

Pinellas County

*315 Court Street, 5th Floor Assembly Room
Clearwater, Florida 33756*



Minutes - Final

Tuesday, August 15, 2017

2:00 PM

BCC Assembly Room

Board of County Commissioners

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

ROLL CALL - 2:01 P.M.

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

Others Present: Jewel White, County Attorney; Mark S. Woodard, County Administrator; Jeanette Phillips, Director, Finance; and Lynn Abbott and Jenny Masinovsky, Board Reporters, Deputy Clerks.

INVOCATION by Pastor Kelli Snow of World Wide Word of Faith, Palm Harbor**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Jim Bennett retirement recognition.

The Commissioners recognized Mr. Bennett prior to the beginning of the meeting.

2. The President's Volunteer Service Award recognizing Pinellas County volunteers.

Chairman Long noted that the volunteers who are being honored today with the prestigious Presidential Volunteer Service Award went above and beyond, contributing 4,000 or more hours of service to the County, making a difference by improving the quality of life for the citizens, and providing savings to the County; whereupon, in recognition and appreciation of their commitment, she and Human Resources Director Holly Schoenherr presented the award to the following volunteers:

- Mary Chernesky, Heritage Village
- Roger Davidson, Extension Services
- Elizabeth Olson, Animal Services
- Clayton Parrott, Emergency Management
- Timothy Talbert, Emergency Management
- Holly Vernon, Animal Services
- Bob Young, Heritage Village
- Jack Satterfield, Emergency Management
- Alyce Aldridge, Heritage Village (not present)

Mr. Woodard thanked employees of the Human Resources Department for their partnership and efforts to provide an entryway for the volunteers. He pointed out that volunteers spend most of their time in various departments of the County, working shoulder to shoulder with staff to deliver public services; whereupon, he recognized the following Pinellas County volunteer coordinators and support staff:

- Jonathan Skinner, Parks and Conservation
- Mary Burrell, Emergency Management
- Season Groves, Animal Services
- Paige Noel, Heritage Village
- Sandra Wilson, Parks and Conservation

3. National Senior Citizens Day Proclamation:
- Area Agency on Aging Pasco-Pinellas, Inc.
 - AARP, Inc.

Proclamation presented to:

- Ann Marie Winter, Executive Director, and Jason Martino, Director of Planning, Area Agency on Aging Pasco-Pinellas
- Jeff Johnson, Florida State Director, AARP, Inc.
- Lourdes Benedict, Director, and Daisy Rodriguez, Health Program Administrator, Human Services

Ms. Winter thanked the Commissioners for their support of the agency and recognized the County and AARP for their partnership; whereupon, Mr. Johnson remarked that AARP is committed to developing age-friendly communities across the state and emphasized the role that County Government and agencies such as the Area Agency on Aging play in making Pinellas County a great place to live for all ages, particularly for senior citizens.

Ms. Rodriguez thanked the senior citizens of Pinellas County and throughout the country for their contributions, and Ms. Benedict expressed excitement regarding the County's Age-Friendly Community designation this year, noting that it presents opportunities for further growth and development.

4. Partner Presentation:
Starting Right, Now - Vicki Sokolik, Founder/Executive Director.

Ms. Sokolik provided background information regarding the organization, indicating that it has been operating in Hillsborough County for ten years; that it serves "unaccompanied youth" who are not in the physical custody of a parent or guardian and are ineligible for foster care; and that it is the only long-term housing wrap-around service; whereupon, she shared a story of an abused teen resident, noting that 95 percent of the girls and 20 percent of the boys involved in the organization have been molested.

Ms. Sokolik discussed how the organization helps the youth holistically, relating that they are provided a home, food, and a mentor; that they are involved in various counseling courses and are required to have a job; and that the program has a 97-percent success rate of assisting the participants to their next level of education, with many carrying on to obtain college or vocational school degrees or higher; whereupon, she indicated that there exists a need to house and ensure high school graduation for many children who do not get into the

program; and that upon a request by Pinellas County Schools Superintendent Dr. Michael Grego and with Commissioner Seel's help, the second *Starting Right, Now* facility will open its doors this fall to 50 children in Pinellas County, which is the third county in the nation in terms of the number of children without permanent housing.

In response to queries by the members, Ms. Sokolik indicated that while participants stay in the facility until their high school graduation, they continue to be assisted through their last educational goals and beyond, developing lasting family-like relationships. She offered booklets with participants' stories to the members; whereupon, they thanked her for her work, leadership, and compassion, and expressed hope that more children will receive support.

CONSENT AGENDA - Items 5 through 23 (Item 19 addressed under Regular Agenda)

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

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. Minutes of the regular meeting held August 1, 2017.
6. Vouchers and bills paid from July 9 through July 29, 2017.

Period: July 9 through July 15, 2017

Payroll - \$3,422,625.13

Accounts Payable - \$14,161,032.31

Period: July 16 through July 22, 2017

Payroll - None

Accounts Payable - \$10,952,682.05

Period: July 23 through July 29, 2017

Payroll - \$3,314,814.43

Accounts Payable - \$22,953,549.23

Reports received for filing:

7. Dock Fee Report for the month of July 2017.
8. Juvenile Welfare Board Quarterly Financial Statements for the period ending June 30, 2017.

Miscellaneous items received for filing:

9. Affidavit of Publication of Legal Notice published in the Business Observer regarding Notice of Forfeiture of Unclaimed Money pursuant to Section 116.21, Florida Statutes (Circuit/County Court of the 6th Judicial Circuit, Criminal Division).
10. Affidavit of Publication of Legal Notice published in the Business Observer regarding Notice of Forfeiture of Unclaimed Money pursuant to Section 116.21, Florida Statutes (Circuit/County Court of the 6th Judicial Circuit, Criminal Division - Evidence).
11. City of Clearwater Ordinances Nos. 9033-17, 9036-17, and 9039-17 adopted July 20, 2017, annexing certain properties.
12. Town of Kenneth City Notice of Public Hearing held August 9, 2017, regarding proposed Ordinance No. 2017-02 annexing certain property.
13. City of Seminole Notice of Ordinance Enactment and Public Hearings to be held August 22, 2017, regarding proposed Ordinances Nos. 22-2017 through 24-2017 annexing certain properties.
14. Eastlake Oaks Community Development District minutes of the meeting held April 13, 2017.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

15. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending July 31, 2017.

Human Services

16. Notice of grant award for year two from the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration for the Cooperative Agreement to Benefit Homeless Individuals.

Grant provides funding in the amount of \$800,000.00 per year for a total award of \$2,400,000.00 over three years to enhance mental health and substance use treatment services. No match is required.
17. Notice of grant award for year three of the Substance Abuse and Mental Health Services Administration grant, Elevate: Raising Problem Solving to Another Level.

Grant award for the third and final year approved in the amount of \$324,518.00. No match is required.

Planning

18. Annual updates to Pinellas County's Community Rating System Program for Public Information and Pinellas County's Local Mitigation Strategy.

Public Works

20. Award of bid to Suncoast Development of Pinellas County, Inc. for 2017-2019 countywide Americans with Disabilities Act sidewalk, drainage and roadway improvement projects. Bid No. 167-0397-CP (PID No. 002692A) in the amount of \$9,335,609.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 830 consecutive calendar days.

Purchasing

21. Award of bid to Designlab, Inc. for requirements of uniforms.

Bid No. 167-0241-B in the annual amount of \$284,791.49 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. Total estimated 60-month expenditure not to exceed \$1,423,957.45. Contract commences August 20, 2017 and continues through August 19, 2022 and provides for unit price adjustments at 12-month intervals as set forth in the Staff Report.

Bids from Aramark Uniform Services and ServiceWear Apparel rejected as non-responsive for not meeting bid requirements.

COUNTY ATTORNEY

22. Notice of new lawsuit and defense of the same by the County Attorney in the case of Alfonsa Riley v. Pinellas County - District Case No. 17-cv-01438-RAL-JSS - allegations of discrimination.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

23. Award of bid to CDW Government LLC for Veeam software licenses and maintenance support.

Bid No. 167-0331-B in the annual amount of \$428,259.47 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications. Total estimated 60-month expenditure not to exceed \$2,141,297.35. The contract total includes \$363,600.00 for unspecified subscription licenses that may be purchased within the contract period.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

19. Authority to advertise a public hearing to be held on September 14, 2017 to amend the St. Petersburg Intown Redevelopment Plan to re-allocate existing Tax Increment Financing revenues and update Table 2 of the plan.

Commissioner Eggers indicated that he would not support the City of St. Petersburg's request to reallocate its Community Redevelopment Area (CRA) funds originally intended for transit-related projects to the Pier project, particularly at a time when the County is being scrutinized at all levels with regard to the use of its finances. He noted that he would support investing those funds in infrastructure and inquired about the outcome of a discussion with regard to changing the term of the CRA to enable the use of funds in other areas of the city sooner; whereupon, Commissioner Welch clarified that at this time, the item is being scheduled for a public hearing by the Board on September 14; and that it is going back to the St. Petersburg City Council for a second public hearing.

In response to queries by the members, City of St. Petersburg CRA Coordinator Rick Smith and Managing Director of Development Coordination Chris Ballestra related that no changes are anticipated with regard to the Intown Redevelopment Plan at the August 24 second public hearing by the City Council, which expects to move forward with the proposal; that while the original plan for the funds had to be reconsidered after the failure of Greenlight Pinellas, at least four of the requested \$14 million are still allocated for transit, specifically, parking improvements; and that the Public Art Project is included in the allocation, although there are more urgent items on the list.

In response to Commissioner Seel's request for a list detailing specific projects and the associated dollar amounts pertaining to the reallocation request, Messrs. Smith and Ballestra indicated that a final list will be available after the second public hearing by the City Council; whereupon, Mr. Woodard indicated that detailed information will be included in the BCC agenda packet for September 14, and Commissioner Welch requested that the Board have a discussion of the strategic plan for all of St. Petersburg's CRAs at a future meeting.

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

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

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

24. Grant Application for Federal Assistance submission to the Federal Aviation Administration for a new Master Plan for St. Pete-Clearwater International Airport.

Airport Improvement Program Grant application for Fiscal Year 2016 federal entitlement funding in the amount of \$1,621,485.00 approved for submission to the Federal Aviation Administration. The grant application provides 90 percent of the project's total negotiated cost of \$1,801,650.00, less Owner's Contingency of \$100,000.00. Chairman authorized to execute and the Clerk to attest the application form and grant agreement.

In response to query by Commissioner Seel, St. Pete-Clearwater International Airport Director Thomas Jewsbury indicated that Environmental Science Associates will be the consultant conducting the study; and that staff has approved its scope, which will be presented to the Board at the September 14 meeting. Mr. Woodard provided an overview of the project financing, relating that if the application is granted, the estimated \$1.8 million cost would be paid by the Federal Government (90 percent), the Florida Department of Transportation (5 percent), and the County (5 percent), which would pay the remaining balance out of the Airport Enterprise Fund; whereupon, Commissioner Morroni commented on the airport expansion and thanked Mr. Jewsbury for his leadership.

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

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

Deviating from the agenda, the members expressed their concerns regarding the agenda for the meeting being published later than usual, generating inquiries from the public; whereupon, responding to queries by the members, Mr. Woodard explained the process and the uncharacteristic delay due to the voluminous and complex agenda, indicating that when posted, it is available for internal and external viewing; and that staff will look for alternative solutions to ensure timely posting in the future.

Convention and Visitors Bureau

25. Tourist Development Council's Fiscal Year 2017 Capital Projects Funding Program Agreements with the City of Clearwater for the Eddie C. Moore Softball Complex, Countryside Sports Complex, and Ruth Eckerd Hall; The American Craftsman Museum, Inc. for the Museum of the American Arts and Crafts Movement; and the Clearwater Marine Aquarium, Inc. for the Clearwater Marine Aquarium.

Agreements approved with the following terms:

- City of Clearwater for the Eddie C. Moore Softball Complex in the amount of \$495,000.00, effective through September 30, 2018.
- City of Clearwater for the Countryside Sports Complex in the amount of \$1,900,000.00, effective through September 30, 2020.
- City of Clearwater for Ruth Eckerd Hall in the amount of \$5,500,000.00, effective through September 30, 2020.
- The American Craftsman Museum, Inc. in the amount of \$6,000,000.00, effective through September 30, 2020.
- Clearwater Marine Aquarium, Inc. in the amount of \$26,000,000.00, effective through September 30, 2020.

Total cost of the projects, \$39,895,000.00, provided through the Tourist Development Tax Fund. Chairman authorized to sign the agreements in accordance with recommendations provided in the Staff Report, and the Clerk authorized to attest.

Mr. Woodard provided background information regarding the item, indicating that upon recommendation by the Tourist Development Council (TDC), the Board had authorized staff to negotiate agreements for utilizing the bed tax dollars to fund capital needs among the community partners; that staff negotiated agreements for five of six entities, based on the maximum not-to-exceed amounts identified by the Board, in the total amount of approximately \$39.9 million; that staff worked with the entities toward a plan to maximize the marketing and promotional value of their activities to the destination; and that negotiations with the sixth entity, the Toronto Blue Jays, are still underway.

At the request of Commissioner Justice, Capital Project Funding Consultant Dennis Long provided an overview of the projects, including financing terms and marketing benefits, noting that the latter consideration was based on specific marketing programs rather than dollar value.

Commissioner Gerard stated that she will vote against funding the Eddie C. Moore Softball Complex, indicating that the facility has been completed for a year and already paid for by the City of Clearwater, demonstrating its ability to incur the cost; and that she disagrees with the decision by Visit St. Petersburg/Clearwater (VSPC) to reimburse it. VSPC Chief Operating Officer Tim Ramsberger indicated that the City is requesting reimbursement based on a prior arrangement, and Mr. Long noted that the application was ranked second among the others by the TDC; and that the initially proposed funding amount was adjusted by subtracting the land cost; whereupon, in response to query by Commissioner Welch, Mr. Long indicated that while the item is budgeted for Fiscal Year 2018, it could possibly be incorporated into the current fiscal year's budget.

Commissioner Welch referred to recommendations relating to the agreements made by Finance Department Accountant Cassandra Williams, which have been made a part of the record, and responding to his queries, Mr. Long indicated that Section 5 regarding the County's funding obligations was revised only for the agreement with Clearwater Marine

Aquarium, and Section 7 regarding the right to audit was not added to any of the agreements, and discussion ensued.

Mr. Woodard indicated that the proposed funding terms are based on accommodating the needs of the partners as well as achieving maximum financial flexibility for the County; that payments will be provided on a reimbursement basis; and that since the parties would be required to supply adequate documentation demonstrating their expenditures prior to being reimbursed, maintaining the ability to audit after the fact would be largely unnecessary. Mr. Long noted that the agreements provide minimum requirements for submitting an invoice for payment; that he has not seen the comments from the Finance Department, but his understanding is that they were addressed in the agreements; and that any supporting documents required by Finance can be requested.

Responding to query by Commissioner Gerard, Mr. Long clarified that the agreements have not been executed.

During further discussion and responding to queries and concerns by Commissioner Morroni relating to the reimbursement of \$39 million in the event of an economic downturn or other unforeseen negative circumstances, Mr. Long clarified that funds would be expended to all parties during the years 2018 through 2020 and pointed out that all contracts have the appropriate funds availability clauses. Mr. Woodard discussed the bed tax proceeds, reporting that by the end of the next fiscal year, there will be approximately \$51 million of accumulated cash in the reserves, and Chairman Long indicated that TDC budget recommendations for the next three years, including recouping funding and incorporating a conservative approach, will be presented to the Board next month.

At the request of Commissioner Eggers to provide the public with a perspective regarding the amounts of bed tax generated each year, the reserves, and the statutes governing the spending, and make that information available online, VSPC President and CEO David Downing and Mr. Woodard discussed the plan for expending the funds and provided additional details regarding the bed tax revenue, indicating that 40 percent is allocated to capital projects and 60 percent to promotion and marketing operations; and that there are reserves on both sides; whereupon, Commissioner Justice suggested creating different terms for TDC funds and reserves to avoid confusion.

Responding to queries by Commissioner Justice, Mr. Long discussed the objectives set for the consultant's analysis of the projects. He related that the TDC continues to deal with the challenges involved in measuring the economic impact of the projects on tourism in order to provide the funding basis; whereupon, noting the absence of clear figures justifying the proposed funding amounts, Commissioner Justice requested a spreadsheet with information detailing projected TDC revenue and reserves for Fiscal Years 2017, 2018, and 2019, before and after funding distribution. He pointed out that the County would have been requested to fund some of the projects regardless of the bed tax and welcomed the opportunity for visitors to make contributions toward facilities that affect both tourism and local life, taking some tax burden off the residents and continuing to provide local jobs; whereupon, he thanked staff for their work.

Commissioner Seel requested that contracts with the Museum of the American Arts and Crafts Movement, Ruth Eckerd Hall, and Eddie C. Moore Softball Complex and Countryside Sports Complex be extended to approximately 21.8, 18, and 10.5 years (for both sports facilities), respectively, to prolong marketing benefits, and Chairman Long agreed.

Commissioner Welch stressed the importance of the right to audit and other recommendations by Ms. Williams being included in the agreements, and Commissioners Seel and Eggers agreed. Responding to query by Commissioner Welch, Attorney White pointed out that Ms. Williams' recommendations regarding the County's funding obligations (Section 5, Clearwater Marine Aquarium agreement) are addressed under paragraph 22 of the agreement with the Museum of the American Arts and Crafts Movement, and Chairman Long requested that Attorney White review all agreements to ensure they contain the same language.

Mr. Woodard indicated that upon consensus of the members, staffs of the County Administrator's and County Attorney's offices will revise the agreements to include the desired language, and given consent of the other parties, the agreements would be executed and brought back thereafter as delegated items; and that any exceptions would come back for Board discussion, and no objections were noted. Later in the meeting and responding to query by Commissioner Morroni, Mr. Woodard confirmed that the same revisions would apply to a contract with the Toronto Blue Jays.

A motion was made by Commissioner Morroni, seconded by Vice-Chairman Welch, that the agreement with the City of Clearwater for Ruth Eckerd Hall be approved. The motion carried by the following vote:

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

A motion was made by Vice-Chairman Welch, seconded by Commissioner Seel, that the agreement with the City of Clearwater for the Countryside Sports Complex be approved. The motion carried by the following vote:

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

A motion was made by Commissioner Eggers, seconded by Vice-Chairman Welch, that the agreement with the City of Clearwater for the Eddie C. Moore Softball Complex be approved. The motion carried by the following vote:

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

Nay: 1 - Commissioner Gerard

A motion was made by Vice-Chairman Welch, seconded by Commissioner Gerard, that the agreement with the American Craftsman Museum, Inc. be approved. The motion carried by the following vote:

Aye: 4 - Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, and Commissioner Justice

Nay: 3 - Chairman Long, Commissioner Morroni, and Commissioner Seel

A motion was made by Commissioner Eggers, seconded by Vice-Chairman Welch, that the agreement with the Clearwater Marine Aquarium, Inc. be approved. The motion carried by the following vote:

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

- 26.** Fiscal Year 2017 Board Budget Amendment No. 6 to use Tourist Development Council Fund Reserves for expanded sales, marketing, and tourism support activities for the Convention & Visitors Bureau.

Amendment approved realigning appropriation in the amount of \$1,400,000.00 within the Tourist Development Council Fund.

Responding to queries by Commissioner Welch, Visit St. Petersburg/Clearwater President and CEO David Downing confirmed that a portion of the \$4.6 million excess Tourist Development Tax revenue is being used for the appropriation, and indicated that new recurring expenses have been factored into the next year's budget.

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

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

- 27.** Fiscal Year 2018 Elite Event funding recommendations from the Tourist Development Council.

Recommendations approved to fund the following Fiscal Year 2018 Elite Events for a total cost of \$1,497,900.00, as delineated in the Staff Report: Firestone Grand Prix of St. Petersburg, Valspar PGA Championship, Outback Bowl and Clearwater Beach Day, St. Petersburg Bowl, Clearwater Jazz Holiday, Spectrum Clearwater National Super Boat Championship Festival, St. Pete Pride, Pier 60 Sugar Sand Festival, East-West Shrine Game, Clearwater Seafood and Blues Festival, John's Pass Seafood Festival, and Old Salt Fall King of the Beach Tournament and Festival.

Commissioner Seel voiced her concerns with regard to awarding funds to applicants without reviewing the requested data required by the Elite Event Funding Guidelines, noting that inability to provide a finite number for event attendance and withholding certain financial information based on private ownership of an event, as in the case of the St. Petersburg Bowl, is disturbing; whereupon, she indicated that it should be made certain that, going forward, the applicants will not be considered for funding without providing required information.

During discussion, Chairman Long indicated that she and staff have firmly requested that applicants heed the guidelines and direction by the Board; that many applicants were rejected; and that as no contracts have yet been signed, there is still opportunity to require delivery of needed information prior to approval of the 2018 funding, and Commissioner Eggers agreed, stating that approval of the funding should be subject to receiving the necessary information, starting this year with the current requests.

In response to queries by Chairman Long and Commissioner Seel, Visit St. Petersburg/Clearwater Chief Operating Officer Tim Ramsberger discussed the application review and deal negotiation process, relating that staff has the right to demand certain information, which it scrutinizes; that the application was revised this year to obtain an understanding of the applicants' marketing plans and strategies to promote travel to the destination, in addition to attendance and room night numbers; and that all applicants except for St. Pete Pride asked for the *up to* maximum amounts, which will be negotiated.

Responding to query by Commissioner Welch, Mr. Ramsberger confirmed that any required information would be obtained this year prior to disbursing funds. He stressed the importance of information sources, indicating that proposed new guidelines would contain criteria for acceptable sources; whereupon, Commissioner Justice thanked Messrs. Ramsberger and Downing for offering a fresh perspective and improving a longstanding process.

Thereupon, Chairman Long indicated that staff has the authority to deny any contract in absence of the requested information.

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

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

Economic Development

- 28.** Application to the Florida Department of Economic Opportunity for the Florida Job Growth Grant Fund in the amount of \$5,000,000.00 to fund the reconstruction of 20th Avenue SE from Starkey Road to Lake Avenue.

Application approved for submission requesting 100 percent of the project cost. Chairman authorized to execute the application form and the Clerk to attest.

Mr. Woodard introduced the item, noting that the project is intended to facilitate economic growth and job creation; whereupon, Commissioner Seel referred to a list of potential infrastructure projects included in the agenda package, and responding to her queries, Mr. Woodard indicated that the projects are being considered by staff as possible Job Growth Fund grant opportunities and would be presented to the Board with further information for action at a future date.

Director of Economic Development Mike Meidel provided information regarding the projects, indicating that the 501 Building would remain as the Tampa Bay Innovation Center; and that the project would be presented to the Board if staff determines that it may qualify for the grant; whereupon, he defined Shared Secure Compartmented Information Facility (SCIF) and explained its value to small defense contractors who would be able to discuss top-secret business with the United States Special Operations Command in the facility in order to procure contracts.

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

Aye: 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seal

Human Services

- 29.** Second and final option of the Pinellas County Health Program Hospital Provider Agreement with BayCare Health System, Inc.

Agreement in the amount of \$2,376,000.00 approved providing partial reimbursement for ambulatory and inpatient hospital care related services for Fiscal Year 2018 for authorized clients actively enrolled in the Pinellas County Health Program.

Mr. Woodard related that Agenda Items Nos. 29 and 30 represent two of the three hospital agreements for services provided to clients enrolled in the County's health program; and that the contract with Florida Hospital North Pinellas is in a small amount and has been approved administratively and included in the Delegated Items presented under Agenda Item No. 15.

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 Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seal

- 30.** Pinellas County Health Program Hospital Provider Agreement with Bayfront HMA Medical Center LLC. d/b/a Bayfront Medical Center.

Agreement in the amount of \$582,000.00 approved providing partial reimbursement for ambulatory and inpatient hospital care related services for Fiscal Year 2018 for authorized clients actively enrolled in the Pinellas County Health Program.

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

Aye: 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seal

Planning

31. Approval of ranking of firms and agreements with Clearwater Neighborhood Housing Services, Inc. and Tampa Bay Community Development Corporation to provide administration of the Purchase Assistance and Owner-Occupied Rehabilitation Programs.

Ranking of firms and Contract No. 167-0166-P approved in the annual amount of \$1,136,416.66 for a 36-month total of \$3,409,250.00. Chairman authorized to sign the agreements and the Clerk to attest.

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

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

Public Works

32. Resolution dedicating a portion of County-owned property as public road right-of-way for the Sunset Point Road and North Betty Lane Intersection Improvement Project.

(PID No. 001018A) Resolution No. 17-46 adopted. Clerk authorized to record.

In response to queries by Commissioner Seel, Mr. Woodard indicated that the project will increase the size of the intersection.

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

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

33. Purchase authorization with Precision Sidewalk Safety Corporation for requirements of Trip Hazard Prevention and Sidewalk Maintenance.

Contract No. 167-0305-PB approved pursuant to Panhandle Area Educational Consortium Cooperative (PAEC) Contract No. 16-08 for an estimated expenditure in the amount of \$500,000.00 through September 12, 2018. County Administrator authorized to approve a subsequent purchase authorization, should the PAEC extend its contract for 12 additional months.

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

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

Utilities

34. Emergency purchase with Rowland Inc. for replacement of a 42-inch force main at the Innisbrook Golf Resort and Spa in Palm Harbor.

Bid No. 167-0510-E approved in an amount not to exceed \$4,500,000.00; work to be completed by January 15, 2018.

Responding to query by Commissioner Eggers, Mr. Woodard indicated that following a force main failure in north county last fall, staff utilized a consultant to evaluate other force mains within the system; and that a deteriorated segment of 42-inch force main that was discovered unexpectedly will be replaced with 36-inch pipe to increase the flow volume.

Director of Utilities Randi Kim reported on the efforts staff has been undertaking to investigate all County force mains, including evaluating 125 air release valves for corrosion, repairing 100 of those, and examining pipes for thickness; whereupon, she discussed the plans and associated challenges with regard to the investigation and repair of the remaining valves. Commissioner Eggers stressed the importance of aggressively mapping out the rest of the pipelines, and Ms. Kim indicated that the project is one of the top priorities.

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

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

Absent: 1 - Commissioner Morrone

County Administrator

35. County Administrator Miscellaneous.

Referring to a document titled *BCC Decision Packages in FY18 Budget*, which has been made a part of the record, Mr. Woodard indicated that it reflects the budget revisions proposed by the Board at the last Budget Information Session; and that if all concerns were properly addressed, there may not be a need for the Information Session tentatively scheduled for August 17.

During discussion and responding to query by Chairman Long regarding the funding source for Creative Pinellas, Mr. Woodard indicated that the majority of the proposed funding for next year will come from the Tourist Development Council (TDC); that while at one point in time, the Arts Council may have been funded through the General Fund, the current ongoing strategy is to shift to the application of Tourist Development Tax money, relieving pressure on the General Fund and thereby on the property taxes. He related that an amendment will be made within the TDC budget to support the funding, without changes to the bottom line, and Commissioner Seel noted that Creative Pinellas was formed with the intent to market the county. Following further discussion and upon consensus by the members, Mr. Woodard confirmed that the August 17 Budget Information Session would be taken off the calendar.

In response to query by Commissioner Welch, Mr. Woodard indicated that following the Board's direction at the last meeting, a letter of intent was sent to Community Health Centers; whereupon, the members discussed the proposed funding increase for school nurses, including program management by the Health Department, the importance of careful spending, and liability associated with the shortage of nurses in schools.

COUNTY ATTORNEY

- 36.** Proposed initiation of litigation in the case of James Menefee v. Japanese Gardens Mobile Estates, Inc.; U.S. Department of Housing and Urban Development (HUD) Case No. 04-16-5002-8; Pinellas County Case No. 16-075 - alleged housing discrimination.

Attorney White indicated that litigation is being initiated following an investigation and finding of reasonable cause by the Office of Human Rights.

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

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

- 37.** County Attorney Miscellaneous - None.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

- 38.** Appointments to the Emergency Medical Services Advisory Council.

Sitting as the Emergency Medical Services Authority, the Board approved the following appointments for two-year terms ending in August 2019:

- Donald Turnbaugh and John Jones as the National Alliance on Mental Illness representative and alternate representative, respectively.
- Kelly Cullen and Susan Byrd as the Emergency Nurses' Association representative and alternate representative, respectively.
- Dr. Eric Carver as the St. Petersburg College representative.
- Karen L. Mullins and Jorge Mercado as citizen representatives for Districts 1 and 7, respectively.

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

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

Absent: 1 - Commissioner Eggers

39. Appointments to the Emergency Medical Services Medical Control Board.

Sitting as the Emergency Medical Services Authority, the Board approved the reappointment of Anthony Degina as Hospital Administrator representative and the appointment of Glenn J. Saldanha as Hospital Administrator alternate representative for two-year terms ending in July 2019.

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

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

40. Revisions to the Emergency Medical Services Rules and Regulations.

Sitting as the Emergency Medical Services Authority, the Board approved revisions to enhance EMS stakeholder meetings, as follows:

- Clarifying the Continuing Medical Education (CME) Meeting as a planning meeting instead of a committee and removing references to a committee.
- Outlining development of the Training Plan and the Training Schedule.
- Describing the purpose of the CME Planning Meeting and the stakeholders that are encouraged to attend.
- Describing the purpose of the EMS Stakeholder Meetings.

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

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

41. Resolution authorizing sustainment of the countywide Water Rescue Grant Program.

Resolution No. 17-47 adopted to fund continuing water rescue improvements. Expenditures for the program shall not exceed \$300,000.00 in any fiscal year.

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

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

Housing Finance Authority**42. Resolution of the Housing Finance Authority to proceed with the financing of a Multifamily Residential Rental Housing Project through the issuance of its Multifamily Housing Revenue Bonds.**

Resolution No. 17-48 adopted approving the issuance of the bonds in a principal amount not to exceed \$12,000,000.00 for the benefit of Oceanside Housing Partners LP, a Florida limited partnership; no County general funds are required; all lendable funds are generated from the sale of tax-exempt housing bonds.

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

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

COUNTY ADMINISTRATOR REPORTS

43. County Administrator Reports:

- Doing Things! TV - Pinellas Promise
- Vietnamese Emergency Preparedness Brochure.

At Mr. Woodard's request, staff played the County's latest Doing Things! YouTube video titled *Pinellas Promise*, highlighting a new learning initiative designed to inspire academic achievement and introduce Pinellas County youth to a prospective career in public service.

Commissioner Justice related that he visited the Lealman and Asian Neighborhood Family Center last week and was asked to deliver a card to Barbra Hernandez, Director of Marketing and Communications, thanking her and her team for their coordination efforts. Mr. Woodard asked Ms. Hernandez to come forward and attributed the success of the pilot program to the County's partnership with the Lealman and Asian Neighborhood Family Center, noting that he hopes to expand the program and involve more children.

Mr. Woodard indicated that 7,000 of the 27,000 Pinellas County residents who identify as Asian speak Vietnamese as a primary language; whereupon, he distributed an Emergency Management Storm Preparedness brochure that was translated to Vietnamese, relating that the focus was to reach out to an important segment of the community.

Commissioner Justice noted the importance of sharing information and connecting with communities; whereupon, Ms. Hernandez referred to the County's successful partnerships and indicated that the Center and area businesses have agreed to distribute copies of the brochure within the community, noting that the information is posted on the County website.

CITIZENS TO BE HEARD

44. Public Comment.

Jose L. Coppen, Indian Rocks Beach, re beach renourishment.

Dave Sillman, New Port Richey, re Florida Sun Solar Co-ops.

Greg Pound, Largo, re Pinellas government.

Lenore Faulkner, Madeira Beach, re education excellence.

David Ballard Geddis, Jr., Palm Harbor, re present history of King of Britain.

COUNTY COMMISSION

45. County Commission Board Reports and Miscellaneous Items.

The members expressed condolences to Commissioner Eggers for the loss of his father, and he thanked them for their support. The members wished Commissioner Welch a happy birthday.

Commissioner Morroni

- Reported that he met with a representative of the Feather Sound Community Services District regarding its Municipal Service Taxing Unit fund proposal; and that he will address the Board at its September meeting, and discussion ensued.
- Reported that the Forward Pinellas Legislative Committee held its inaugural meeting in Indian Rocks Beach and discussed its goals and objectives.
- Stated that the next Human Rights Board meeting is in October. Announced that a subcommittee has been formed to address disability issues.
- Welcomed Mark Ogles, a former Representative from Manatee County, who was in attendance.

Commissioner Eggers

- Referred to the Pinellas Planning Council/Metropolitan Planning Organization merger and commented on the MPO's objectives.
- Announced the dates of various upcoming Board and Committee meetings.
- Thanked Commissioner Gerard, the City of Dunedin, and several mayors for attending the Purple Heart Day in Pinellas County ceremony on August 7, noting that they discussed rotating future ceremonies between Oldsmar, Dunedin, and Pinellas County, and expanding awareness of the Purple Heart Society.
- Announced that a 9/11 Memorial Service will be held at Curlew Hills Memory Gardens on September 11 at 10:00 A.M.
- Commented on the recent events in Charlottesville, North Carolina.

Commissioner Welch

- Referred to Agenda Item No. 42, noting that 100 percent of the 104 units have been set aside for households at or below 60 percent of the Area Median Income.
- Related that he observed the *Threats Facing Florida's Tourism-Driven Economy* Senate field hearing last week and thanked Chairman Long for her leadership on the committee.
- Remembered Charlottesville victims Heather Heyer and Virginia State Police Officers H. Jay Cullen and Berke Bates.
- Attended a solidarity vigil for Charlottesville on Saturday, August 12, at Demens Landing.

Commissioner Justice

- Announced that the Historic Preservation Board will hold its Historic Preservation Summit on October 11 in Tarpon Springs, noting that the meeting will focus on Pinellas County's maritime history.
- Reported that the Gulf Consortium is scheduled to meet with the Florida Association of Counties on September 28.
- Related that the Canvassing Board will meet on August 16 to hold the First Logic and Accuracy Test in preparation for the August 29 St. Petersburg Primary Election.
- Stated that the Tampa Bay Estuary Program will meet August 18 and indicated that the process to select a new executive director will be finalized. Noted that federal grant applications to study the impact of wakes on Tampa Bay and the estuary will be submitted. Discussed Tampa Bay Estuary Program mini-grants, noting that the deadline to apply is September 15.

Commissioner Seel

- Attended a meeting regarding the Family Bridge emergency shelter. Reported that possible new emergency shelter sites were identified and discussed case management services, noting that additional research is necessary on funding sources and potential operators.
- Related that she requested information regarding emergency shelter data from the Homeless Leadership Board and will provide follow-up.

Commissioner Gerard

- Announced that the Pinellas County Childcare Licensing Board Executive Director is

retiring; that the position has been posted; and that applications are being accepted, noting that the Florida Department of Health in Pinellas County will make the final hiring decision.

- Represented the Commission last week at the Upper Tampa Bay Chamber of Commerce meeting, noting that she discussed the Board's view of the proposed homestead exemption with the Legislative Delegation.
- Stated that the Youth Advisory Committee will hold an Open House for prospective members on August 16 at the Clearwater Courthouse.
- Referred to a complaint received via email and requested that the Chairman write a letter to Allegiant Airlines to address concerns regarding protocol. Mr. Woodard indicated that he will look into the issue and discussed possible reasons for Allegiant's deviation from noise abatement procedures.
- Related that complaints are received on a regular basis regarding County Park entrance and parking fees and inquired whether annual fees could be lowered for residents. Mr. Woodard indicated that he will provide a list of current programs and possible options, noting that he recommends any changes be made in concert with the Fiscal Year 2019 budget.

Chairman Long

- Related that the contract for the County Attorney has been finalized and will be executed shortly, noting that Attorney White and Mr. Woodard are working on the contract with Attorney Wade Vose.
- Announced that she and Commissioner Seel have been nominated by the Pinellas Suncoast Transit Authority to be Tampa Bay Area Regional Transit Authority representatives. Reported that state and federal legislative requests have been finalized; and that Commissioner Eggers' three-year term is ending, and he will be reappointed at the next meeting.
- Reported that the Tampa Bay Regional Planning Council is planning to develop an environmental compact for the west coast of Florida to address climate change and sea level rise and hopes to partner with Pinellas County and Duke Energy, noting that she met with the new president of Duke Energy and he has agreed to participate.
- Related that the Tourist Development Council's next meeting is August 16, and a rough draft of the bylaws will be presented for discussion.

Meeting Recessed: 5:14 P.M.

Meeting Reconvened: 6:00 P.M.

PUBLIC HEARINGS

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

BOARD OF COUNTY COMMISSIONERS

- 46.** Approval of Tax Equity Fiscal Responsibility Act Resolution for issuance by the Hillsborough County Industrial Development Authority of its Industrial Development Revenue Note, Series 2017, on behalf of Goodwill Industries-Suncoast, Inc. (companion to agenda item no. 47).

Resolution No. 17-49 adopted. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard indicated that the bond issuance will be used to make improvements to one Goodwill retail center in Pinellas County and two in Hillsborough County.

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

Aye: 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seal

- 47.** Acting as the Pinellas County Industrial Development Authority, approve a Resolution and Interlocal Agreement for issuance by the Hillsborough County Industrial Development Authority of its Industrial Development Revenue Note, Series 2017, in an aggregate principal amount of not-to-exceed \$35,000,000.00, on behalf of Goodwill Industries-Suncoast, Inc. (Regular Agenda item - companion to agenda item no. 46).

Resolution No. 17-50 adopted approving the issuance of the note and authorizing the execution and delivery of an Interlocal Agreement between the Hillsborough County and Pinellas County Industrial Development Authorities. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 7 - Chairman Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seal

- 48.** Petition of Bryan Ellerman and Mari Ellerman to vacate the five-foot easement over the southwesterly five feet of Lot 1, Block 5, Pasadena Golf Club Estates, Plat Book 32, Page 13, lying in Section 29, Township 31, Range 16, Pinellas County, FL (Quasi-Judicial Hearing).

Resolution No. 17-51 adopted granting the petition. Clerk authorized to record the resolution. Letters of no objection were received from all appropriate parties. Affected

property owners were notified as to the date of the public hearing. Staff indicated no objection to the vacation being granted. No correspondence has been received. No citizens appeared to be heard.

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 Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

Deviating from the agenda, Chairman Long indicated that Item No. 49 will be addressed later in the meeting.

- 50.** Resolution amending the Fiscal Year 2017 Sewer Renewal and Replacement Fund realigning Reserves for Future Years to Capital Improvement Projects due to unanticipated emergencies, as well as increased activities related to pump station improvements.

Resolution No. 17-52 adopted realigning reserves in the amount of \$4,000,000.00. No correspondence has been received. No citizens appeared to be heard.

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 Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

- 51.** Resolution realigning funds from the Fiscal Year 2017 Air Quality - Tag Fee Fund Reserve Program to the Air Quality Program for expenditures that are not reimbursable through grants or otherwise restricted.

Resolution No. 17-53 adopted realigning reserves in the amount of \$200,000.00. No correspondence has been received. No citizens appeared to be heard.

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

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

- 49.** Petition of KSK Homes Inc. and Jeffrey Conway to vacate a portion of an unopened right-of-way lying between Lots 31 and 34 of Harborview #2 Subdivision in Plat Book 6, Page 6 in Section 29-30-15, Pinellas County, Florida.

Resolution No. 17-54 adopted granting the petition. Clerk authorized to record the resolution. Letters of no objection were received from all appropriate parties. Affected property owners were notified as to the date of the public hearing. Staff recommended that the vacation be granted. No correspondence has been received. No citizens appeared to be heard.

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 Long, Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

- 52.** Resolution amending the Fiscal Year 2017 Capital Projects Fund realigning Reserves - Fund Balance to project 000895A - Jail Infrastructure Upgrade due to anticipated project activities.

Resolution No. 17-55 adopted realigning reserves in the amount of \$18,000,000.00. No correspondence has been received. No citizens appeared to be heard.

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

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

- 53.** Q Z/LU-11-07-17 (Chris Coleman Agency, Inc.)

A request for zoning change from P-1, General Professional Office to C-2, General Retail Commercial & Limited Services and a land use change from Residential/Office-General to Commercial General on approximately 0.74 acre located at 1255 Belcher Road in the unincorporated area of Dunedin.

Resolution No. 17-56 adopted approving the zoning change and Ordinance No. 17-27 adopted changing the land use designation. The Local Planning Agency recommended approval of the request. One letter in objection to the application has been received.

Neil Valk, Palm Harbor, related that he is the applicant for the proposed car wash facility and, referring to a site plan, discussed the surrounding land uses, accessibility, traffic flow, and plans to erect decorative canopies, a six-foot privacy fence, and a 10-foot buffer for the scenic parkway. He indicated that he had spoken with some of the residents of the adjacent mobile home park after learning that a petition had been filed; that many of the units are rentals; that most of the petitioners are in the back of the property and would not be affected by the development; and that the persons he spoke with had stated no objection.

Responding to queries by Commissioner Eggers, Mr. Woodard confirmed that the proposed facility is subject to a site plan review that would implement safety and aesthetic precautions, and Mr. Valk related that staff's recommendations have been incorporated into the site plan.

In response to the Chairman's call for persons in opposition, Donald Hall, Goza and Hall, Clearwater, stated that he represents Countryside Mobile Home Park and submitted a petition containing 55 signatures, noting that several of the objectors are present.

Mr. Hall expressed his concerns regarding safety, traffic flow, and buffering issues, and discussed surrounding land uses, pointing out that there are three car washes in proximity to the mobile home park. He stated that Belcher Road is a designated Scenic Non-Commercial Corridor, requested that the application be denied, and offered to answer any questions.

In response to queries by Commissioners Welch and Justice, Mr. Hall indicated that he did not attend the Local Planning Agency meeting because he was retained after it took place, and the residents were not aware of the meeting, and Mr. Valk stated that the normal business hours of the car wash would be 8:00 to 6:00; whereupon, Zoning Director Glenn Bailey indicated that there would be no way to enforce the hours of operation without a development agreement, noting that one does not exist.

Following lengthy discussion regarding traffic flow, buffers, Code requirements, surrounding land uses, hours of operation, and public notice, Commissioners Seel and Welch expressed concerns about supporting the request. In response to queries by Commissioner Welch, Mr. Woodard described the County's property owner notification process, and Mr. Bailey explained that property owners were notified within a radius of 350 feet, noting that tenants were not because they have no ownership interest.

Responding to queries by Commissioner Welch, Attorney White indicated that a denial without prejudice would allow the applicant to present another request within six months and require payment of an additional fee, and Mr. Woodard provided input.

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

Aye: 5 - Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, and Commissioner Morrioni

Nay: 2 - Vice-Chairman Welch, and Commissioner Seel

54. Q CU-12-07-17 (Dr. Elizabeth F. Baird)

A request for modification of a previously approved conditional use to allow a 1,612-square-foot expansion of the existing animal hospital, and a variance to allow the proposed expansion to have a 16-foot side setback from the south property line where 25 feet is required on approximately 1 acre located at 1412 Belcher Road in Palm Harbor.

Resolution No. 17-57 adopted approving the conditional use and the variance. The Local Planning Agency recommended approval of the request, subject to the staff-recommended conditions. No correspondence has been received.

In response to the Chairman's call for persons wishing to be heard, Gary Boucher, Ozona, indicated that he is the project engineer and provided background information regarding the petition, and Robert L. Thomas, Palm Harbor, related that he manages the practice and explained the basis for the request.

Responding to query by Commissioner Welch, Mr. Woodard indicated that the previous expansion approval expired after one year.

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

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

55. Ordinance amending the Pinellas County Code regarding Code Enforcement by Special Magistrates; Chapter 2, Article VIII, Sections 2-618 through 2-630.

Ordinance No. 17-28 adopted. No correspondence has been received. No citizens appeared to be heard.

In response to query by Commissioner Justice, Mr. Woodard provided background information regarding the item and related that the proposed amendments are intended to (1) improve the customer experience by addressing magistrate selection and retention practices and (2) shift the focus from fines and punitive actions to compliance, noting that the adjustments would allow Code officers more discretion for first-time offenders by giving them additional time to comply; and that provisions are included for the reduction of fines and liens.

Development Review Services and Code Enforcement Director Blake Lyon related that the proposed ordinance would provide additional clarifying definitions, expand upon the selection criteria and duties of the Special Magistrates, and modify procedures. He indicated that the goal would be to have up to four Special Magistrates serving in a rotational pattern with a list of approved alternates; that staff would recommend candidates through the County Administrator; and that the final selection would come back before the Board as a separate item.

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

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

56. Ordinance amending Chapter 14 of the Pinellas County Code relating to animals.

Ordinance No. 17-29 adopted. Two letters and two emails in support of the proposed ordinance have been received.

In response to the Chairman's call for persons wishing to be heard, Dan Hester, Seminole, presented background information regarding the item and related that the proposed change will make Trap, Neuter, Vaccinate, and Return (TNVR) a permanent component of the Code. He introduced board members of the MEOW Now organization and, referring to the group's focus on controlling the county's cat population, recognized members of the animal welfare community for their help in implementing the successful pilot program.

Chad Thompson, Executive Director of MEOW Now, conducted a presentation and provided statistical information regarding the organization's TNVR activities, noting the targeted zip codes where the program has been effective, ongoing projects, and goals for moving forward.

Following a video presentation highlighting MEOW Now activities, Mr. Hester clarified that the group is a 501(c)(3) not-for-profit organization that asks for donations. He reported on the progress of the group and thanked the Commissioners, Pinellas County Animal Services, and community partners for their support.

In response to query by Commissioner Gerard, Mr. Hester stated that the organization operates countywide and noted the success of TNVR in Lealman, and Mr. Thompson listed the cities with the highest call volume. Chairman Long provided input, and Mr. Woodard referred to the County's successful partnerships and thanked the leadership of MeowNow, the Humane Society, and Society for the Prevention of Cruelty to Animals (SPCA).

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

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

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

Item deferred. One letter in support of, one email opposed to, and one letter and one email expressing concerns regarding the proposed ordinance have been received.

Chief Assistant County Attorney Don Crowell expressed thanks to Economic Development, the Planning Department, and various local governments for their input regarding the item. He indicated that the Board provided policy direction at a workshop on May 18, 2017; and that many comments were received from PACE Providers; whereupon, referring to a PowerPoint presentation, he provided an overview of the proposed ordinance and discussed the following topics:

- Truth in Lending Act (TILA)
- City options
- Prepayment penalties
- Energy monitoring
- Reporting requirements
- Options presented for each category
- Other funding programs

Commissioner Gerard asked whether the Board could facilitate a meeting between PACE Providers and Realtors to discuss their issues, relating that the Board's direction was clear as to the importance of including consumer protections. Attorney Crowell explained that the item was brought to the Board to address the policy considerations and discussed the specific concerns of the PACE Providers, Realtors, and legislators, noting that his role is to help construct a foundation for the implementation of Board policy.

In response to query by Chairman Long, Mr. Woodard indicated that the County Attorney's Office is seeking additional guidance, noting that once the framework is established, hosting a forum with all of the partners could be beneficial, and Attorney Crowell concurred and related that the next step would be for the County to work through an interlocal agreement with each of the individual providers. In response to comment by Commissioner Gerard, he clarified that the ordinance would allow any municipality to decline participation within 120 days and described the opt-out process, and discussion ensued.

Responding to query by Commissioner Welch, Sharon Wright, Sustainability and Resiliency Manager for the City of St. Petersburg, provided an overview of the Solar Energy and Loan Fund (SELF) program and submitted a document to the Clerk, relating that the City Council has agreed to provide seed funding to SELF as a non-profit organization until the group becomes self-sustaining; that the organization will concentrate on the St. Petersburg area with plans to operate countywide; and that its focus will be on the lower income community who might not otherwise qualify for funding.

In response to query by Chairman Long, Ms. Wright reported that investors include banks and faith-based and social mission-oriented organizations and referred to a crowdsourcing program that serves women and veterans offered through the Truth in Lending Act. She related that the City has committed \$300,000 to cover a full-time staffer, investor underwriting, and St. Petersburg office space, and discussed possible roles for other jurisdictions that are interested in contributing to the collaboration, noting that she will provide additional information regarding the organization; whereupon, Commissioner Welch requested that Mr. Woodard facilitate staff discussions with SELF as to how the County could move forward as a partner and report back to the Board.

Commissioner Eggers discussed PACE program issues in Bakersfield and Kern County, California, and in response to his query, Attorney Crowell pointed out the structural differences between Florida and California law, relating that some news articles raised serious questions about PACE issues.

In response to the Chairman's call for persons wishing to be heard, the following individuals spoke in support of the item and responded to queries by the members:

Mark Ogles, Florida PACE Funding
Erin Deady, West Palm Beach
Ron Hanson, Simon Property Group/Tyrone Square Mall
Devesh Nirmul, Renew Financial
Conrad DeSantis, Boca Raton
Terry Stark, Ygrene Energy Fund
Dave Sillman, New Port Richey

Dory Larsen, Tarpon Springs
Rafael Perez, Ygrene Energy Fund
Mike Antheil, Renovate America
Amy Elliott, Dunedin

In response to queries by Commissioner Welch, Mr. Stark agreed to provide a copy of his organization's *Know Before You Owe* notice and estimated that Ygrene's business is approximately 95-percent residential; Mr. Perez related that he utilizes the same disclosure form as Mr. Stark; and Mr. Antheil agreed to provide his disclosure and consumer protection notices and indicated that his concerns about the just value and gross income caps are similar in nature.

Following public comment, Chairman Long related that removing the language relating to TILA can shift the focus to state law, and the members discussed the following topics: support for a workshop, the importance of consumer protections, separation of commercial and residential properties, energy monitoring, reporting requirements, 120-day opt-out provision language, enforcement of the local contractor provision, gross income and just value limits, and subordination of existing mortgages to PACE loans.

In response to query by Chairman Long regarding workshop scheduling, Mr. Woodard deferred to Attorney White, who indicated that her office would be willing to work with the Administrator's staff to set a reasonable date, noting that October is possible; and that there are two budget hearings scheduled for September.

ADJOURNMENT - 8:21 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk