

Pinellas County

*315 Court Street
Clearwater, Florida 33756*



Minutes - Final

Tuesday, October 31, 2017

9:30 AM

BCC Assembly Room

Board of County Commissioners

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

ROLL CALL - 9:33 A.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; Claretha N. Harris, Chief Deputy Clerk; and Lynn Abbott and Christopher Bartlett, Board Reporters, Deputy Clerks.

INVOCATION by Pastor James V. Williams with Mt. Olive African Methodist Episcopal Church, Clearwater**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Veterans Day Proclamation**

Chairman Long read a proclamation in recognition of Veterans Day and presented a plaque to Father Robert Swick and Marc Norton, Tampa Bay Veterans Alliance; Mal Clingan, Military Order of the Purple Heart; Mike DeLancey, Wounded Warriors Abilities Ranch; and Michael Hill, Veterans Services.

Messrs. DeLancey, Hill, and Clingan thanked the Board and community partners for their support, and Father Swick provided information about Tampa Bay Veterans Alliance and the Florida Veterans Memorial Plaza at Crest Lake Park. In response to query by Chairman Long, Mr. DeLancey related that he served in the Marine Corps and was injured in Iraq; that the Abilities Ranch will be a fully wheelchair accessible recreation park; and that he hopes to provide training for the Paralympics.

2. National Animal Shelter Appreciation Week Proclamation

Chairman Long presented historical information regarding the Humane Society's role in launching National Animal Shelter Appreciation Week and presented a proclamation to Animal Services Director Doug Brightwell and staff members Cora Jones, Collis McKenzie, Jordan Sinick, Stephanie Martin, and Lyn Felice.

**3. Doing Things! Employee Recognition:
- Michael Swonger, Veterans Services**

Chairman Long and Mr. Woodard recognized Veterans Services Officer Michael Swonger for serving and supporting Pinellas County veterans and related that the agency facilitates benefits connections for veterans. Veterans Services Director Michael Hill presented a certificate to Mr. Swonger; whereupon, a video was shown highlighting the services he provides.

4. Partner Presentation:
- Animal Services Veterans' Veterinary Assistance Program

Referring to a PowerPoint presentation, Animal Services Director Doug Brightwell provided an overview of the new Veterans' Veterinary Assistance Program, noting that funding is provided by the Animal Welfare Trust Fund; and that the program works in partnership with Veterans Affairs, SPCA Tampa Bay, the Humane Society of Pinellas, and Operation SNIP. He related that the mission of the program is to assist low-income Pinellas County veterans achieve responsible pet ownership through preventive care and sterilization provided for their animals, noting that veterans depend on their pets for companionship and emotional support.

Mr. Woodard recognized Martha Boden, SPCA Tampa Bay Veterinary Center, and Stacey Efaw, Humane Society of Pinellas, and thanked them for their partnership.

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.

5. Petition of Chris and Anna Iverson to vacate a portion of a 10-foot drainage and utility easement on Lot 37C, Villas of Beacon Groves Subdivision Unit III, Plat Book 90, Pages 98 and 99, in Section 31, Township 27, Range 16 (quasi-judicial hearing).

Resolution No. 17-78 adopted granting the petition. Authority granted for the Clerk to record the resolution. Letters of no objection have been received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff indicated no objection to the petition being granted. 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 Seel

6. Petition of Douglas and Staci Williams to vacate a portion of Portsmouth Road, a 33-foot Right-of-Way, on Lot 3, Allen's Creek Subdivision, Plat Book 102, Pages 5 and 6, in Section 30, Township 29, Range 16 (legislative hearing).

Resolution No. 17-79 adopted granting the petition. Authority granted for the Clerk to record the resolution. Letters of no objection have been received from all appropriate parties. Interested property owners were notified as to the date of the public hearing. Staff noted multiple objections to the request. No correspondence has been received.

Referring to an aerial photograph and a map, Real Estate Management Director Andrew Pupke pointed out the subject area and provided a brief overview of the request, noting

that no utilities are located in the right-of-way. He discussed the objections raised by Public Works, Development Review Services, and the Planning Department, relating that the proposed vacation area serves as a vegetative buffer to Allen's Creek, provides access to the right-of-way, and could be utilized for future mitigation; whereupon, he indicated that the two lots to the north of the petitioner's property would be made inaccessible to Allen's Creek via the public right-of-way; that the vacation would leave a remnant right-of-way to the north that would no longer connect to an adjacent right-of-way; and that it would eliminate the County's ability to access the remnant for potential future use.

During discussion and in response to queries by the members, Mr. Pupke confirmed that proper notification was provided to nearby residents with regard to the public hearing, and related that the County will retain a drainage and conservation easement if the vacation is granted. He pointed out the two properties that would be made remnants, relating that the property owners would continue to be able to access the public right-of-way on Allen's Creek from the south; and that an area to the north was allowed to be vacated since it did not create a remnant right-of-way. He reported that the drainage and conservation easement would become effective upon approval of the petition; and that while adjacent properties would lose backyard access to Allen's Creek, the creek remains accessible from the front of the properties via Doncaster Road and from the north; whereupon, he noted that there were no objections from the neighbors, and opined that the applicants wish to make the right-of-way part of their back yard.

In response to the Chairman's call for the applicant, Katie Cole, Hill Ward Henderson, indicated that she represents Douglas and Staci Williams, the petitioners, and, responding to concerns expressed by Commissioner Eggers, stated that Doncaster Road provides direct access to Allen's Creek to the south, pointing out the location where the public typically launch kayaks. She clarified that the subject area is already blocked, with no right-of-way access for equipment for improvement.

Ms. Cole provided historical information regarding the property, indicating that the previous owner had signed an agreement to annex into the City of Largo in 1986; that the annexation took place in 1993; that the Portsmouth right-of-way was not included; that the petitioners purchased the property in 1998 and were required by the City to make a number of improvements to the right-of-way as a condition of permitting; and that she and County staff have been unable to obtain documentation from the City pertaining to the matter. Ms. Cole related that Mr. Williams had inquired about vacating the right-of-way at the time of construction; that he was informed by the County that there were no plans for its use; that the area to the north was subsequently vacated; that the petitioners have agreed to the County easement as noted by staff; and that the neighbors have indicated no objection to the request.

Staci Williams, Clearwater, referred to a PowerPoint presentation, a copy of which has been made a part of the record, provided historical information, responded to concerns expressed by staff, and presented other information in support of the request.

In response to queries by the members, Ms. Cole related that she had represented other local applicants who were granted vacation approvals and discussed the particulars of each petition. She indicated that the stormwater and conservation objection made regarding the first application had been resolved once the boundary of the proposed right-of-way was modified to exclude the wetlands; and that there had been no objection regarding the second petition; whereupon, referring to an aerial photograph, she clarified that all of the properties have access to Allen's Creek along Doncaster Road, and commented that the petitioners were perplexed that the County had remained concerned regarding the neighbors' restricted backyard access since those neighbors had provided letters of no objection.

Discussion ensued regarding agency mitigation, dock permitting requirements, and code compliance processes. In response to queries by the members, Public Works Director Rahim Harji provided information regarding the mitigation process for wetland impacts, noted the challenges faced when a right-of-way is not present, and reported that the Williams' dock is unpermitted. Public Works Environmental Management Division Director Kelli H. Levy discussed ownership interests relating to dock permitting, riparian rights, and allowances for drainage and conservation easements, and presented various scenarios for the unpermitted dock in the case of an approval or denial of the petition, and Mrs. Williams provided information regarding the riprap berm, relating that the City of Largo has a record of its permitting.

In response to further queries by the members, Mr. Harji discussed the limited number of Pinellas County locations available for wetland impact mitigation, wetland buffer requirements, and other challenges; whereupon, Mr. Williams pointed out the parcels of property owners who had no objection to the request, stating that while the Florida Wildlife Commission has been on the property to take water samples, the County has never performed mitigation, and Mr. Pupke provided input.

Thereupon, Ms. Cole requested that the petition be approved, relating that the drainage and conservation easement and Doncaster Road will provide for continued access.

Commissioner Eggers moved that the request be approved.

In response to queries and comments by Commissioners Seel and Welch, Mr. Pupke discussed why Pinellas County had no objection to the original vacation, and Attorney White provided information regarding the prospect of fencing public property; whereupon, Mr. Harji, with input by Mr. Woodard, provided further information regarding wetlands mitigation, the stabilization process, area restoration projects, easement restrictions, and similar topics.

During further discussion, Mr. Harji confirmed that an area of any dimension could be used for mitigation; whereupon, Ms. Cole referred to the process that Mr. and Mrs. Williams went through with the City of Largo, relating that they followed the direction of the City; that a code compliance officer inspected the dock and found it to be consistent with Pinellas

County Water and Navigation Standards; and that the Williamses believed the process was complete. She stated that she has a building permit showing that the work was done; and that a public records request turned up no other documentation; whereupon, Development Review Services Director Blake Lyon cited a County ordinance relating to granting access to a public waterway, pointing out that staff had to consider a provision that did not exist in the prior vacations.

Commissioner Welch seconded the motion, noting that there is access to the water via Doncaster Road. Responding to query by Commissioner Seel, Commissioner Eggers confirmed that the motion included the drainage and conservation easement; whereupon, Commissioner Seel stated that she would not support the motion due to the unpermitted status of the dock.

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

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

Nay: 1 - Commissioner Seel

CONSENT AGENDA - Items 7 through 20 (Items 13 and 16 addressed under Regular Agenda)

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

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

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

7. Minutes of the regular meeting held October 17, 2017.
8. Vouchers and bills paid from September 17 through October 7, 2017.

Period: September 17 through September 23, 2017

Payroll - \$4,527,617.85

Accounts Payable - \$11,496,679.99

Period: September 24 through September 30, 2017

Payroll - None

Accounts Payable - \$40,911,001.65

Period: October 1 through October 7, 2017

Payroll - \$3,404,556.51

Accounts Payable - \$46,641,824.85

Reports received for filing:

9. Pinellas County Sheriff's Office Adopted Budget for Fiscal Year 2017-2018.

Later in the meeting, Greg Pound, Largo, commented on the Pinellas County Sheriff's Office's sick leave policy.

Miscellaneous items received for filing:

10. City of Clearwater Notices of Public Hearings regarding proposed Ordinances Nos. 9046-17, 9047-17, 9072-17, and 9073-17 amending the Land Use Plan and the Zoning Atlas; public hearings to be held November 2, 2017.
11. Eastlake Oaks Community Development District minutes of the meeting held June 8, 2017.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

12. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending September 30, 2017.

Human Services

14. Notice of grant award from the Centers for Medicare and Medicaid Services for year three of the 2015 to 2018 Navigator Grant Program.
- Grant award approved for federal funding in the amount of \$580,000.00; no County match required.

Parks and Conservation Resources

15. Agreement with Pinellas County Sheriff's Office for law enforcement services by Environmental Lands Unit Deputies.
- Contract in the amount of \$279,368.74 for Fiscal Year 2018 approved for execution.

Utilities

17. Interlocal Agreement with the City of St. Pete Beach for Pass-A-Grille Way, Phase 2 utility relocations.

(Utilities Project No. 001589A/000824A) Agreement approved requiring the County to pay the City an amount not to exceed \$2.09 million for the City's contractor to relocate all County utilities in conflict with the City's roadway, sidewalk, and drainage system improvements from 19th Avenue to 1st Avenue. Chairman authorized to sign and the Clerk to attest.

COUNTY ATTORNEY

18. Notice of new lawsuit and defense of the same by the County Attorney in the case of Charles A. Hardenbrook v. Pinellas County, Florida; Circuit Civil Case No. 17-005937-CI-15 - allegations of negligence resulting in personal injuries.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

19. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending September 30, 2017.
20. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending September 30, 2017.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

County Administrator

13. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending September 30, 2017.

In response to queries by Commissioner Seel regarding a \$785,000.00 contract for disaster debris collection and removal services, Mr. Woodard indicated that the County has received preliminary confirmation from the Federal Emergency Management Agency (FEMA) that the costs will be reimbursed due to public health and safety issues associated with the debris.

Responding to query by Commissioner Seel pertaining to an agreement with HNTB Corporation, Public Works Director Rahim Harji and Transportation Director Thomas E. Washburn provided information regarding the decision to re-design the Forest Lake Boulevard project as a four-lane roadway.

Commissioner Seel commented on the Board's significant marketing and public relations investments with the Convention and Visitors Bureau, expressing hope that the County is attracting more visitors.

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

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

Absent: 1 - Chairman Long

Public Works

- 16.** Ratification of the County Administrator's approval of the ranking of firms and agreements with various firms for emergency debris collection.

In response to query by Commissioner Seel, Mr. Woodard discussed the time frame for completion of storm debris removal, noting that the requirements for federal reimbursement will be met.

A motion was made by Commissioner Seel, 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

- 21.** Notice of Termination of Right to Proceed under the contract with The Artec Group, Inc. for the Terminal Improvement Project - Phase 3, Gates 7-10 Terminal Addition at the St. Pete-Clearwater International Airport.

Termination of right to proceed under Contract No. 156-0155-CP approved.

In response to queries by Commissioner Welch, Mr. Woodard clarified that the issue before the Board is the cancellation of the contract, and related that the County's purchasing ordinance provides for a two-year suspension from bidding on County work. He discussed the cure process and reported that efforts to resolve compliance issues have been unsuccessful, noting that a decision has not been made on how to proceed. Discussion ensued, and Attorney White provided input.

In response to queries by Commissioners Eggers and Seel, Airport Director Thomas R. Jewsbury and Mr. Woodard provided information relating to costs and overruns, percentage of work completed, work to be done, and the construction time frame, noting that additional costs and impacts to the schedule will not be known until the process moves forward; whereupon, Commissioner Seel expressed her concerns regarding the increased costs and extended time frame associated with the mobilization of a new vendor.

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

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

Nay: 1 - Commissioner Seel

Convention and Visitors Bureau

- 22.** Local Arts Funding Agreement with Creative Pinellas, Inc. for marketing and promoting Pinellas County as an arts community and arts destination during Fiscal Year 2018.

Agreement in the amount of \$476,670.00 approved.

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

Absent: 2 - Commissioner Gerard, and Commissioner Justice

Economic Development

- 23.** Resolution approving B7060935956 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program.

Resolution No. 17-80 adopted approving Project B7060935956 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support (total local contribution amount, \$61,800.00, 50 percent of which will be paid by Pinellas County, to be paid over a series of fiscal years as determined by the State).

Mr. Woodard noted that the project seeks to create 103 jobs in the City of St. Petersburg with pay levels of at least 115 percent of the State of Florida average annual wage; and that Pinellas County is competing with a site located in New Jersey.

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

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

Absent: 1 - Commissioner Justice

24. Resolution approving B7082957753 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program.

Resolution No. 17-81 adopted approving Project B7082957753 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support (total local contribution amount, \$24,000.00, 50 percent of which will be paid by Pinellas County, to be paid over a series of fiscal years as determined by the State).

Mr. Woodard noted that the project seeks to create 20 jobs in the City of Pinellas Park with pay levels of at least 150 percent of the State of Florida average annual wage; and that the competing sites are located in Georgia, North Carolina, and Canada.

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

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

Absent: 1 - Commissioner Justice

25. Resolution approving B5090160132 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program.

Resolution No. 17-82 adopted approving Project B5090160132 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support (total local contribution amount, \$90,000.00, 50 percent of which will be paid by Pinellas County, to be paid over a series of fiscal years as determined by the State).

Mr. Woodard noted that the project seeks to create 90 jobs in the City of Largo with pay levels of at least 100 percent of the State of Florida average annual wage; and that the competing sites are located in Massachusetts, Connecticut, Maryland, and South Carolina.

In response to query by Commissioner Eggers, Economic Development Director Mike Meidel clarified that an out-of-state company is seeking to relocate to Largo and currently has no employees in Florida.

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

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

Absent: 1 - Commissioner Justice

Public Works

- 26.** Change Order No. 1 to the contract with Suncoast Development of Pinellas County, Inc. for the Intersection Improvement Project on 102nd Avenue North at 113th Street.

(Bid No. 167-0147-CP; PID No. 001896A) Change Order No. 1 approved increasing the contract amount by \$243,752.70 (revised total amount not to exceed \$1,166,721.88); work to be completed July 6, 2018. Chairman authorized to sign 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

- 27.** Authority to advertise a public hearing to be held on November 28, 2017 regarding a proposed ordinance amending the County Land Development Code by revising Section 170-267 relating to utility work definitions; amending Section 170-268 relating to permits, adding the requirement for communications services provider registration and providing for payment of an annual fee for antennae within the right-of-way at the time of registration; and amending Section 170-277 relating to small cell wireless facilities.

In response to query by Commissioner Justice, Mr. Woodard verified that the item harmonizes the County's existing wireless communications ordinance with new state legislative amendments.

A motion was made by Commissioner Morroni, seconded by Commissioner Eggers, 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 Morroni

Absent: 1 - Commissioner Seel

Real Estate Management

- 28.** Change Order No. 1 to the contract with G.E.C. Associates, Inc.; Gibraltar Construction Company, Inc.; and New Vista Builders Group LLC for requirements of Job Order Contracting 2013 - 2015.

(Contract No. 123-0288-CP) Change Order No. 1 approved increasing the contract amount by \$589,697.00 (revised total amount not to exceed \$18,589,697.00) and extending the agreement term by 122 consecutive calendar days; work to be completed by January 31, 2018.

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

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

Absent: 1 - Commissioner Seel

29. Purchase authorization for requirements of heavy and light duty vehicles and equipment.

Contract No. 178-0016-PB approved for a total expenditure not to exceed \$6,440,288.60, 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, heavy equipment
2. 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

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

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

Absent: 1 - Commissioner Seel

30. Approval to initiate and conduct due diligence and negotiation process for the sale and purchase agreement with Wellington Crossings, LLC for the former Windsor School property.

Staff authorized to execute the Purchase and Sale Agreement for the property located at 5175 45th Street North, St. Petersburg, Florida, and initiate the process. Contract provides for a 60-day due diligence period and may be canceled based on the results of price negotiations and due diligence findings. Staff to present options and recommendations at a future date.

In response to queries by Commissioners Seel and Eggers, Mr. Woodard related that the property is located within the Lealman Community Revitalization Area (CRA) and discussed funding options for the annual operations and maintenance of the facility. Commissioner Justice provided input, and Chairman Long thanked him for prioritizing the project.

A motion was made by Commissioner Justice, 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

Meeting Recessed: 11:33 A.M.

Meeting Reconvened: 12:15 P.M.

COUNTY ADMINISTRATOR

31. County Administrator Miscellaneous

Unincorporated Pinellas County Hurricane Irma Debris Removal

Mr. Woodard reported that 320,000 cubic yards of debris relating to the impacts of Hurricane Irma was collected in the first-pass removal effort, which was completed last weekend; that it mainly consisted of vegetation posing imminent safety hazards and interfering with roadway passage; and that the second pass will focus on trees, tree limbs, construction debris, roofing and siding materials, and less hazardous vegetation.

Mr. Woodard provided statistical information pertaining to the volume of debris collected by cities and neighboring counties and thanked Public Works and Parks and Conservation Resources staff for augmenting the efforts of various debris contractors to optimize expense recovery through FEMA, and discussion ensued regarding fines for illegal dumping, the bidding process for disaster debris removal, contractors' issues with regional rates, and possible adjustments to FEMA regulations to promote efficient administration and management of debris removal in the future.

United in Support Event

Mr. Woodard distributed a brochure and reported that the County will host a *United in Support* event in partnership with the Hispanic Outreach Center and other community partners on November 2 to provide a forum to assist individuals impacted by Hurricanes Irma and Maria who might be seeking relocation to Pinellas County; whereupon, Marketing and Communications Director Barbra Hernandez provided information regarding the bilingual information event to be held at the St. Petersburg College Clearwater Campus on Drew Street, relating that panelists representing Human Services, the Juvenile Welfare Board, Florida Department of Children and Families, Department of Health in Pinellas County, and Pinellas County Schools will be present to link resources to families moving from Puerto Rico and other areas. She indicated that the Hispanic Outreach Center will be hosting weekly relocation clinics at its Clearwater facility on Thursdays from 2:00 to 5:00 P.M.

COUNTY ATTORNEY

32. Proposed initiation of litigation in the case of Marjorie Blaylock, Linda Byars and Richard Leachman v. Seville Condominium 8, Inc.; HUD Case No. 04-17-7756-8; PC Case No. 17-022 - alleged housing discrimination.

Outside counsel authorized to initiate litigation on behalf of the plaintiffs through the existing agreements with Gulfcoast Legal Services, Inc. or Bay Area Legal Services, Inc.

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

33. Florida Retirement Service Senior Management Service Class retroactive payment to pension plan.

Request for retroactive payment on behalf of Paul Alexander, former Director of the Pinellas County Business Technology Services (BTS) Department, denied; BTS Board recommended no payment in a five to two vote in its meeting of September 21, 2017.

Attorney White provided background information and noted that Mr. Alexander was employed by the County from 2003 to 2013, is currently employed by another Florida county, and remains enrolled in the Florida Retirement System (FRS); that in 2005, the BCC passed a resolution designating his position, among others, as Senior Management Service Class retroactive to each person's hire date; that at the time, he was ineligible to receive the retroactive payment amount due to his designated FRS Plan; and that in 2015, Mr. Alexander contacted the County to request that the payment be issued due to a change in his FRS Plan; whereupon, she reviewed four payment options ranging from no payment up to \$10,007.70 for the Board to consider.

Commissioner Welch related that he was one of two BTS Board members who voted against the recommended zero dollar payment; and that he would have supported paying Mr. Alexander the amount he likely would have received at the time but without interest. In response to his query, Attorney White indicated that should a payment be authorized, it would be paid from the County's General Fund; that the payment could be made at any time; and that Mr. Alexander is not losing service time while the County considers his request.

Commissioner Seel noted that Mr. Alexander chose to remain in the FRS Investment Plan at the time the payment was offered; that he could have switched to the FRS Pension Plan in order to accept the payment; and that it should not be up to the County to go back and rectify Mr. Alexander's investment decisions.

Attorney White indicated that the Board was unaware at the time that it would be unable to make the payment on his behalf; and that staff subsequently discovered the issue when it

first attempted to make the payment.

Commissioner Morrone expressed concern that the request was made over two years ago, and responding to his queries, Attorney White noted that she does not know why the matter has not been resolved; that approving Mr. Alexander's request for payment would likely have no effect on any other individuals; and that she added the item to today's agenda in order to facilitate an answer to the request and close the matter.

Discussion ensued regarding the 2005 decision, details of all six positions included and the related payments, and the special and unique circumstances that surround Mr. Alexander's request; whereupon, in response to query by Commissioner Eggers, Attorney White confirmed that Mr. Alexander could have changed to the FRS Pension Plan once it was known that the Investment Plan was ineligible, and he elected not to do so at that time.

A motion was made by Commissioner Seel, seconded by Commissioner Morrone, that the request be denied. The motion carried by the following vote:

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

Nay: 1 - Vice-Chairman Welch

- 34.** Authority to advertise a public hearing to be held on November 28, 2017 regarding a proposed ordinance amending Chapter 70, Section 403 of the Pinellas County Code relating to Human Relations to remove the County Administrator, County Attorney, and Director of Human Rights as "ex-Officio" members of the County Council for Persons with Disabilities.

A motion was made by Commissioner Justice, seconded by Commissioner Morrone, 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 Morrone, and Commissioner Seel

- 35.** County Attorney Miscellaneous:
- Potential Opioid Litigation - recommendation to move forward with process to competitively procure legal services

Attorney White indicated that any potential litigation would be in civil court seeking damages; that if the process is approved, the hiring decision would be brought back to the Board in January for approval; and that any new information from the local Opioid Task Force would be shared at that time.

In response to query by Commissioner Justice, Attorney White related that the procurement of legal services is not governed by the purchasing code; and that a specific paragraph within the solicitation will apply non-lobbying provisions with regard to County Commissioners, staff, and members of the evaluation committee.

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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

36. Reappointments to the Emergency Medical Services Medical Control Board.

Sitting as the Emergency Medical Services Authority, the Board approved the reappointment of the following individuals for two-year terms ending in October 2019:

Dr. Stephen Haire, as an emergency physician representative
Dr. Brian Charity, as an alternate emergency physician representative
Dr. Stephen Feilinger, as an emergency physician representative
Dr. David Ball, as an alternate emergency physician representative
Dr. Dominique Thuriere, as a hospital administrator representative
Dr. Jennifer Pearson, as an alternate hospital administrator representative
Mr. Kris Hoce, as a hospital administrator representative
Ms. Kelly Cullen, as an alternate hospital administrator representative
Dr. Krista Gillis, as a trauma center physician representative
Dr. Beth Girgis, as an alternate trauma center physician representative

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

37. Appointment to the Emergency Medical Services Advisory Council.

Sitting as the Emergency Medical Services Authority, the Board approved the appointment of City of Largo Mayor Woody Brown as a Pinellas County Mayors' Council representative for a partial term ending in September 2018.

A motion was made by Commissioner Gerard, 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

Human Rights

38. Consideration of waiver of an ethical conflict for an appointee to the Pinellas County Council for Persons with Disabilities.

Waiver granted to allow Jack Humburg to serve on the Council and retain his employment with Boley Centers, Inc. as authorized by Florida Statute 112.313(12). Any matter involving Boley Centers that may come before the Council shall require Mr. Humburg to announce his conflict, abstain from voting, and file Form 8(b), Memorandum of Voting Conflict for Public Officer.

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

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

Nay: 1 - Commissioner Justice

COUNTY ADMINISTRATOR REPORTS

- 39.** County Administrator Reports:
- Downtown Palm Harbor Master Plan - update
 - Penny for Pinellas - update

Downtown Palm Harbor Master Plan

Mr. Woodard indicated that staff had received direction from the Board earlier in the year and has been engaged in outreach with the stakeholders and partners within the community; whereupon, he introduced Principal Planner Rebecca Stonefield to provide an update.

Ms. Stonefield conducted a PowerPoint presentation and provided progress updates for each of the recommendations in the potential update to the Plan. She noted that the Master Plan was adopted in 2001 and has received only minor amendments since that time; that staff has organized a focus group in order to help identify key issues to be addressed; and that public outreach has included several open houses and online surveys in order to receive additional feedback from the community. She related that the focus group will also help define the role of an advisory group, which will assist County staff in implementing the recommendations once the revised Plan is adopted.

Ms. Stonefield provided updates on the 11 key recommendations regarding connectivity, character and identity, branding and marketing, and implementation. She related that the Florida Department of Transportation (FDOT) is currently conducting an analysis of the Alternate U.S. Highway 19 corridor, and staff continues to share information with the agency regarding ways to improve pedestrian access in the area; that other recommendations include addressing sidewalk gaps, improving parking issues, and allowing the use of golf carts on roads within the community; and that staff is actively collecting data and analyzing potential solutions to each issue.

Ms. Stonefield indicated that it has been over 20 years since a historic survey was completed; that an updated survey will be conducted soon; and that the update should help

develop more consistent design guidelines regarding the area's character and identity. She noted that a retail market study will launch within the next two weeks; that an interlocal agreement with the Merchants' Association is needed for additional lighting and landscaping downtown; and that staff will work with community members to create branding and marketing strategies for the area.

Discussion ensued, and in response to query by Commissioner Seel, Ms. Stonefield indicated that creating a Community Redevelopment Area (CRA) in Palm Harbor could be considered; and that the decision whether to do so would depend on staff findings. Commissioner Eggers stated that a CRA needs a strong advisory group and a dedicated source of funding.

Responding to query by Commissioner Seel in regard to creating a separate taxing district, Ms. Stonefield stated that there are different avenues that could be considered; and that further analysis must be completed to determine what is most appropriate, and Commissioner Eggers provided input.

Penny for Pinellas

Mr. Woodard noted that today's meeting is the last Board meeting prior to the November Penny for Pinellas surtax referendum, and invited Marketing and Communications Director Barbra Hernandez to provide a brief update to the Board.

Referring to a PowerPoint presentation, Ms. Hernandez discussed the continued public education and outreach efforts by the County. She noted that activity has increased recently; and that staff is ensuring that everyone receives the information they need before the election; whereupon, she provided highlights of the many projects completed with Penny funds.

CITIZENS TO BE HEARD

40. Public Comment

David Ballard Geddis, Jr., Palm Harbor, re "Habeus Corpus" legislatively denied (submitted document)

Greg Pound, Largo, re Pinellas County, Florida government corruption

41. Approval of one (1) consumer appointment and nine (9) appointments/reappointments to the Pinellas County Construction Licensing Board (Chairman appointment).

Chairman Long stated that appointments to the Pinellas County Construction Licensing Board (PCCLB) are typically made by the BCC Chairman; that the PCCLB is in flux as it waits for coming legislation to reorganize its structure; that the appointments must be made immediately in order for it to continue doing business until the legislation is passed; and that she has prepared ballots listing the names of those individuals seeking appointment to the

Board; whereupon, she noted that PCCLB Interim Executive Director Gay Lancaster had vetted each candidate prior to their inclusion on the lists.

Responding to queries by the members, Chairman Long stated that one applicant is not statutorily eligible and another has voluntarily withdrawn; and that all of the remaining candidates meet Florida Statute requirements. Ms. Lancaster indicated that the PCCLB needs at least 11 members for a quorum.

Commissioner Justice indicated that he would prefer to follow statute; that the appointments should continue to be made by the Chairman and not the full Board; and that he would support the decisions of the Chairman on the matter, and Commissioners Eggers and Morroni concurred.

Following discussion regarding the lists of applicants and responding to query by the members, Ms. Lancaster indicated that all candidates have been made aware of the organization's current situation and proposed legislative changes; and that the members currently on the Board have displayed commitment and professionalism, and have been very supportive of the Board's current direction.

Chairman Long indicated that she would make the appointment to fill the consumer role; and that there is consensus among the members to appoint the following industry-related individuals for two-year terms:

Doug Erwin appointed, ECF/Electrical
Alan Holderith reappointed, AGC/General Contractor
James I. "Arry" Housh reappointed, PCCA/Roofing Contractor
Mike Kelly appointed, UPSA/Pool Contractor
Marina Kron appointed, RACCA/Mechanical
Ron Maslo reappointed, PAPHCC/Plumbing
Michael Rodde reappointed, FCA/Fire Marshal
James Rosenbluth reappointed, TBBA/Building Contractor
Alfred "Fritz" Wolf, Jr. reappointed, TBBA/Residential

COUNTY COMMISSION

- 42.** Four appointments to the Affordable Housing Advisory Committee (Board of County Commissioners as a whole).

Chairman Long stated that the members will use ballots to appoint four members of the Affordable Housing Advisory Committee.

In response to queries by the members, Planning Division Manager Bruce Bussey provided background information about the Committee and related that the five members of the Housing Finance Authority already serve; that four additional members are needed to reach the recommended total of nine members; and that at least one of the four appointees must meet criteria of one or more of the statutory categories, and discussion ensued.

Later in the meeting, the following individuals were appointed for three-year terms following a ballot vote:

Michael J. Bauer appointed, Non-Profit Provider of Affordable Housing
Robert Ironsmith reappointed, Resident of Jurisdiction
Kevin M. Kenney appointed, Essential Service
Elizabeth Van Scoyoc appointed, Essential Service

43. Appointment and re-appointments to the Palm Harbor Community Services Agency, Inc. (Board of County Commissioners). Appointments are for two-year terms expiring November 30, 2019.

Chairman Long explained that the four appointees would be selected by the District 4 member and the three at-large members; whereupon, the appointments proceeded as follows:

Commissioner Eggers reappointed Terry Haas
Chairman Long reappointed Thomas McKone
Commissioner Gerard appointed Sandra Faulkner
Commissioner Justice reappointed Kelli Snow

A motion was made by Vice-Chairman Welch, seconded by Commissioner Eggers, that the appointments 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

44. Approval of 2018 State Legislative Program:
- Update from Dean Mead

Special Assistant to the County Administrator Canaan McCaslin reviewed the schedule of meetings and work sessions related to the adoption of the 2018 priorities; whereupon, he introduced Dean Mead Attorney Peter Dunbar to provide an update on the program.

Mr. Dunbar thanked Mr. McCaslin and noted that Dean Mead Attorney Martha Edenfield is also in attendance. He provided a report and a brief overview of the current state of the 2018 Legislative Session and related that more than 100 pieces of legislation are being tracked that potentially touch on local government; whereupon, he provided updates on various issues from within the report.

Mr. Dunbar indicated that potential legislation from the City of Tampa could change the relationships among the member governments of Tampa Bay Water; and that the upcoming legislative session will be difficult as there are contrasting viewpoints between the House and Senate on several issues.

Responding to query by Chairman Long regarding Senator Brandes' bill that would open up tourist bed tax money to include transportation and infrastructure, Mr. Dunbar indicated that

the bill is listed on the tracking chart; that it will not likely receive a lot of attention in the House; and that he will have an opportunity to meet with Representative Sprowls next week on that and other matters, and discussion ensued.

Commissioner Justice related that the list of appropriation requests should be utilized when meeting with the Chairmen of certain legislative committees; and that there will be pots of money available that might not make it to a formal appropriation request, and Mr. Dunbar noted that at least three of the items will hopefully be addressed during the meeting with Representative Sprowls.

In response to queries by Commissioner Justice regarding gambling legislation, Mr. Dunbar indicated that there are items addressing greyhound testing requirements and the legalization of fantasy sports; that the House and Senate are far apart on the issues; and that there is very little activity overall with regard to gambling. He noted that the budget will be a difficult issue this session; and that others have speculated that the regular session will be held as scheduled, with the Legislature going back in session as late as June.

Responding to query by Commissioner Eggers, Mr. Dunbar discussed the state funding of stadiums and responded to related queries by the members; whereupon, he indicated that the House is trying to dismantle the current funding program while the Senate has a different approach; and that based on his information, the issue has become deadlocked.

Responding to query by Chairman Long regarding the Dunedin Blue Jays, Mr. Woodard related that the goal is to conclude negotiations with the club by the end of this year, and to bring something to the Board early next year for the members' consideration and approval.

Later in the meeting, Mr. Woodard stated that the Board should take a formal vote to approve the list of 2018 Legislative priorities; whereupon, Commissioner Gerard moved, seconded by Commissioner Welch, that the list be approved.

Mr. Woodard noted that the issue regarding Tampa Bay Water is not on the current list; and that the members may wish to include it. Chairman Long indicated that members had previously reached consensus to favor Senator Rouson's bill concerning the reorganization of the PCCLB; and that it might be helpful to designate the bill as a priority. Commissioner Gerard indicated that she would amend her motion to include both items.

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

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

45. Annual performance review of the County Administrator.

Chairman Long indicated that each member has completed a separate evaluation of the County Administrator; and that the evaluations are available for review. Commissioner Justice noted that the scoring of each item has been changed from 1 to 5 in previous years, to 1 to 3 in the current evaluation.

The members commented on various aspects of their given review and highlighted the effectiveness of Mr. Woodard and his staff in handling the emergency response during Hurricane Irma and the creation of many productive partnerships between the County and municipalities and other agencies.

Following the members' comments, Chairman Long added that she is mindful of the improvements in the budget process; that the Administrator extraordinarily demonstrates his commitment to the County by adjusting to the various interests and backgrounds of each Commissioner; and that staff works hard to address their concerns.

Responding to queries by Commissioner Justice, Chairman Long indicated that Mr. Woodard would receive the standard three-percent raise that was given to all regular employees; that she is happy to bring the item back to the Board for a formal vote should the members wish to further amend his compensation; and that a recent adjustment in the County Administrator pay range has been implemented by Human Resources to ensure parity with other counties in the state.

Responding to the members' comments, Mr. Woodard noted that nearly 2,000 employees in County Administration work every day to set the standard for public service in America; that the members' kind words and praise belong to the entire staff; and that it is an honor and a privilege to be Pinellas County's Administrator.

46. County Commission Board Reports and Miscellaneous Items

The members reminded everyone to vote by November 7, wished everyone a Happy Halloween, Veterans Day, and Thanksgiving, and congratulated Commissioner Morroni on receiving Special Recognition from Personal Enrichment through Mental Health Services (PEMHS) at the 2017 Pacesetter Awards Ceremony on October 19.

Commissioner Eggers

- Referred to a recent Pinellas Suncoast Transit Authority (PSTA) meeting, noting that Board member Brian Scott had commented about the structure and operating costs of PSTA, specifically labor and staffing, and encouraged the Authority to adopt benchmarking practices similar to those used within his organization.
- Noted that the Pasco County Commission has sent a letter regarding Tampa Bay Water for the members to read.
- Attended an event at the Mattie Williams Neighborhood Family Center in Safety Harbor to unveil its building name as the Curtis McCoy Building.
- Noted the passing of Dunedin Community Leader Vivian Grant and that her memorial service is scheduled for November 25.

- Reported that the Police Athletic League's Fifth Annual Benefit Breakfast will be held on November 17; and that the East Lake Community Library Expansion groundbreaking ceremony will be held on November 20.

Commissioner Seel

- Related that the Juvenile Welfare Board amendments referred to during the last BCC meeting have been unanimously approved.
- Indicated that the Homeless Leadership Board participated in a Core Capacity Assessment Tool to help shape future agendas, board practices and policies, and a strategic plan.
- Reported that around 200 people attended Creative Pinellas' Emerging Artist event on Thursday.
- Noted that AmSkills will meet on December 8.

Commissioner Welch

- Reported that the Florida Local Government Investment Trust discussed the change in Standard and Poor's ratings methodology and decided to solicit an estimate from Fitch Ratings.
- Attended the ArtsXchange grand opening, a project of the Warehouse Arts District Association, on October 26.
- Offered condolences to the family on the passing of Senior Pastor Claude Williams of Victory Christian Center Church.

Commissioner Morrone

- Thanked the Commissioners who attended the PEMHS awards ceremony.
- Announced that all of the sponsor tables have been sold for his upcoming Emergency Personnel Dinner event to be held in February.

Commissioner Gerard

- Reported that the Pinellas County Child Care Licensing Board has hired a new Executive Director; and that the day care owner arrested for beating a two-year-old child has had her license permanently revoked.
- Presented a Native Plants Proclamation at Wilcox Nursery in Largo.

Commissioner Justice

- Related that the Historic Preservation Board will hold a 100th Anniversary of the Courthouse Dedication at 8:30 A.M. on November 15.
- Noted that the Gulf Consortium will meet on November 15 in Sarasota.
- Related that applicants for the Tampa Bay Estuary Program Executive Director position have been narrowed down to six finalists; interviews will be held on November 17 and a decision will be made shortly thereafter.
- Reported that the Lealman Asian Neighborhood Family Center will host its annual Thanksgiving dinner on November 18.
- Attended a meeting with Lincoln Cemetery Society President Vanessa Gray who reported that the legal challenge to ownership of the cemetery has ceased; that the Society will be moving forward with rehabilitation and restoration; that the Society will communicate with the BCC once the ownership issue has been finalized in order to re-start the process of receiving monies set aside from the BP Oil Spill Settlement Fund; and that students at Boca Ciega High School have produced a book regarding the history of the cemetery.

Chairman Long

- Related that the Tampa Bay Area Regional Transit Authority met last Friday and has a workshop scheduled in December.
- Announced that the County Attorney Oversight Committee will meet at 9:00 A.M. on December 5 to discuss whether to extend the probation period or to designate Attorney White as the full-time County Attorney. The BCC work session will be re-scheduled to 10:30 A.M. on the same day.
- Related that Duke Energy Vice President Luis Ortiz gave a presentation to the Pinellas County Economic Development Council regarding the utility's response to Hurricane Irma.
- Reported that PSTA has been working on its Legislative agenda for the coming year; and that a decision was made to purchase 18 new hybrid buses.
- Related that the Tampa Bay Regional Planning Council will hold a hurricane summit on November 13 for a review and compilation of what surrounding counties have been doing, and will later host a climate summit on sustainability, sea level rise, and climate change.
- Indicated that the Tourist Development Council recommendations for Capital Project and Elite Event funding will be brought before the Commission at its next meeting.

ADJOURNMENT - 2:36 P.M.

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk

Chairman