

Pinellas County Board of County Commissioners

*315 Court Street
Clearwater, FL 33756
pinellas.gov*



Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, January 31, 2023
2:00 P.M.

Public Hearings at 6:00 P.M.

Janet C. Long, Chair
Kathleen Peters, Vice-Chair
Dave Eggers
Rene Flowers
Charlie Justice
Chris Latvala
Brian Scott

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

ROLL CALL

INVOCATION by Reverend Monsignor Robert Morris, St. Catherine of Siena Catholic Church, Clearwater.

PLEDGE OF ALLEGIANCE**PRESENTATIONS AND AWARDS**

1. [22-2193A](#) Human Trafficking Prevention Month Proclamation:
 - Major Nathaly Patterson, Tampa Bay Human Trafficking Task Force Coordinator, St. Petersburg Police Department
 - Misty La Perriere, Task Force NGO Supervisor, Selah Freedom
 - Doug Templeton, Chief Investigator, Pinellas County Consumer Protection

CITIZENS TO BE HEARD

2. [22-2194A](#) Citizens To Be Heard - Public Comment.

CONSENT AGENDA - Items 3 through 20**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

3. [23-0069A](#) Minutes of the regular meeting held November 15, 2022.
4. [23-0070A](#) Vouchers and bills paid from December 18 through 31, 2022.

Reports received for filing:

5. [23-0071A](#) Dock Fee Report for the month of December 2022.
6. [23-0072A](#) Quarterly Report of Routine Dock & Dredge/Fill Permits issued from October 1 through December 31, 2022.

Miscellaneous items received for filing:

7. [23-0073A](#) City of Clearwater Ordinance Nos. 9591-22, 9602-22, 9621-22, 9624-22, and 9630-22 adopted December 1, 2022, annexing certain properties.
8. [23-0074A](#) City of Largo notice of completion and adoption of the Finding of Necessity study for the Clearwater-Largo Road Community Redevelopment District's Expansion Area, including the District's Assessment Summary Memorandum for the existing area.

9. [23-0075A](#) Palm Harbor Community Services Agency, Inc., Annual Fiscal Report for the Fiscal Year ended September 30, 2022.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

10. [22-2195A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending December 23, 2022.

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

Public Works

11. [22-1063A](#) Award of bid to New Era Electric, Inc. for installation of steel mast arms and signalization equipment at three locations (Group 1).

Recommendation: Approval of the award of bid to New Era Electric, Inc. for installation of steel mast arms and signalization equipment at three locations (Group 1).

* This project consists of removing existing span wire signalization and installation of steel mast arms, new traffic controller cabinet equipment, detection equipment, and improvements to meet current ADA guidelines, at three locations:

- a.) West Bay Drive at Indian Rocks Road;
- b.) U.S. Highway 19 at Roosevelt Boulevard; and
- c.) Seminole Boulevard at 126th Avenue.

* One responsible, responsive bid was received from New Era Electric, Inc. in the amount of \$1,996,485.48; other contractors who demonstrated interest were contacted and stated they were too busy to take on this work.

* All work will be completed within 270 consecutive calendar days.

* This contract is the first of four groups of mast arm projects funded in part by a Hazard Mitigation Grant Program (HMGP). Groups 2, 3 and 4 are advertised for solicitation with contracts forthcoming.

* The HMGP provides funding for improvement of sixteen intersections with steel mast arms. Funding for the sixteen locations was approved using 65% Federal funds and a 35% local match from Penny for Pinellas.

* Project is budgeted under the Capital Improvement Program, Transportation Function, Project ID 004183A Countywide Traffic Signalization Improvements.

Contract No. 23-0183-ITB-CP, in the amount of \$1,996,485.48 with all work completed within 270 consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

12. [22-1879A](#) Award of bid to Preferred Materials, Inc. for the Fiscal Year 2023-2025 Countywide Pavement Preservation.

Recommendation: Approval of the award of bid to Preferred Materials, Inc. for the Fiscal Year 2023-2025 Countywide Pavement Preservation.

- * This work order contract consists of milling and resurfacing, pavement marking, detector loops and traffic control required to complete various arterial, collector and local group projects.
- * A total of three bids were submitted with Preferred Materials, Inc. recommended for award as the lowest responsible, responsive bid in the amount of \$23,103,494.40 which is 0.73% over the engineer's estimate of \$22,936,250.00.
- * There is no equitable comparison available between this award recommendation and similar past contracts. This contract has different specifications including individual project size and scope.
- * All work will be completed within 730 consecutive calendar days.
- * The Small Business Enterprise program commitment for this contract is 13%.
- * Funding for this \$23,103,494.40 contract is available in CIP Project # 004192A Road Resurfacing and Rehabilitation PIV funded by the Local Infrastructure Sales Surtax and 005700A Transportation Millage Capital Resurfacing Program funded by the Transportation Millage.

Contract No. 23-0137-ITB, PID No. 005613A; in the amount of \$ \$23,103,494.40 for a duration of 730 consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

13. [22-1652A](#) Award of bid to R.J.P. Enterprises, Inc. for Fiscal Year 2023-2026 sidewalk and underdrain replacement projects.

Recommendation: Approval of the award of bid to R.J.P. Enterprises, Inc. for Fiscal Year (FY) 2023-2026 sidewalk and underdrain replacement projects.

- * This contract provides for the removal and replacement of curbs, sidewalks, and underdrains at various locations throughout the County.
- * A total of two bids were received with R.J.P. Enterprises, Inc. recommended for award as the lowest responsive and responsible bid in the amount of \$10,383,780.00.
- * R.J.P. Enterprises, Inc.'s submittal contains an exceptional Small Business Enterprise Program commitment of 34.4%.
- * This is a 3-year contract award with R.J.P. Enterprises where projects will be assigned on a work order basis.
- * Sixty-six percent (66%) of the project funds are from the Local Infrastructure Sales Tax (Penny for Pinellas) and are budgeted in the Capital Improvement Program: 4216A Transportation Underdrain; thirty-four percent (34%) of the funding is from the Public Works Operating Budget from Roadway Maintenance for Sidewalk & Underdrain Improvements.

Contract No. 23-0067-ITB-Construction in the amount of \$10,383,780.00 on basis of the lowest responsive and responsible bid received meeting specifications. All work is expected to be completed within 1,095 consecutive calendar days from issuance of the notice to proceed; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

14. [22-1469A](#) Award of bid to Suncoast Development of Pinellas County, Inc. for American Rescue Plan Act Sidewalk, Drainage and Road Resurfacing Work.

Recommendation: Approval of the award of bid to Suncoast Development of Pinellas County, Inc. for American Rescue Plan Act (ARPA) Sidewalk, Drainage and Road Resurfacing Work, including the five Local Group Projects in Ridgecrest, Lealman and Highpoint Communities.

- * The proposed sidewalk, drainage and roadway resurfacing work order contract consists of ADA sidewalk upgrades, drainage, milling and resurfacing projects, including the five local group projects in Ridgecrest, Lealman and Highpoint.
- * The invitation to bid included all requirements associated with federal projects, including ARPA funding.
- * Two bids were submitted with Suncoast Development of Pinellas County as the lowest responsive and responsible bidder. The bid was 54.0% over the engineer's estimate.
- * The difference between the bid and engineer's estimate reflects both inflationary factors for milling, resurfacing, and pavement markings and the use of subs for these elements of the contract. The concrete and drainage related prices are within the anticipated market rates.
- * Concrete and drainage work to be completed ahead of the milling and resurfacing operations will be assigned under this work order contract in an estimated amount of \$4,000,000 for FY 2023. The milling, resurfacing, and pavement marking pay items will likely not be used for this work.
- * All work will be completed through a work order process and within 550 consecutive calendar days.
- * The Small Business Enterprise commitment is 15% for this contract.

Contract No. 23-0035-ITB; not to exceed amount of \$ 13,936,495.00 if utilized on a work order basis and all work will be completed within 550 consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

15. [22-2340A](#) Joint Project Agreement with the City of Pinellas Park for construction of a culvert replacement at the intersection of 102nd Avenue North and Cross Bayou Canal, in conjunction with the culvert and roadway replacement of 102nd Avenue North.

Recommendation: Approval of the Joint Project Agreement (JPA) with the City of Pinellas Park (City) for construction of a culvert replacement at the intersection of 102nd Avenue North and Cross Bayou Canal, in conjunction with the culvert and roadway replacement of 102nd Avenue North.

* In conjunction with the City roadway and culvert replacement project, the County requested the existing culverts within the Cross Bayou Canal be replaced.

* The Cross Bayou Canal culverts at 102 Avenue need replacement and there has been a long-standing request to upsize the culverts so the canal may be navigated by small, non-motorized boats that are supported by an existing City launch.

* The JPA replaces a recently expired JPA for the same project. City utility relocations took longer than expected. The JPA has not materially changed.

* County agrees to pay a not to exceed amount of \$710,000.00 for construction, in addition to the \$62,952.85 that was previously paid by the County for design under the original JPA.

* Project 004473A -102nd Avenue North Culvert JPA Pinellas Park is a sub-project of budgeted project 003800A - Flood Prevention Program. The Flood Prevention Program project is funded by Local Infrastructure Sales Surtax (Penny for Pinellas).

* The County's anticipated contribution of \$710,000.00, towards construction, is included in the Fiscal Year 2023 budget for project 003800A - Flood Prevention Program.

PID No. 004473A; County to pay City \$710,000.00, for construction, as part of the Agreement; Agreement term will expire upon completion of project; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Safety and Emergency Services

16. [22-1674A](#) Ratification of the County Administrator's electronic signature on the Medicaid Public Emergency Medical Transportation Letter of Agreement between Pinellas County Emergency Medical Services d/b/a Sunstar and the Agency for Health Care Administration that allows Pinellas County to participate in the State Fiscal Year 2022-2023 Medicaid Public Emergency Medical Transportation Intergovernmental Transfer program.

Recommendation: Ratify, confirm, and enter into the minutes, execution by the County Administrator of the Medicaid Public Emergency Medical Transportation (PEMT) Letter of Agreement (LOA) via DocuSign platform with the Agency for Health Care Administration (AHCA) to participate in the PEMT Medicaid Managed Assistance (MMA) plan via an Intergovernmental Transfer (IGT) program. The deadline to submit the LOA to the AHCA was October 1, 2022.

* Projected net revenue of \$6,768,362.54.

* Total distributions received from MMA plans are projected at \$11,271,211.56, which would be offset by a projected intergovernmental transfer/expenditure of \$4,502,849.02. These numbers reflect current program projections from AHCA that are subject to change.

* A budget amendment for this additional appropriation related to the IGT may be necessary in Fiscal Year 2023.

* The PEMT IGT is an annual program that supplements unreimbursed costs associated with emergency ambulance transportation services.

* Eligibility of the program is associated with emergency ambulance transportation provided by public entities to Medicaid recipients enrolled in MMA plans.

* AHCA is implementing a new procedure for the dissemination and receipt of the LOA that will improve efficiency and accuracy of the State's record keeping. As of July 1, 2022, all LOAs will be sent and received by the Agency via DocuSign. DocuSign is a secure and HIPAA compliant service that tracks signatures and countersignatures in an auditable format.

* This LOA was electronically signed by the County Administrator on September 12, 2022, to meet the statutory deadline noted in Florida Statute 409.908, section 26 of October 1, 2022, to secure projected net revenue of \$6,768,362.54 to the Emergency Medical Services Fund in Fiscal Year 2023.

Utilities

17. [22-1167A](#) Award of bid to Professional Piping Services, Inc. for pipeline maintenance and repair services requirements.

Recommendation: Approval of the award of bid to Professional Piping Services, Inc. for requirements of pipeline (Poly Pig) maintenance and repair services to be ordered on an as-needed basis.

* This 3-year contract has a total not to exceed amount of \$4,214,915.00 with an estimated annual expenditure of \$1,404,971.00 per year for water, reclaimed water, and sewer pressurized pipes throughout the County systems.

* Poly pig cleaning is needed to properly maintain utilities pipes and includes inserting a cleaning device with bristles into a pressurized collection or distribution pipe to scrub the inner walls, removing scale and sediment, which enhances water quality and pipe efficiency.

* This contract replaces the current 5-year contract with Professional Piping Services Inc., which expires on June 22, 2023, and had a total contract amount of \$1,250,000.00 (\$250,000.00 annually).

* The new contract cost increase is due to an average contract price increase of 38.5% to clean various types and diameters of pipes. Additionally, up to 651,000 more linear feet of pipes have been identified for cleaning in the new contract compared to 139,000 feet of pipes that were cleaned under the current contract.

* This bid was advertised for 50 days and received one bid; a total of 1,760 vendors were notified; due to the specialized nature of this service only one responsive, responsible bid was received.

* Funding is from Utilities Water and Sewer Operating Funds.

Contract No. 22-0655-B-BW has an estimated average annual amount of \$1,404,971.67 for a thirty-six-month total of \$4,214,915.00; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

18. [23-0010A](#) Receipt and file report of civil lawsuits filed against Pinellas County as delegated to the County Attorney.

Recommendation: Accept the receipt and file report of civil lawsuits filed against Pinellas County.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

19. [22-2308A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2022.

Recommendation: Accept the receipt and file report of Sheriff's Office grants received and service contracts - payments to the Sheriff for October 1 through December 31, 2022.

20. [22-2309A](#) Receipt and file report of the Law Enforcement Trust Fund for the quarter ending December 31, 2022.

Recommendation: Accept the receipt and file report on the Law Enforcement Trust Fund from October 1 to December 31, 2022.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

21. [22-2368A](#) First Amendment to the Security Guard Services Agreement with Dynamic Security, Inc.

Recommendation: Approval of the First Amendment (Amendment) to the Security Guard Services Agreement, 21-077-B (Agreement), with Dynamic Security, Inc. (Dynamic), a Tampa Bay Purchasing Cooperative Contract.

* The Agreement is a cooperative contract which provides security guard services and is administered by the Department of Administrative Services; cooperative participants include the City of St. Petersburg.

* This Amendment will de-scope security guard services for three County properties: 315 Court Street, Clearwater, 3655 Keller Circle, Tarpon Springs, and 501 1st Avenue North, St. Petersburg.

* The County Administrator approved a purchase authorization on November 9, 2022, in the amount not to exceed \$1,763,773.00 for supplemental security guard services to Centurion Security Group, LLC (Centurion) through State of Florida contract, to fill the open security guard positions in the County.

* The Agreement with Dynamic provides for an hourly rate of \$18.83 for a level 1 unarmed security guard; the Centurion agreement provides for an hourly rate of \$22.88 for the same service level.

* The Agreement with Dynamic was approved by the Board of County Commissioners on February 23, 2021, in the amount of \$4,742,168.30; descoping of services will decrease the approved amount by \$1,043,784.56 for a revised total contract amount of \$3,698,383.74.

* Total expenditures for security guard services utilizing both agreements may increase annually from \$948,454.00 to \$1,327,601.23, due to the increase in labor rates. However, the Purchasing Division is in process of preparing a new security guard contract for competitive solicitation; based on the outcome of pricing, staff may recommend award in total to a new provider or continue with a combination of both Dynamic and Centurion.

* Funding for these expenditures is available from multiple funds, centers, accounts, and programs. Approval for use of funds and whether budgetary conditions are met will be made on a department-by-department basis.

Contract No. 21-0077-B (TR) decrease in the amount of \$1,043,784.56 for a revised total contract value of \$3,698,383.74 through February 26, 2026; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Public Works

22. [23-0063A](#) Purchase authorization with Precision Sidewalk Safety Corporation for sidewalk trip hazard prevention and maintenance.

Recommendation: Approval of the purchase authorization agreement with Precision Sidewalk Safety Corporation (Precision) for requirements of sidewalk trip hazard prevention and maintenance.

* This purchase authorization provides a mechanism for the Public Works Department to continue efforts to improve sidewalks throughout the County by removing trip hazards and repairing uneven sidewalks.

* Precision offers a patented methodology which removes the hazards utilizing a horizontal cutting technology that produces a uniform appearance and texture from one end of a sidewalk joint to the other, leaving no gap between slabs, and a smooth, safe pedestrian walkway.

* The Precision sidewalk repair process saves significant time and expenditure as compared to traditional sidewalk panel replacement and meets the requirements of the American Disabilities Act.

* Pricing is per the Florida Buy State Cooperative Purchasing, Panhandle Area Educational Consortium; RFP 21-18, Contract No. 22-139 effective through September 14, 2024.

* Funding is available as needed in the Public Works Transportation Division Operating Budget.

Contract No. 22-0730-PB(AJM) in the not to exceed amount of \$1,045,000.00 through September 14, 2024; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Safety and Emergency Services

23. [22-2135A](#) Amendment No. 1 to the Station 68 Funding Agreement with the Palm Harbor Special Fire Control & Rescue District to provide additional funding toward the construction of a new fire station.

Recommendation: Approval of the amendment to the funding agreement between Pinellas County and the Palm Harbor Special Fire Control & Rescue District toward construction of a new fire station.

* The County currently contracts with the district to provide funding to assist them in their construction of a new fire station per the Fire Station 68 Funding Agreement, dated November 17, 2020.

* The County shall provide up to \$6,000,000.00 (County Funds) to pay for the Project in accordance with this Amendment. County Funds may be used by District for the following to include, but not limited to, land acquisition, engineering, site preparation, design, construction, and associated costs directly related to the Project.

* The original agreement provided \$3,500,000.00 in funding for the construction of Fire Station 68, to be funded by the Local Option Infrastructure Sales Surtax (Penny for Pinellas). This amendment increases the funding being provided to the fire district from \$3,500,000.00 to \$6,000,000.00, or an increase of \$2,500,000.00. The increase of \$2,500,000.00 will be funded by proceeds from the American Rescue Plan Act federal grant awarded to the county.

* Project cost increase is specific to construction cost increases. Project scope remains unchanged and, in some areas, reduced

* Funding is budgeted under project 004185A Palm Harbor Fire Station 68.

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

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

24. [22-0109A](#) Agreement with Oracle America, Inc. for Oracle support services.

Recommendation: Approval of the Agreement with Oracle America, Inc. for Oracle support services.

* This agreement provides for the continued maintenance and support services of County owned Oracle software license entitlements. Entitlements are utilized to support many critical County business processes including the Oracle Project Unified Solution system which is the County's Enterprise Resource Planning solution for administrative functions, financials, and human resources in support of County business.

* Per Resolution 09-119, the County is authorized to engage in direct negotiations with Oracle relating to the acquisition of software licenses and maintenance agreements.

* This agreement will replace the prior agreement (090-0173-M). Pricing reflects a 4% increase from last year's renewal. Through negotiations, Oracle responded with an inflationary structure that provided for a Year 1, 4% increase over the prior renewal costs, and a 2% cap to renewal periods two through five. In comparison to the impact of an 8% year over year increase, this negotiation cost avoided the County an estimated \$477,550.

* This contract has a total not to exceed amount of \$1,455,398.88 for a twelve-month term. Funding is from Business Technology Services (BTS) Enterprise Business Suite (EBS-OPUS) Operating Budget.

* This contract may be renewed for four additional twelve-month periods. Annual renewals are provided via an 'Ordering Document' from Oracle prior to the expiration of the current year term. The ordering document for the current term of Jan. 30, 2023 - Jan. 29, 2024, is attached to this item.

* BTS is requesting delegated authority to the County Administrator for increases and extensions pertaining to renewal periods two through five for this contract.

* Funding in the amount of \$1,399,430.00 is included in the FY23 Adopted Budget within the Business Technology Service Fund. The difference between the budgeted amount and the agreement will be absorbed by BTS.

* The County has standard indemnification requirements which Oracle has taken exception to that are in conflict with County Resolution No. 06-70. The County Attorney's Office and BTS have reviewed the proposed indemnification language and do not consider the revised language to be a considerable level of risk. This disclosure is set forth in accordance with the requirements of County Resolution No. 06-70.

Contract No. 22-0190-A in the amount of \$1,455,398.88 for a twelve-month term;
Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

25. [23-0011A](#) Proposed initiation of litigation in the case of Pinellas County v. PIT Crew Tire Service Inc. - action for injunctive relief.

Recommendation: Approval and authorization for the County Attorney to initiate litigation against PIT Crew Tire Service Inc.

26. [22-2197A](#) County Attorney Reports.

COUNTY ADMINISTRATOR

27. [22-2196A](#) County Administrator Reports.

COUNTY COMMISSION

28. [22-2359A](#) Appointment to the Auditor Selection Committee (Board of County Commissioners as a whole).

Recommendation: Approve one appointment to the Auditor Selection Committee.

* Approve one appointment.

* Names can be viewed on the attached list.

* Ballot/worksheet is provided; however, the Clerk may request a verbal vote.

29. [23-0050A](#) Appointment to the Parks and Conservation Resources Advisory Board (Individual appointment by Commissioner Latvala).

Recommendation: Approve one appointment to the Parks and Conservation Resources Advisory Board to fill a current term, expiring November 3, 2023.

* Approve Julie Vayne - appointment by Commissioner Latvala.

30. [22-2304A](#) Appointment to the Pinellas County Historical Commission (Individual appointment by Commissioner Flowers).

Recommendation: Approve one appointment to the Pinellas County Historical Commission, to fill the remainder of an existing term, expiring November 4, 2024.

* Approve Thomas McKone - appointment by Commissioner Flowers.

31. [22-2198A](#) County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business:
- Skyway Lighting Resolutions

6:00PM

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

32. [23-0025A](#) Case No. FLU 22-04 (Community Assisted & Supported Living, Inc.)
A request for a change of Land Use from Residential Suburban to Residential Low on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole through Katie Cole, Esq, & Angela Rauber, Esq. Will, Ward, Henderson, PA, Representatives.

Recommendation: Based upon the evidence and findings contained in the staff report and attachments, Case No. FLU 22-04 is recommended for approval:

An ordinance approving the application of Community Assisted & Supported Living, Inc. for a change of Land Use from Residential Suburban to Residential Low.

* On December 13, 2022, the Board continued this case at the applicants' request to allow the applicants time to attempt to address some neighborhood concerns through changes to the Conditional Overlay (CO) that is part of the companion Zoning Atlas amendment case.

* The applicants subsequently submitted changes to the CO, including:

o Building setbacks that meet or exceed those of the existing R-E zoning district: 25 ft front, 15 ft sides, and 120 ft rear. Normal minimum setbacks in the requested RM district are 10 ft front and 5 ft sides and rear.

o Reducing the maximum number of dwelling units from 21 to 20.

o Eliminating the 3-bedroom option, leaving only 1- and 2-bedroom options.

* Staff mailed updated notices to the surrounding property owners that include the CO changes and asked the applicants to discuss them with the neighbors.

* The applicants also subsequently submitted a concept plan for visualization purposes, but it is not binding.

* The applicants are seeking a Land Use change on a 2.79-acre property that is currently developed with a single-family home.

* The subject property is in a transitional location between a commercial/office node and single-family homes.

* The subject property's sole frontage and access is along Park Boulevard, a 4-lane divided arterial roadway.

* The applicants are also pursuing a Zoning Atlas amendment as a separate case.

* The proposed future use is housing for the developmentally disabled.

* The applicants hosted a neighborhood meeting to explain the proposal.

* The Local Planning Agency recommended denial of the request (vote 4-1) based on compatibility concerns. Seven persons spoke in opposition and six letters in opposition and two letters in support were received. The primary reasons for the opposition were compatibility, traffic impacts, drainage, and evacuation concerns.

33. [23-0020A](#) Case No. ZON 22-05 (Community Assisted & Supported Living, Inc.)
A request for a change of Zoning on approximately 2.79 acres located at 13000 Park Boulevard in unincorporated Seminole from Residential Estate to Multi-family Residential - Conditional Overlay with the Conditional Overlay limiting the number of residential dwelling units to a maximum of 20 that will include a combination of one and two bedroom units in single story duplex or triplex residential structures, to be occupied as independent housing for a maximum of 28 Persons with Developmental Disabilities, as defined by Florida Statute Section 393.063(1), to include permanent supportive housing services, provided, however, that no such permanent supportive services shall be provided to persons who are not occupants of the development. A clubhouse and other associated amenities will be included. The minimum property line setbacks for new structures will be 25 feet front, 15 feet sides, and 120 feet rear. The existing two-story structure is allowed to remain.
(Quasi-Judicial)

Recommendation: Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON- 22-05 is recommended for approval:

A resolution approving the application of Community Assisted & Supported Living, Inc. for a change in zoning from Residential Estate (R-E) to Multi-family Residential - Conditional Overlay (RM-CO).

- * On December 13, 2022, the Board continued this case at the applicants' request to allow the applicants time to attempt to address some neighborhood concerns.
- * The applicants subsequently submitted changes to the CO, including:
 - o Building setbacks that meet or exceed those of the existing R-E zoning district: 25 ft front, 15 ft sides, and 120 ft rear. Normal minimum setbacks in the requested RM district are 10 ft front and 5 ft sides and rear.
 - o Reducing the maximum number of dwelling units from 21 to 20.
 - o Eliminating the 3-bedroom option, leaving only 1- and 2-bedroom options.
- * Staff mailed updated notices to the surrounding property owners that include the CO changes and asked the applicants to discuss them with the neighbors.
- * The applicants also subsequently submitted a concept plan for visualization purposes, but it is not binding.
- * A zoning change on a 2.79-acre single-family residential property is requested.
- * The proposed future use is housing for the developmentally disabled.
- * The subject property is in a transitional location fronting a 4-lane roadway between a commercial/office node and single-family homes.
- * The applicants are also pursuing a Land Use amendment as a separate case.
- * The applicants hosted a neighborhood meeting to explain the proposal.
- * The Local Planning Agency recommended denial of the request (vote 3-2) based on compatibility concerns. Seven people spoke in opposition and six letters in opposition and two letters in support were received. The primary reasons for opposition were compatibility, traffic, drainage, and evacuation concerns.

34. [22-2281A](#) Resolution supplementing the Fiscal Year 2023 Operating and Capital Budget for unanticipated fund balances in the General, Emergency Medical Service, STAR Center, Emergency Communication 911 System, Fire Districts, Surface Water Utility, Capital Projects, Airport Revenue and Operating, Solid Waste Renewal and Replacement, Water Revenue and Operating, Water Renewal and Replacement, Sewer Revenue and Operating, and Sewer Renewal and Replacement Funds. Fiscal Year 2023 Board Budget Amendment realigning the Sustainability and Resiliency Division's operating budget from County Administrator to the Office of Resilience and Asset Management.

Recommendation: Conduct a public hearing and adopt the attached resolution recognizing and appropriating unanticipated fund balance and revenue in the Fiscal Year (FY) 2023 budget as follows:

* The resolution carries forward unanticipated lapsed appropriation into the FY23 Budget for projects and expenses that did not progress as anticipated in FY22 as follows: General Fund \$1,028,119.00; Emergency Medical Service Fund \$6,044,534.00; STAR Center Fund (\$126,000.00); Emergency Communication 911 System Fund \$341,560.00; Fire Districts Fund \$1,866,730.00; Surface Water Utility Fund \$1,573,000.00; Capital Projects Fund \$79,416,000.00; Airport Revenue and Operating Fund \$2,067,000.00; Solid Waste Renewal and Replacement Fund \$4,128,000.00; Water Revenue and Operating Fund \$209,000.00; Water Renewal and Replacement Fund \$1,687,580.00; Sewer Revenue and Operating Fund \$3,426,620.00; Sewer Renewal and Replacement Fund \$9,797,320.00.

* 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 FY23 actual beginning fund balances have exceeded the budget in the funds identified due principally to changes in expenditures not anticipated during budget development.

* For any projects that progressed ahead of schedule in FY22, the resolution reduces the FY23 capital budget by the same amount (no total change in funding).

Transfer the functions, staff, and budget of the Sustainability and Resiliency (SAR) Program from County Administration to the Office of Resilience and Asset Management (ORAM).

* Realign SAR's FY23 operating budget of \$201,257.90 to ORAM from County Administrator.

* ORAM will be responsible for SAR staff, services, and initiatives moving forward.

* There is no impact to the General Fund.

35. [22-2271A](#) Petition of Pinellas County to vacate a portion of a right-of-way known as Old Roosevelt Boulevard, lying approximately 800 feet, more or less, northwest of the intersection of Old Roosevelt Boulevard and 35th Street North in section 3-30-16, Pinellas County, Florida. (Legislative Hearing)

Recommendation: Approval of the petition by Pinellas County to vacate a portion of the Old Roosevelt Boulevard right-of-way.

- * Request is for the vacation of a portion of Old Roosevelt Boulevard.
- * This Petition is in support of a future construction of a taxiway and aeronautical development at the St. Pete-Clearwater International Airport.
- * Staff has no objection to the vacation request.
- * If petition is granted, Board of County Commissioners is asked to adopt the attached resolution pursuant to Florida State Statute 336.09.

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

36. [22-2288A](#) Petition of Team Savage Inc. to vacate the 12-foot-wide drainage easement lying along the South Boundary of lot 1, Block U, Curlew City, Plat Book 51, Page 19, Lying in Section 18-28-16, Pinellas County, Florida (29747 U.S. Highway 19 North). Quasi- Judicial

Recommendation: Approval of the petition by Team Savage Inc. to vacate the 12-foot-wide drainage easement located on the property at 29747 U.S. Highway 19 North in Palm Harbor.

- * Request is for the vacation of a drainage easement.
 - * Petitioner request is part of an agreement with the County for the relocation of existing storm water pipe and dedication of new easements.
 - * County staff has no objection to the vacation request.
 - * If petition is granted, Board of County Commissioners is asked to adopt the attached Resolution pursuant to Florida State Statute 177.101
- 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 accommodations@pinellas.gov 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 <https://comment.pinellas.gov> 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 <https://pinellas.gov/participating-in-a-BCC-meeting> 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 <https://comment.pinellas.gov> by 5 p. m. the day before the meeting.

Appeals

Persons are advised that, if they decided 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.