karen Williams Seel

Kenneth T. Welch

ROLL CALL - 9:01 A.M.

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

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Jeanette Phillips, Chief Deputy Clerk; and Chris Bartlett, Senior Board Reporter, Deputy Clerk

1. Emergency BCC Meeting

Mr. Burton referred to the local state of emergency and provided an update, indicating that there have been a number of instances where members of the public are not heeding the Board's directive to practice safe social distancing in order to slow the spread of COVID-19; that many others are complying and doing the right things; and that the County is working to find a balance between using public messaging to encourage proper behavior and resorting to governmental intervention.

Thereupon, Mr. Burton asked that the Board extend its emergency order for an additional seven days and consider a new resolution that would ask citizens to stay safe at home.

Mr. Burton provided information regarding the Safer at Home resolution, noting that it strikes a balance between public safety and economic impact; that it will require non-essential businesses to close if not adhering to social distancing practices; and that all citizens will be strongly encouraged to stay at home as much as possible.

Chair Gerard stated that the Board would first consider extending the emergency order before taking questions regarding the new resolution.

A motion was made by Commissioner Welch, seconded by Commissioner Long, that the Local State of Emergency be extended for seven days. The motion carried by the following vote:

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

Resolution No. 20-19 adopted extending the Local State of Emergency established in Resolution 20-16, as extended, as well as all orders issued pursuant thereto, beginning as of 3:00 P.M. on March 27, 2020, as provided in Section 252.38(3)(a)5, Florida Statutes for seven days.

Mr. Burton responded to queries by the members regarding Safer at Home, indicating that:

- There is no set duration as it will be tied to the County emergency order, which is reviewed weekly.
- School food initiatives and other feeding programs may continue to operate but must adhere to social distancing practices at all times.
- Houses of Worship are not specifically addressed.
- Reasonable judgment will be utilized to evaluate a business' adherence to Centers for Disease Control and Prevention (CDC) guidelines.

Chair Gerard related that several citizens have commented that their employers are not properly following the guidelines; and that there is a need for direction on what the employees can do to report violations, and Mr. Burton stated that staff will create a script on how to best address the situation; whereupon, he invited Department of Health (DOH) in Pinellas County Director Dr. Ulyee Choe to provide an update on the ongoing response to and treatment of the coronavirus.

Dr. Choe related that the number of cases and deaths continue to rise nationally and in Pinellas County; and that community partners, neighbors, hospitals, emergency services, and the private sector have all come together to address the current threat. He noted that Pinellas County now has 45 cases, 14 of those hospitalized, and one death from the virus; that the ages of those inflicted range from 21 to 83 years old; and that the DOH website is being updated with statistics throughout each day.

Dr. Choe reported that DOH sites continue to administer tests for the coronavirus; that hospitals and private laboratories are increasing their testing capabilities; and that the focus remains on testing those who are most vulnerable, including healthcare workers who are needed to stay on or return to the front lines. He displayed a graphical timeline of the growth in County cases from the first case reported in February to the present and pointed out the timing of certain events, noting that the number continues to rise; and that there are many variables to consider when trying to predict future changes to the graph.

Discussion ensued regarding the pressing need for personal protection equipment (PPE) to be collected and distributed throughout the county. Responding to comments by Commissioner Welch, Emergency Management Director Catherine Perkins stated that the biggest challenge regarding the local manufacturing of additional PPE is the logistics involved in getting manufacturing back online; that local suppliers rely on international parts and support, which are not readily available at this time; and that the County has reached out to the White House and Department of Defense to help reestablish a viable supply chain.

In response to queries by the members, Mr. Burton indicated that the requirement for businesses to adhere to CDC guidelines applies to both public facing and manufacturing companies; that certain language from federal guidelines and other jurisdictions has helped shape what is in the proposed resolution; and that the County worked in conjunction with the Sheriff's Office and municipalities in Pinellas and Hillsborough Counties in order to provide a consistent message throughout the region; whereupon, he addressed the compliant use of boat ramps, trails, and parks by the public for exercising and wellbeing.

Pinellas County Sheriff Bob Gualtieri provided examples of non-compliance that his office has responded to across the county and discussed the importance of reaching out to help educate the public as to what is the best approach and behavior to use to counter the growing crisis. Responding to queries by the members, he stated that all emergency

resolutions and orders issued by the County are enforceable under Florida law and carry criminal penalties, and Mr. Burton noted that there is no difference between an order and a directive.

Attorney White stated that a violation of the Board's resolution is a second-degree misdemeanor punishable by up to 60 days in jail and/or a \$500 fine; and that options are available that can address a business choosing to remain non-compliant, including obtaining a court injunction to shut it down, and discussion ensued.

During discussion and responding to queries by the members, Mr. Burton related that the County has 18 workgroups that work with various sectors of the community; that opportunities exist to help small businesses and nonprofit organizations secure loans through programs not controlled by the County; and that the County will work hard to assist every applicant in getting the assistance they require.

Upon invitation by the Chair, City of St. Petersburg Mayor Rick Kriseman discussed the language included in the proposed resolution, indicating that allowing a non-essential business to claim that it is adhering to CDC guidelines and remain open defeats the purpose of keeping people safe in their homes in order not to contaminate other citizens. He submitted alternative language for the proposed resolution that would require all non-essential businesses requiring in-person attendance to cease operations, and Mr. Burton and Attorney White provided input regarding the placement of the alternative language, if adopted.

Chair Gerard called for citizens wishing to be heard, and the following individuals appeared and stated their concerns:

Maria Gotsis, Clearwater, (submitted document)

Jeff Santone, Clearwater

Jeff Blumberg, residence not provided

Gerald Krantz, Clearwater

Jim Bridgeforth, Clearwater

Tony Twomony, Clearwater

Tom Rask, residence not provided

Andrea D'Agostini, Clearwater

Chris VerKuilen, St. Petersburg

City of Tampa Chief of Staff John Bennett addressed the Board and stated that the City appreciates and supports the effort of Pinellas County staff and their partners to ensure a regional approach when taking measures to combat the spread of COVID-19; that the City of Tampa is committed to a similar approach; and that the region established the Urban Area Security Initiative nearly 20 years earlier to better align resources and strategies during emergencies, which has brought the region together to protect the public during crisis; whereupon, he responded to queries by the members.

Sheriff Gualtieri suggested that the County draft a public notice coming from the BCC and calling for compliance with CDC guidelines that could be printed and posted on the front door of all retail establishments; that the posting of the notice should be required and made part of the Safer at Home directive; and that his deputies would deliver the notice.

Thereupon, Commissioner Justice moved, seconded by Commissioner Peters, that the Board approve the proposed resolution as drafted, with the addition of the Sheriff's suggestion and posting requirements, and discussion ensued.

Attorney White clarified the intent of the notice and suggested that the Board delegate the County Administrator the ability to draft the wording of the notice, and asked that the County Attorney's Office be directed to work with administration to modify the resolution in a manner that reflects today's discussion. Commissioners Justice and Peters agreed to amend the motion accordingly; whereupon, the members provided final comments.

A motion was made by Commissioner Justice, seconded by Commissioner Peters, that a "Safer at Home" order be issued by resolution of the Board. The motion carried by the following vote:

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

Resolution No. 20-20 adopted approving a "Safer at Home" order, as amended to include suggestions by the County Sheriff and Attorney, providing requirements and restrictions pertaining to the actions of individuals, places of public assembly, places and entities conducting public and private gatherings, and businesses in Pinellas County, effective March 26, 2020 at 11:27 A.M. and expiring upon the expiration of the existing Local State of Emergency.

Thereupon, discussion ensued regarding the holding of public meetings remotely.

ADJOURNMENT - 11:35 A.M.

ATTEST: KEN BURKE, CLERK

By *Ken Burke*
Deputy Clerk



Pat Gerard
Chair