

Pinellas County Board of County Commissioners

Pinellas County Cooperative Extension
12520 Ulmerton Road, Largo
www.pinellascounty.org



Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, January 26, 2021
2:00 P.M.

Public Hearings at 6:00 P.M.

Dave Eggers, Chair
Charlie Justice, Vice-Chair
Rene Flowers
Pat Gerard
Janet C. Long
Kathleen Peters
Karen Williams Seel

Barry A. Burton, County Administrator
Jewel White, County Attorney
Ken Burke, Clerk of the Circuit Court and Comptroller

ROLL CALL

INVOCATION by Pastor Bill Losasso, New Path Community Church, Lealman.

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND AWARDS

1. [20-2188A](#) Human Trafficking Prevention Month Proclamation:
 Office of Human Rights
 - Paul Valenti, Director
 Pinellas County Consumer Protection
 - Doug Templeton, Chief Investigator
 - Jason Ohman, Investigator Supervisor
 - Jim Clark, Investigator
 Florida Dream Center
 - Pastor Bill Losasso
 St. Petersburg Police Department, Investigative Support Division
 - Major Nathaly Patterson

2. [20-2287A](#) Partner Presentation:
 Human Trafficking Update
 - Doug Templeton, Chief Investigator, Pinellas County Consumer
 Protection
 - Major Nathaly Patterson, Investigative Support Division, St. Petersburg
 Police Department
 - Teresa Hibbard

LOCAL STATE OF EMERGENCY

3. [20-2338A](#) Local State of Emergency.

CITIZENS TO BE HEARD

4. [20-2268A](#) Citizens To Be Heard - Public Comment.

CONSENT AGENDA - Items 5 through 22

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

5. [20-2378A](#) Minutes of the virtual regular meeting held October 20 and the emergency meeting held November 11, 2020.
6. [21-029A](#) Vouchers and bills paid from December 20, 2020 through January 2, 2021.

Reports received for filing:

7. [21-030A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-25 dated December 23, 2020 - Follow-Up Investigation of Housing Finance Authority Board Application Process.
8. [21-031A](#) Annual Investment Report for the period ended September 30, 2020.
9. [21-032A](#) Dock Fee Report for the month of December 2020.
10. [21-033A](#) Quarterly Report of Routine Dock & Dredge/Fill Permits Issued from October 1 to December 31, 2020.

Miscellaneous items received for filing:

11. [21-034A](#) City of Clearwater Resolution No. 20-52 initiating the creation of the North Greenwood Community Redevelopment Area.
12. [21-035A](#) City of Clearwater Ordinance No. 9396-20 adopted December 3, 2020, annexing certain property.
13. [21-036A](#) City of Largo Notice to Taxing Authority regarding the proposed Clearwater-Largo Road Community Redevelopment District Expansion Area.
14. [21-037A](#) City of Seminole Ordinance No. 10-2020 adopted November 17, 2020, annexing certain property.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

15. [20-2238A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending December 31, 2020.

Recommendation: Accept the receipt and file report of non-procurement items delegated to the County Administrator.

16. [20-2323A](#) Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2020.

Recommendation: Accept the receipt and file report of purchasing items delegated to the County Administrator.

Public Works

17. [20-2328A](#) Cooperative Funding Agreement with the Southwest Florida Water Management District for the Coastal Zone 5 Watershed Management Plan.

Recommendation: Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for the Coastal Zone 5 Watershed Management Plan (WMP).

* The agreement provides \$287,500.00 in SWFWMD funding with an equal match from the County for a \$575,000.00 project total.

* The Coastal Zone 5 Watershed covers approximately 6.5 square miles, extending from north of the Walsingham Bridge to Bay Pines Boulevard to the south. No formal WMP has been completed for this highly urbanized watershed.

* Project consists of developing a WMP for the Coastal Zone 5 Watershed which includes floodplain analysis, Level of Service, Surface Water Resource Assessment, and Best Management Practices.

* The WMP will provide recommendations for drainage, water quality and natural systems improvement projects.

PID No. 004760A Coastal Zone 5 Watershed Management Plan; SWFWMD Agreement No. 21CF0003420; total contract amount is \$575,000.00 of which the County is responsible for \$287,500.00; Agreement term is October 1, 2020 through October 1, 2025.

18. [20-2320A](#) Cooperative Funding Agreement with the Southwest Florida Water Management District for the Joe's Creek model update, alternatives analysis, and feasibility study.

Recommendation: Approval of the Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for the Joe's Creek model update, alternatives analysis, and feasibility study (Study).

* The agreement provides \$360,000.00 in SWFWMD Cooperative Funding Initiative funds with a match of \$360,000.00 in Public Works Capital Improvement Program funds for a \$720,000.00 project total for the Study.

* Funding for the Study will include development of a Preliminary Engineering Report that evaluates proposed Best Management Practices (BMP) for the Joe's Creek Watershed Improvement Plan.

* The results of the study will assist in the final design and construction phase of future BMP projects.

PID No. 004116A Joe's Creek Greenway Trail and Implementation of projects identified in Joe's Creek Watershed Management Plan; SWFWMD Agreement No. 21CF0003357; total contract amount is \$720,000.00 of which the County is responsible for \$360,000.00; Agreement term is October 1, 2020 through January 31, 2024. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

19. [20-2312A](#) Cooperative Funding Agreement with the Southwest Florida Water Management District for development of a Preliminary Engineering Report for the McKay Creek Watershed.

Recommendation: Approval of the Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) for development of a Preliminary Engineering Report for the McKay Creek Watershed.

* The agreement provides \$260,000.00 in SWFWMD Cooperative Funding Initiative funds with a match of \$260,000.00 in Public Works Capital Improvement Program (CIP) funds for a \$520,000.00 project total for the study.

* Funding will allow for the development of a Preliminary Engineering Report (PER) to evaluate the proposed Best Management Practices (BMP) for the McKay Creek watershed by updating the 2014 McKay Creek model and analysis, benefit calculations and cost estimates.

* The results of the study will assist with the final design and construction phase of the McKay Creek BMP projects.

PID No. 004117A Implementation of the McKay Creek Watershed Management Plan Recommendations; SWFWMD Agreement No. 21CF0003366; total contract amount is \$520,000.00 of which the County is responsible for \$260,000.00; Agreement term is October 1, 2020 through July 31, 2023. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

20. [19-1795A](#) Ranking of firms and agreements for requirements of professional engineering services pertaining to bridges and other structures.

Recommendation: Approval of the ranking of firms and agreements with each of the five highest ranked firms, as listed below, for professional engineering services pertaining to bridges and other structures:

- 1.) Atkins North America, Inc.
- 2.) DRMP, Inc.
- 3.) H.W. Lochner, Inc.
- 4.) HDR Engineering, Inc.
- 5.) Kisinger Campo & Associates, Corp.

* The purpose of this continuing Consultant Competitive Negotiation Act (CCNA) contract is to provide professional engineering services for the design delivery of various bridges and other structural projects programmed in the County's Capital Improvement Program.

* Award recommendation with five firms per CCNA requirements; the upset limit over the five-year term is \$2,000,000.00 for each firm for a total of \$10,000,000.00.

* Atkins North America Inc., DRMP, Inc., H.W. Lochner, Inc., HDR Engineering, Inc., and Kisinger Campo & Associates, Corp. have committed to utilizing multiple certified Small Business Enterprises (SBE) for individual work assignments resulting from this contract. Percentage goals are not established for CCNA continuing contracts. When the County utilizes a firm for an individual work assignment, the requesting department working with Economic Development will ensure SBEs are utilized.

Contract No. 190-0018-CN (SS); the upset limit over the five-year term is \$2,000,000.00 for each firm, for a total of \$10,000,000.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

21. [20-2352A](#) Receipt and file report on the Law Enforcement Trust Fund for the quarter ending December 31, 2020.

Recommendation: Accept the receipt and file report on the Law Enforcement Trust Fund from October 1, 2020 to December 31, 2020.

22. [20-2354A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2020.

Recommendation: Accept the receipt and file report of Sheriff's Office grants received and service contracts - payments to the Sheriff for October 1, 2020 through December 31, 2020 for Fiscal Year 2020.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

23. [20-2110A](#) Agreements for requirements of heavy and light duty vehicles and equipment.

Recommendation: Approval of the agreements for requirements of heavy and light duty vehicles and equipment pursuant to the pricing of each cooperative contract below:

- 1.) Florida Sheriffs Association / Florida Association of Counties contracts: police rated; administrative; utility vehicles; trucks and vans; heavy equipment.
- 2.) State of Florida, Department of Management Services assorted vehicles and equipment.
- 3.) Sourcewell (government purchasing cooperative) for asphalt pavers.
- 4.) Omnia Partners (government purchasing cooperative) for commercial utility vehicles.
- 5.) Houston Galveston Area Council (government purchasing cooperative) Tram for utilities.

* This purchase authorization provides the Fleet Management Division of Administrative Services a mechanism for the replacement of heavy, medium, and light duty vehicles and related equipment that have exceeded end-of-life capacity.

* Factors utilized to determine the end of life include but are not limited to age; mileage/hours of operation; historical cost as compared to similar vehicles; operating cost per mile; anticipated and ongoing repairs and overall physical condition.

* A \$6,574,342.00 expenditure is projected over twelve months and is consistent with the Fiscal Year (FY) 2021 budget.

* Other rolling stock to be purchased for FY21 will be solicited via competitive bid and/or quote.

Contract No. 21-0100-PB(DG) in the not-to-exceed amount of \$6,574,342.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

24. [20-2358A](#) Change Order No.1 with Gibraltar Construction and Change Order No.2 with New Vista Builders Group, Inc. for Job Order Contracting facility maintenance, repair, and construction.

Recommendation: Approval of Change Order No.1 with Gibraltar Construction and Change Order No.2 with New Vista Builders Group, Inc. for Job Order Contracting (JOC) facility maintenance, repair, and construction.

- * This contract is for JOC services for facility maintenance, repair and construction.
- * Change Order No.1 with Gibraltar Construction increases the contract by \$3,000,000.00 due to required repairs to the exterior of Public Safety Campus Buildings to effect weatherproofing and refresh exterior paint.
- * Change Order No.2 with New Vista Builders Group increases the contract by \$500,000.00 to effect funding pertaining to small maintenance and repair projects forecast for Fiscal Year 2021.
- * Change Order Nos.1 and 2 together increase the contract by \$3,500,000.00.
- * All projects associated with these change orders are funded accordingly; these change orders provide a mechanism to initiate and complete work.
- * Award of bid to was approved by the Board of County Commissioners on January 9, 2018.

Bid No. 167-0421-CP(PLU); Change Order No. 1 increases the contract amount by \$3,000,000.00; Change Order No. 2 increases the contract amount by \$500,000.00 for a total increase of \$3,500,000.00 and a revised total contract amount of \$23,500,000.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Convention and Visitors Bureau

25. [20-2355A](#) Production agreement with ATOL Film LLC for production of the film, "A Taste of Love."

Recommendation: Approval of the production agreement with ATOL Film LLC for production of a Hallmark style film, "A Taste of Love."

- * The agreement will promote the County as a destination in connection with the production of "A Taste of Love."
- * The agreement is for \$500,000.00 and will be paid after all deliverables have been received.
- * The County will benefit from residual revenues from the film's domestic and international sales.
- * The County will receive broad ranging exposure both nationally and internationally, as well as other promotional and marketing benefits.
- * The County's advertising agency of record estimates the advertising value for destination exposure in this film at \$2,084,200.00.

County Administrator

26. [21-027A](#) Resolution ratifying the County Administrator's approval of acceptance of award terms for the Emergency Rental Assistance payment of the Consolidated Appropriations Act, 2021, and authorizing the County Administrator to take required action for Pinellas County to receive COVID-19 relief or stimulus funds for future programs.

Recommendation: Adoption of a resolution that will: (1) ratify the County Administrator's acceptance of award terms for the Emergency Rental Assistance payment of the Consolidated Appropriations Act, 2021; and (2) authorize the County Administrator to take required action for Pinellas County to receive Coronavirus Disease 2019 (COVID-19) pandemic relief or stimulus funds for future state or federal programs.

* Treasury required the acceptance of award terms by 11:59pm on January 12, 2021, to receive funds available to local governments with population exceeding 200,000 for the Emergency Rental Assistance program of the Consolidated Appropriations Act, 2021.

a.) Not less than 90 percent of awarded funds must be used for direct financial assistance to "eligible households" that experienced financial hardship due to COVID-19.

b.) Direct financial assistance includes rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing (as defined by the Treasury Secretary).

c.) Remaining funds are available for housing stability services, including case management and other services intended to keep households stably housed, and administrative costs.

d.) Funds generally expire on December 31, 2021.

e.) Additional program terms are pending clarification and/or definition by Treasury.

f.) Staff will announce and implement the County's program(s) after development of the programs, in partnership with community partners, and confirmation that they are permissible uses of the Emergency Rental Assistance program payment.

g.) Projected payment from Treasury is \$21.3M and will be received by 11:59pm on January 26, 2021.

h.) A budget resolution may be brought forward at a future meeting to recognize and appropriate these funds in the Fiscal Year 2021 Budget.

* Resolution also authorizes the County Administrator to take required action, including signing certifications and/or accepting award terms, to enable Pinellas County to receive COVID-19 relief or economic stimulus funds for any future federal or state programs.

a.) Authorization enables the County Administrator to act within short timelines that have been experienced for these programs.

b.) Authorization remains effective throughout the ongoing State of Local Emergency.

Public Works

27. [20-2406A](#) Air Pollution Control Specific Operating Agreement between with the State of Florida Department of Environmental Protection and the County.

Recommendation: Approval of the Air Pollution Control Specific Operating Agreement (SOA) with the State of Florida Department of Environmental Protection (FDEP) and the County.

* SOA authorizes County to act on FDEP's behalf as an approved local air pollution control program to protect air quality.

* The SOA does not award any funds. As an approved local air pollution control program, the County is eligible to receive a portion of State Tag Fee funds without a required match.

* The County, as an approved local program through the SOA, may request federal grant dollars for operating funds in addition to state funds. The agreement term ends August 31, 2024.

* Fiscal Year (FY) 2020 Environmental Protection Agency grant monies generated an estimated \$487,140.00 and FY20 Tag Fees generated \$1,385,088.05 in revenue to operate the County's local air program. No county match is required. Similar revenues are budgeted for FY21.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Solid Waste

28. [20-1697A](#) Interlocal Agreement with Pasco County for limited solid waste processing services.

Recommendation: Approval of the Interlocal Agreement with Pasco County for limited solid waste processing services.

* The agreement provides mutual assistance for contingency processing of municipal solid waste (MSW) in the event either party experiences Waste-To-Energy (WTE) facility outages, transfer stations outages or landfill issues.

* The prevailing tipping fee rate will be charged for incoming MSW, but out-of-county surcharge fees will be waived.

* This is a perpetual agreement until terminated, in writing, by either party.

* MSW excludes hazardous waste, bulky waste, and yard waste and will be processed at each party's WTE Facility and never landfilled.

* The Board entered into a similar interlocal agreement with Hillsborough County on September 10, 2020.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Utilities

29. [20-1962A](#) Fourth Amendment to the Agreement with Synagro-WWT, Inc. for the sludge dryer project.

Recommendation: Approval of the Fourth Amendment to the Agreement with Synagro-WWT, Inc. for the sludge dryer project.

* This contract is for the disposal of biosolids (including pelletizing) produced by the County's W.E. Dunn Advanced Water Reclamation Facility and South Cross Bayou Advanced Water Reclamation Facility.

* This amendment extends the agreement for an additional five-year period following the end of the current contract period in April 2023 and has provision for up to three additional five-year extensions, provided the parties mutually agree.

* In addition to extending the term of the agreement, this amendment provides a set of options for evaluating the possible replacement of various components of the plant that may reach the end of their useful operational life during the extended term. These are referred to as Component Lifespan projects in the amendment.

* This extension will allow continuity of critical operations while developing a long-term regional biosolids disposal strategy beyond April 2023 via the Regional Resource Recovery Facility (RRRF) project which is currently in the request for proposal solicitation process.

* This amendment establishes that direct costs associated with cancellation of the agreement will be limited to an amount not-to-exceed \$90,000.00 provided the County provides written notification of cancellation to Synagro at least 180 days in advance.

* The Board of County Commissioners (BCC) awarded this contract on April 3, 2001; the BCC approved the first amendment on September 19, 2006; the BCC approved the second amendment on October 21, 2008; the County Administrator approved the first five-year term extension on February 28, 2013 and the third amendment and second five-year term extension December 18, 2017.

* The RRRF project will help develop a regional solution for biosolids management.

Contract No. 001-790-C increase in the amount of \$9,000,000.00 with a five-year term extension for a revised total contract amount not to exceed \$57,661,264.86 through April 23, 2028. The projected revenue from pellet sales over the five-year contract term is estimated at \$1,075,000.00. The total five-year expenditure of \$9,000,000.00 includes the revenue recovered from sales and an estimated average annual cost not-to-exceed \$1,800,000.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

30. [20-2415A](#) Attestation to accept Coronavirus Aid, Relief, and Economic Security Act funding, and comply with outlined terms and conditions associated with the United States of America Department of Health and Human Services Phase 3 General Distribution of \$20.0B to healthcare system providers.

Recommendation: Approval for the Director of Safety & Emergency Services (SES) to electronically submit the attestation to accept \$292,923.47 in Coronavirus Aid, Relief, and Economic Security Act funding.

* On October 1, 2020, the Department of Health and Human Services announced \$20 billion in additional funding.

* The application was submitted on-line on November 5, 2020.

* SES received a distribution on December 16, 2020, in the amount of \$292,923.47 from the CARES Act.

* The attestation must be executed by the County within 90-days of receipt of the distribution.

* These funds will be applied towards Emergency Medical Services specific COVID-19 related expenses.

Sheriff's Office

31. [20-2407A](#) Fiscal Year 2021 Board Budget Amendment No. 1 to realign appropriation from Reserve for Contingencies in the General Fund to the Sheriff's Office for the implementation of body-worn cameras.

Recommendation: At the request of the Sheriff, approval of the Fiscal Year 2021 Board Budget Amendment No. 1 realigning appropriation from General Government - Reserve for Contingencies to the Sheriff cost center within the General Fund.

* This amendment realigns \$3,829,510.00 from the General Fund Reserve for Contingencies.

* Appropriation is needed to implement body-worn cameras for all law enforcement deputies (approximately 875).

* Estimated 6-year program costs total \$24.8 million with an average recurring annual cost of \$4.5 million.

* Program expenditures include hardware costs for the body-worn cameras, integrated in-car camera video systems, recurring monthly per-deputy costs, Sheriff technology expenses, and new personnel costs associated with five new staff to administer the program.

COUNTY ATTORNEY

32. [20-2269A](#) County Attorney Reports.

COUNTY ADMINISTRATOR

33. [20-2270A](#) County Administrator Reports:
- Contractor Licensing Update
Gay Lancaster, Director, Contractor Licensing
 - Yellow Dot Update
 - Accomplishments Report

COUNTY COMMISSION

34. [20-2395A](#) 2021 State Legislative Program.

Recommendation: Approval of the 2021 State Legislative Program.

- * The 2021 State Legislative Program lays out the Board's guiding principles and priorities for the 2021 Florida Legislative Session.
- * The program is a result of discussions with the Board, County staff, and the County's contracted state government relations firm.
- * Priorities include:
 - 1.) SUPPORT legislation to amend F.S. 252.38(3)(a)5 to increase the duration of time local governments are authorized to declare a local state of emergency, from seven days to thirty days.
 - 2.) SPONSOR legislation to amend the Calamity Provision in F.S. 193.155(4)b and F.S. 193.1554(6)b to allow for residential properties within the Special Flood Hazard Area (with lowest living floor elevation below Base Flood Elevation) to qualify for the same assessed value treatment as calamities via elevation or reconstruction.
 - 3.) SUPPORT legislation to amendment to F.S. 365.172(8)(a)4(f) that increases the maximum rate of the 9-1-1 fee to a rate higher than the current \$.40 and expands the allowable uses of funds.
 - 4.) SUPPORT the continued use of Rectangular Rapid Flashing Beacons at pedestrian crossings to ensure the safe crossing of pedestrians on our roadways.
 - 5.) SUPPORT legislation that continues to allow water utilities to responsibly and safely utilize surface water discharges.
 - 6.) SUPPORT keeping funding in place for critical regional transportation investments including the Westshore I-275/SR 60 interchange, TBNext I-275 Section 2 modernization and lane continuity improvements to downtown St. Petersburg, and U.S. 19 North capacity and safety improvements from SR 580 to the Pasco County line.
- * In addition to the priorities included in the program, County staff and The Southern Group will closely monitor all issues that emerge throughout the 2021 Legislative Session and throughout the remainder of the year.

35. [20-2175A](#) Appointment to the Pinellas County Construction Licensing Board (Board of County Commissioners as a whole).

Recommendation: Approve one appointment of a registered architect to the Pinellas County Construction Licensing Board to fulfill an existing term with a term end date of September 30, 2022.

- * The names can be viewed on the attached list.
- * The Chair has the ballots.

36. [20-2271A](#) County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and Other New Business:
- Medicaid Expansion Resolution (Commissioner Eggers)

6:00 P.M.

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

37. [20-2339A](#) Resolution supplementing the Fiscal Year 2021 Budget for unanticipated fund balances in the STAR Center, Surface Water Utility, Capital Projects, Solid Waste Renewal and Replacement, and Water Renewal and Replacement Funds.

Recommendation: Conduct a public hearing and adopt the attached resolution recognizing and appropriating unanticipated fund balance in STAR Center, Surface Water Utility, Capital Projects, Solid Waste Renewal and Replacement, and Water Renewal and Replacement Funds in the Fiscal Year (FY) 2021 budget as outlined in the staff report.

* The resolution carries forward unanticipated lapsed appropriation into the FY21 Budget for projects that did not progress as anticipated in FY20 as follows: STAR Center Fund \$440,000.00; Surface Water Utility Fund \$2,882,000.00; Capital Projects Fund \$58,400,000.00; Solid Waste Renewal and Replacement Fund \$9,599,000.00; Water Renewal and Replacement Fund \$3,159,000.00.

* Generally, unanticipated fund balances result when actual expenditures are less than those estimated during the budget development process and/or revenues exceed those anticipated. The FY21 actual beginning fund balances have exceeded the budget in the funds identified due principally to changes in project scheduling not anticipated during budget development.

* The resolution also reduces the FY21 capital budget for projects that progressed ahead of schedule in FY20 and increases reserves in the Capital Projects Fund based on unanticipated fund balance that is not required for projects in FY21.

38. [20-2397A](#) Ordinance establishing Chapter 42, Article XV, Pinellas County Code relating to an Infectious Disease Elimination program including syringe exchange, providing program definitions, requirements, and operational guidelines.

Recommendation: Conduct a public hearing and adopt the proposed ordinance establishing Chapter 42, Article XV, Pinellas County Code for an Infectious Disease Elimination (IDEA) program including syringe exchange, providing program definitions, requirements, and operational guidelines.

* The Florida Legislature approved IDEA, Section 381.0038(4), Florida Statutes, effective July 1, 2019 authorizing counties to establish programs for sterile syringe exchange in order to prevent and eliminate infectious disease.

* Complicated by the current opioid crisis, areas in Florida have seen outbreaks in hepatitis and a growing concern on the spread of human immunodeficiency virus (HIV).

* Across Florida, reported hepatitis A cases increased from 548 cases in 2018 to 3,408 cases in 2019. Additionally, a review by the Centers of Disease Control in June 2019 showed Pinellas County on a list of 48 counties across the United States that made up more than 50% of new HIV cases (data analyzed from 2016 and 2017).

* Syringe exchanges, coupled with counseling, engagement, and service referrals, have been found to be highly effective at combatting the spread of infectious diseases.

* IDEA requires local authorization for a syringe exchange by county ordinance.

* In addition to establishing the ordinance, Pinellas County must then enter into a letter of agreement with the Florida Department of Health, engage the local health department for advice and recommendations, and procure a designated entity for its operation.

* No state, county, or municipal funds may be used to operate the exchange.

39. [20-2097A](#) Petition of Christopher D. Muller, Laura T. Muller, Raymond B. Bennett, and Debra J. Schaefer to vacate the 80-foot-wide right-of-way of Illinois Avenue lying between Lots 6, 7 and 8, Block 135 and Lots 9, 10, 11 and 12, Block 130, Map of Sutherland, Plat Book H1, Page 1, lying in Section 2-28-15, Pinellas County, Florida. (Legislative Hearing)

Recommendation: Denial of the petition to vacate an 80-foot-wide right of way known as Illinois Avenue based on County staff objections. If granted, adopt the attached resolution pursuant to §336, Florida State Statutes.

* There is an 80-foot-wide right-of-way, known as Illinois Avenue, lying between the petitioners' property and adjacent properties to the north.

* The vacation of the 80-foot wide right-of-way would allow the petitioners to increase their property size with the expectation of retaining their improvements that were constructed in the right-of-way without proper approvals. However, if vacated the County would be requesting a drainage and utility easement over the entire 80-foot wide right-of-way which would necessitate eventual removal of the improvements.

* Consistent with County Code Sec. 154-272, County staff recommend denial of the vacation of the 80-foot-wide Illinois Avenue right-of-way, based upon the following objections:

1.) The right-of-way provides public access to the Pinellas Trail.

2.) Staff has identified the Illinois Avenue area as a drainage "hot spot". Stormwater is known to overtop the Pinellas Trail as it flows east to west along the right of way. Complaints have been filed with the County regarding the flooding.

3.) If the 80-foot-wide right-of-way is vacated, the properties owned by Debra Schaefer and Raymond Bennett will front a private road created via easement, not a public road. However, the properties are already non-conforming in their current state and would require a waiver for any future development or redevelopment. The property owners have submitted a letter to request a waiver of the road frontage requirement as allowed by Section 138-237 Waivers and Variances, of the Pinellas County Land Development Code.

4.) The Schaefer property is currently non-conforming with respect to lot width. Vacation of the right of way does not serve to resolve this current condition and as previously referenced will add a second non-conforming aspect to the property.

* Utilities has significant infrastructure within the right of way, including water, sewer and reclaimed water.

* If vacated, County staff has requested retainage of a utility and drainage easement over the entire vacated 80-foot-wide right-of-way because of existing utility infrastructure and planned stormwater improvements. Further, if vacated, County staff recommend improvements to an alternative trail access to be permitted and constructed by the petitioners.

* County staff notified the petitioners in 2008 to remove the right-of-way encroachments on 9th Street.

* Staff requests removal of all encroachments in the 9th Street right-of-way.

* Staff requests to require a bond for the removal of all encroachments in the Illinois Avenue right-of-way.

Authorize the Clerk of the Circuit Court to record the resolution in the public records of Pinellas County.

ADJOURNMENT

Special Accommodations

Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County's Office of Human Rights by e-mailing such requests to both pvalenti@co.pinellas.fl.us and to jlorick@co.pinellas.fl.us at least three (3) business days in advance of the need for reasonable accommodation. You may also call (727) 464-4882.

Public Participation Procedures

Persons wishing to comment regarding a specific agenda item should do so:

In person – by preregistering at pinellascounty.org/comment or by filling out a comment card with the County staff person in the meeting room; or,

Virtually – in advance in accordance with the instructions in the notice of this meeting, or on the virtual platform or phone after preregistering.

Members of the public wishing to make comments on the virtual platform or by phone must preregister by 5 p.m. the day before the meeting. At the scheduled section of the meeting when the item is before the Board of County Commissioners (Board), the Chairman or Clerk will call on each individual, one by one, to be heard. Each individual may speak for up to three minutes as may be modified by the Chairman. Comments or behavior that violate Pinellas County Commission Public Participation and Decorum Rules will be disconnected. Members of the public who cannot attend at the time an agenda item is before the Board may offer comments during the Citizens to Be Heard section near the beginning of the meeting. More information is available at www.pinellascounty.org/BCC_Participation.htm or by calling (727) 464-4400.

Public Hearing Procedures

The procedure used by the Board in conducting Public Hearings is to have a staff presentation followed by the applicant presenting the specific proposal. The Board will then hear comments from the proponents, the opponents and a staff summary. The applicant will then be given an opportunity to close and the Board will decide on the matter. Public Hearings before the Board are governed by the provisions of Section 134-14 of the Pinellas County Land Development Code as may be modified by Pinellas County Emergency Order. That code provides that at the conclusion of each person's presentation, any speaker may seek the Chairman's permission to ask questions of staff. Specifically:

1. At the conclusion of the presentations by the applicant and any proponents, all affected parties may seek the Chairman's permission to ask questions of or seek clarification from the applicant and/or the proponents.
2. At the conclusion of the presentation by the opponents, all affected parties may seek the Chairman's permission to ask questions of or seek clarification from any opponent.

The applicant's closing comments will address testimony subsequent to his or her presentation. Continuing rebuttal of other than directly preceding testimony will not be allowed. Because much testimony has already been submitted in writing, the following guidelines accommodate efficient presentations:

1. The applicant should present his or her entire case, including rebuttal, in no more than 20 minutes.
2. Persons wishing to speak regarding a Public Hearing item may speak for up to three minutes each.
3. Persons wishing to attend virtually must preregister at pinellascounty.org/comment by 5 p.m. the day before the meeting.

Appeals

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceeding, and, for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based.

If a Board meeting beginning at 9:30 A.M. has not concluded by noon, a recess will be taken from noon to 12:30 P.M., and the remainder of the meeting will continue at 12:30 P.M.

If a Board meeting beginning at 2:00 P.M. has not concluded by 5:30 P.M., a recess will be taken from 5:30 to 6:00 P.M. The remainder of the afternoon agenda will resume at 6:00 P.M., followed by Public Hearings.