

Pinellas County Board of County Commissioners

*315 Court Street
Clearwater, Florida 33756
www.pinellascounty.org*



Regular Meeting Agenda

Tuesday, October 8, 2019
9:30 A.M.

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

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

ROLL CALL

INVOCATION by Reverend Andy Oliver, Allendale United Methodist Church, St. Petersburg.

PLEDGE OF ALLEGIANCE**PRESENTATIONS AND AWARDS**

1. [19-1687A](#) Achievement of Excellence in Procurement Award:
Joe Lauro, Director, Department of Administrative Services
2. [19-1481A](#) National Community Planning Month Proclamation:
Planning Department
 - Allie Keen, Long Range Planning
 - Maggie Miles, Community Development
 - Chris Young, Zoning
 - Caitlin Murphy, Health in All Policies
 - Tom Scofield, Historic Preservation
3. [19-1482A](#) Doing Things! Employee Recognition Award:
- DJ McDuffy, Sign Shop Supervisor, Public Works
4. [19-1427A](#) Partner Presentation:
- Pat DePlasco, Director, Keep Pinellas Beautiful

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.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

5. [19-1480A](#) Case No. CW 19-14 - City of Largo
Countywide Plan Map amendment from Residential Very Low to Residential Low Medium, regarding 7.2 acres more or less, located at 1756 South Dr. Martin Luther King Jr. Avenue, Largo.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 19-14, a proposal by the City of Largo to amend the Countywide Plan Map from Residential Very Low to Residential Low Medium, regarding 7.2 acres more or less, located at 1756 South Dr. Martin Luther King Jr. Avenue, Largo.

- * The subject property is currently a single-family residence.
- * The owners plan to redevelop the site into a single-family subdivision.
- * The subdivision would have a maximum density of 7.5 units per acre and total no more than 54 units.
- * A Phase 1 Environmental Site Assessment revealed no evidence of any recognized environmental conditions that would cause constraints.
- * The Residential Low Medium category is appropriate for the proposed use of the property.
- * The proposed amendment does not involve, or will not significantly impact, the remaining relevant countywide considerations.
- * Forward Pinellas and the Planners Advisory Committee each voted unanimously to recommend approval of the proposal.

6. [19-1492A](#) Case No. CW 19-15 - City of Safety Harbor
Countywide Plan Map amendment from Residential Low Medium to Public/Semi-Public, regarding 1.74 acres more or less, located approximately 250 feet northeast of Railroad Avenue and Booth Street, Safety Harbor.

Recommendation: Sitting as the Countywide Planning Authority, defer the public hearing on this case to the November 12, 2019 meeting date to allow the Forward Pinellas Board to make a recommendation at its October 9, 2019 meeting. The Forward Pinellas Board met on September 11, 2019 but deferred this case to its next meeting in October.

- * Because this public hearing was already advertised, the case needs to be addressed at the October 8, 2019 CPA meeting, but only to defer it
- * Because the Forward Pinellas Board deferred this case to its October meeting, the CPA also needs to defer to a date certain (November 12, 2019) to allow the Forward Pinellas Board to make its recommendation

7. [19-1493A](#) Case No. CW 19-16 - City of Tarpon Springs
Countywide Plan Map amendment from Office to Residential Medium,
regarding 0.33 acre more or less, located at 721 South Disston Avenue,
Tarpon Springs.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 19-16, a proposal from the City of Tarpon Springs to amend the Countywide Plan Map from Office to Residential Medium, regarding 0.33 acre more or less, located at 721 South Disston Avenue.

- * There is an existing single-family residence on a portion of the subject property.
- * The property owner intends to split the parcel and construct a second single-family residence.
- * The proposed land use category is appropriate for this type of use.
- * The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.
- * Forward Pinellas and the Planners Advisory Committee each voted unanimously to recommend approval of this proposal.

8. [19-1537A](#) Case No. CW 19-17 - City of Safety Harbor
Countywide Plan Map amendment from Residential Low Medium to
Recreation/Open Space, regarding 0.5 acre more or less, located at 1538
Dr. Martin Luther King Jr. Street North, Safety Harbor.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 19-17, a proposal from the City of Safety Harbor to amend the Countywide Plan Map from Residential Low Medium to Recreation/Open Space, regarding 0.5 acre more or less, located at 1538 Dr. Martin Luther King Jr. Street North, Safety Harbor.

- * The subject property is currently vacant land that was purchased by the City of Safety Harbor with the intent to keep the property in its natural state and add the property to the Folly Farms Preserve.
- * The proposed category is appropriate for this use and is consistent with the criteria for utilization of this category.
- * The proposed amendment either does not involve, or will not significantly impact, the remaining relevant countywide considerations.
- * Forward Pinellas and the Planners Advisory Committee each voted unanimously to recommend approval of this proposal.

9. [19-1645A](#) Case No. CW 19-18 - City of Safety Harbor
Countywide Plan Map amendment from Activity Center to Activity Center, regarding 0.62 acre more or less, located north of Main Street and east of 2nd Avenue North, Safety Harbor.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 19-18, a proposal by the City of Safety Harbor to amend the Countywide Plan Map from Activity Center to Activity Center, regarding 0.62 acre more or less, located north of Main Street and east of 2nd Avenue North, Safety Harbor.

* The subject property's designation on the Countywide Plan Map will remain Activity Center which is utilized to recognize those important, identifiable centers of business, public, and residential activity, as may be appropriate to the particular circumstance, that are the focal point of a community, and served by enhanced transit commensurate with the type, scale, and intensity of use.

* The Countywide Rules that govern Activity Centers require a public hearing when changes to densities, intensities or permitted uses are made at the local level to the special area plan for an Activity Center.

* The proposal will amend the local Future Land Use Map of the Baranoff Oak Park parcel from the Community Town Center Character District to the Public Character District.

10. [19-1530A](#) Ordinance amending the Countywide Rules and Countywide Plan Strategies (first public hearing).

Recommendation: Sitting as the Countywide Planning Authority, hold the first of two public hearings to consider proposed amendments to Countywide Plan Strategies and the Countywide Rules to include:

Countywide Plan Strategies

- * Replacing the Transit-Oriented Land Use Vision Map with new Land Use Strategy Map
- * Reclassifying existing Special Centers and Special Corridors

Countywide Rules

- * Modifying standards, requirements, and tiered amendment process for the Activity Center and Multimodal Corridor categories
- * Creating the Planned Redevelopment District category
- * Providing for new local density and intensity bonuses
- * Adding and modifying definitions

Other

- * In addition to the proposed amendments to the Countywide Plan Strategies and Countywide Rules, the package includes an unadopted appendix as a support document.
- * Forward Pinellas and the Planners Advisory Committee each voted unanimously to recommend approval of the proposed amendment(s).

BOARD OF COUNTY COMMISSIONERS

11. [19-1375A](#) Petition of Joseph McDonald and Alexandria McDonald to vacate the north one half of the sixty-foot right-of-way known as Russell Avenue lying adjacent to Lot 11, Block 5, Munday's Addition to Chesterville, Plat Book 21, Page 22, lying in Section 33-29-16. Legislative Hearing.

Recommendation: Denial of the Petition to Vacate, based on County staff objections. If granted, adopt the attached Resolution pursuant to Chapter 336, Florida Statutes.

* County staff recommend denial of this request due to this right-of-way being used as ingress and egress for adjacent properties and the fact that there is a large drainage system on the south side of the property that must be maintained, requiring a utility easement to be retained

* If vacated, the Utilities Department has requested retainage of a ten-foot-wide utility easement over the vacated right-of-way and Public Works requests a drainage easement over the vacated area.

12. [19-1589A](#) Resolution approving proposed amendments to the Safety Harbor Downtown Redevelopment Plan for the Safety Harbor Downtown Community Redevelopment Area.

Recommendation: Approval of the resolution amending the Safety Harbor Downtown Redevelopment Plan (Downtown Master Plan).

* The Plan Amendments:

- 1.) Update the redevelopment objectives and Pinellas County TIF Eligibility policies
- 2.) Establish maximum height for buildings/structures in three character districts
- 3.) Change the Land Use of Baranoff Oak Park, also referred to as Baranoff Park (Baranoff Park)

* The City of Safety Harbor on July 15, 2019, amended the Safety Harbor Downtown Redevelopment Plan (Plan) by the adoption of Ordinance No. 2019-07, upon first reading.

* The Community Redevelopment Agency, during the same July 15, 2019, public meeting, approved the amendments by Resolution No. 2019-01 CRA.

* The Countywide Planning Authority will hear Case CW 19-18, proposing a land use map change during the October 8, 2019, public hearing.

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

13. [19-1610A](#) Resolution to extend the existence of the St. Petersburg Intown West Redevelopment Area through April 7, 2032.

Recommendation: Conduct a public hearing to consider approval of the proposed resolution to:

* Extend the St. Petersburg Intown West Community Redevelopment Agency/Area from November 15, 2020 through April 7, 2032;

* Deny the request to delegate all powers and authority from Pinellas County to the City of St. Petersburg during the period of the extension, subject to reconsideration at such time that items 2-7, as identified in the last whereas clause of the resolution are addressed.

* Directs County staff to work with the City of St. Petersburg to effectuate items 2-7 of the list of items in the last whereas clause of the resolution.

The St. Petersburg City Council on August 15, 2019 approved a resolution requesting these amendments for consideration and approval by Pinellas County.

CITIZENS TO BE HEARD

14. [19-1488A](#) Public Comment.

CONSENT AGENDA - Items 15 through 23

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

15. [19-1721A](#) Minutes of the special meeting held August 31, 2019, and the regular meeting held September 12, 2019.
16. [19-1722A](#) Vouchers and bills paid from August 18 through August 31, 2019.

Reports received for filing:

17. [19-1723A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-29 dated September 6, 2019 - Follow-up Investigation of PCCLB Release of Exempt Information.
18. [19-1724A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-30 dated September 23, 2019 - Audit of Airport Concession Services Agreement with Republic Parking System.
19. [19-1725A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-31 dated September 23, 2019 - Investigation of Misuse of County Purchasing Card.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

20. [19-1704A](#) Award of bid to Ajax Paving Industries of Florida, LLC for the St. Pete-Clearwater International Airport Runway 18-36 Rehabilitation project.

Recommendation: Approval of the award of bid to Ajax Paving Industries of Florida, LLC for the St. Pete-Clearwater International Airport (Airport) Runway 18-36 Rehabilitation project.

* This project consists of design and construction of Airport Runway 18-36 and Runway 4-22 extension.

* Two bids were received with award recommendation to the lowest, responsive responsible bidder, Ajax Paving Industries of Florida, LLC, (Ajax) in the amount of \$22,565,120.10.

* All work is expected to be completed within 448 consecutive calendar days.

* Ajax will subcontract over \$1,000,000.00 to Small Business Enterprise qualified firms.

Bid No. 189-0334-CP (LN); PID No. 000035A in the amount of \$22,565,120.10 on the basis of being the lowest responsive, responsible bid received meeting specifications. Authorize the Chairman to sign and the Clerk of the Court to attest.

Office of Technology and Innovation

21. [19-247A](#) Ranking of firms and agreement with Questica Ltd for public sector budgeting software, implementation and maintenance cloud-based services.

Recommendation: Approval of the ranking of firms and agreement with Questica Ltd for public sector budgeting software, implementation and maintenance cloud-based services.

* This Agreement provides implementation, subscription and support of a cloud based public sector budgeting software solution; eliminating the need for additional applications and reporting tools.

* It is projected to realize savings of approximately \$1.7M in the first five years due to reduced software, hardware, and support costs associated with current budgeting software systems.

* Current budget is developed and published by utilizing four major applications including various vendors and in-house customized applications.

Contract No. 189-0236-P (JJ) for a sixty-month, not-to-exceed total of \$1,562,123.00. Authorize the Chairman to sign and the Clerk of the Court to attest.

Real Estate Management

22. [19-1520A](#) Adjustment of County fixed asset and expensed item inventories for scrapped, junked, stolen, unaccounted, cannibalized, traded-in and donated items.

Recommendation: Declare surplus and authorize disposition of miscellaneous County-owned fixed assets and expensed items, to include:

* Sale of scrap material.

* Disposal of junked material.

* Removal of stolen, unaccounted, cannibalized, traded-in and donated items from County inventories.

COUNTY ATTORNEY

23. [19-1655A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Dino Hadzihusic v. Pinellas County; Circuit Civil Case No. 19-005534-CI-20 - allegations of negligence resulting in personal injuries.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of Dino Hadzihusic v. Pinellas County; Circuit Civil Case No. 19-005534-CI-20.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Human Services

24. [19-1557A](#) Contract with the State of Florida Department of Health for operation of the Florida Department of Health in Pinellas County.

Recommendation: Approval of the contract with the State of Florida Department of Health for the Fiscal Year (FY) 2020 operation of the Florida Department of Health in Pinellas (DOH).

* This Contract provides the direct ad valorem support to the State of Florida Department of Health pursuant to Chapter 154 Florida Statutes for the operation of DOH to promote, protect, maintain and improve the health and safety of all citizens and visitors through a system of coordinated county health departments.

* Funding in an amount not to exceed \$6,268,821.00 has been included in the FY 20 DOH budget. These funds are generated by a dedicated millage rate of 0.0835 mills levied countywide

* Services maintained by the Department of Health include environmental health services, communicable disease control, primary care services and school nurse program.

* This does not include the Pinellas County Health Program which is under a separate contract.

25. [19-1006A](#) First Option of Renewal and Amendment No.1 to the agreement with BayCare Health System, Inc. for the Pinellas County Health Program and Health Care for the Homeless.

Recommendation: Approval of the First Option of Renewal and Amendment No.1 to the agreement with BayCare Health System, Inc. (BayCare) for hospital services for the Pinellas County Health Program (PCHP) and Health Care for the Homeless (HCH).

The Renewal and Amendment No.1 provides funding adjustments to the current level of funding based upon utilization rates of Pinellas County Health Program/Healthcare for the Homeless clients during Fiscal Year (FY) 2018.

The total funding available across hospital agreements is \$3,000,000.00. Based on reported service level data received, the FY20 breakdown is as follows: BayCare receiving 70.3%, Bayfront receiving 26.2%, and AdventHealth North Pinellas receiving 3.5% of the funding allocation.

* Funding provides partial reimbursement for ambulatory and inpatient hospital care related services for authorized clients who are actively enrolled in the Pinellas County Health Program/Healthcare for the Homeless programs.

* Funding in an amount not to exceed \$2,109,000.00 is included in Human Services' proposed General Fund appropriation for FY20.

* On September 25, 2018, the Board of County Commissioners approved the original agreement with BayCare.

Office of Technology and Innovation

26. [19-1264A](#) Amendments Nos.2 and 3 to the purchase authorization with Carahsoft Technology Corporation for the Accela Civic Platform land management software system.

Recommendation: Approval of Amendments Nos.2 and 3 to the purchase authorization with Carahsoft Technology Corporation for the Accela Civic Platform land management software system

* Amendment No.2 provides Consumer Protection system implementation and integration services to migrate their primary business systems from a custom legacy Oracle solution to Accela Civic Platform's case management cloud solution.

* Amendment No.3 provides Animal Services system implementation and integration services to migrate their animal care, enforcement, licensing and medical systems from PetPoint Pethealth to Accela Civic Platform's case management cloud solution.

Contract no. 167-0244-G (JJ); increase in the amount of \$765,036.99; for a revised total contract amount of \$5,910,868.34. Authorize the Chairman to sign and the Clerk of the Court to attest.

Public Works

27. [19-1568A](#) Construction agreement with CSX Transportation, Inc. for the crossing surface replacement on 54th Avenue North (County Road 202).

Recommendation: Approval of a construction agreement with CSX Transportation, Inc. (CSXT) for the crossing surface replacement on 54th Avenue North (County Road (CR) 202).

* Existing concrete surface to be replaced with new tub (platform-type) crossing surface by CSXT.

* County to install approach roadway paving on each side of new crossing surface.

* Work expected to take place during summer and be completed by mid-August 2020.

CSXT OP No. FL2152, County PID No. 002194A; total cost is \$354,678.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Real Estate Management

28. [19-942A](#) Declare fee owned County property as surplus and authorize its sale to the Landings at Tarpon Springs LLC, accepting the appraisal price as the purchase price.

Recommendation: Approval of the contract for the sale and purchase at the appraisal price of \$6,700.00 and grant the authorization to sell the property to The Landings of Tarpon Springs, LLC.

* Complies with Florida State Statute 125.35(2).

* Market value of the property is less than \$15,000.00.

* Market value of the property by a fee appraiser is estimated to be \$6,700.00.

Authorize the Chairman to sign and the Clerk of the Court to record the County Deed in the Public Records of Pinellas County.

29. [19-1218A](#) Contract for sale and purchase with Corporation to Develop Communities of Tampa, Inc. for the sale of five parcels located in the Dansville neighborhood.

Recommendation: Approval of the contract for sale and purchase with Corporation to Develop Communities of Tampa, Inc. (CDC of Tampa, Inc.) for the sale of five parcels located in the Dansville neighborhood.

* The Board declared the County-owned parcels as surplus and authorized the sale and conveyance of the parcels for housing development by Resolution 16-27.

* The purchase price is \$90,000.00.

* CDC of Tampa, Inc. is a 501c3 affordable housing developer in Tampa. The CDC of Tampa has newly constructed over 300 units of affordable housing.

30. [19-1436A](#) Contract for sale and purchase with Habitat for Humanity of Pinellas & West Pasco Counties, Inc. for the sale of six parcels located in the Dansville neighborhood.

Recommendation: Approval of the contract for sale and purchase with Habitat for Humanity of Pinellas & West Pasco Counties, Inc. (Habitat) for the sale of six parcels located in the Dansville neighborhood.

* The Board declared the County owned parcels as surplus and authorized the sale and conveyance of the parcels for housing development by Resolution 16-27.

* The contract sales price is \$90,000.

* Habitat is a 501c3 affordable housing developer in Pinellas and West Pasco Counties. Since July 2016, Habitat has successfully completed the development, construction and sale of nineteen affordable homes in the Dansville neighborhood.

31. [19-1237A](#) First Amendment to the Agreement with Manhattan Construction (Florida) Inc. for design-build professional services for the St. Petersburg Justice Center Courts Consolidation project.

Recommendation: Approval of the First Amendment for the project scope and lump sum price (LSP) Amendment with Manhattan Construction (Florida) Inc. for design-build professional services for the St. Petersburg Justice Center Courts Consolidation project.

* This Amendment will initiate Phase 2 of the project for an LSP of \$11,770,576.00.

* The Board of County Commissioners approved the original award, Phase 1 - Design on June 19, 2018.

* This project consists of two phases - Phase 1 included the design development which is inclusive of design, 50% construction documents, and the LSP. Phase 2 will initiate the construction phase providing interior building renovations as described below. Actual construction is expected to commence during March 2020 after the design documents are complete and permitted.

Contract No. 167-0496-NC, First Amendment in the amount of \$11,770,576.00 from the notice to proceed date for 658 consecutive calendar days. Total of Phase 1 and Phase 2 (First Amendment) is \$12,403,723.00. Authorize the Chairman to sign.

Safety and Emergency Services

32. [19-1659A](#) First Amendment to the Letter of Agreement between the Board of County Commissioners dba Sunstar and LogistiCare Solutions, LLC.

Recommendation: Approval of the First Amendment to the Letter of Agreement between the Board of County Commissioners dba Sunstar and LogistiCare Solutions, LLC increasing the rate for non-emergency transportation services.

- * The existing contract provided the mechanism for re-imbursement for Medicaid Managed Medical Assistance (MMA) patients at the then current allowable rate.
- * The contract is specific to recipients enrolled in a Managed Medical Assistance Plan for which LogistiCare Solutions, LLC serves as the transportation broker.
- * This amendment increases the rate of reimbursement to the current Medicare allowable rate for non-emergency ambulance transportation services.
- * The rate change is projected to increase revenues by \$214,000.
- * Budgeted revenue for Medicaid MMA plan is \$514,000 compared to prior revenue of \$300,000.

Solid Waste

33. [19-1546A](#) Change Order No.1 to the contract with Keystone Excavators, Inc. for the North County Satellite Site project.

Recommendation: Approval of Change Order No.1 to the contract with Keystone Excavators, Inc. for the North County Satellite Site project.

- * This project provides for the construction of site improvements on approximately 5.5 acres of County property (North County Service Center) for a Solid Waste Satellite Collection Center, with a building structure, and a Tax Collector driving test course.
- * Change Order No.1 provides for constructing and installing the Florida Department of Transportation's drainage outfall pipes that are located on the County's project site.
- * Increase the contract by \$1,255,220.00 and extend the contract term by two-hundred seven consecutive calendar days.

Contract No. 189-0071-CP(RO); PID No. 000759A; increase in the amount of \$1,255,220.00 for a revised contract total of \$2,935,620.00, and extension of 207 consecutive calendar days. Authorize the Chairman to sign and the Clerk of the Court to attest.

Utilities

34. [19-1571A](#) Change Order No.1 (Final) for cancellation of the contract with KAT Construction & Materials, Inc. for the Biosolids Valve and Piping Modification project at South Cross Bayou Water Reclamation Facility.
- Recommendation:** Approval of Change Order No.1 (Final) for cancellation of the contract with KAT Construction & Materials, Inc. for the Biosolids Valve and Piping Modification project at South Cross Bayou Water Reclamation Facility.
- * This project was to repair and coat the sludge gas holding tank and install a new pump mixing system including the replacement of valves, instrumentation and controls for process operation.
- * After initial inspection of the tank by County Utilities Engineering and Plant Operations, it was determined that it was not feasible to remove the tank for coating and that a new tank needed to be installed, which could not be provided by this contract.
- * The Board of County Commissioners awarded this project to KAT Construction & Materials, Inc. on February 26, 2019 in the amount of \$2,586,330.00.
- * Final review of the project occurred July 19, 2019 with a reduction in price of (\$2,503,642.80) based on the difference between estimated and final quantities utilized.
- * The \$82,687.20 expense associated with this termination are a result of costs incurred by KAT for overhead, bonding, insurance and assorted engineering fees.
- Contract No.189-0044-CP(RO); PID No. 003208A; reducing the contract amount by (\$2,503,642.80) for a revised contract total of \$82,687.20. Authorize the Chairman to sign and the Clerk of the Court to attest.

COUNTY ATTORNEY

35. [19-1781A](#) Proposed initiation of litigation in the case of Pinellas County v. Diane C. Lister and Ted Spragg - action for injunctive relief.
- Recommendation:** Approval and authorization for the County Attorney to initiate litigation in the case of Diane C. Lister and Ted Spragg.
36. [19-1653A](#) Proposed initiation of litigation in the case of Pinellas County v. Robert M. Getz - action for injunctive relief.
- Recommendation:** Approval and authorization for the County Attorney to initiate litigation in the case of Pinellas County v. Robert M. Getz.
37. [19-1648A](#) Proposed settlement in the case of Pinellas County v. The Artec Group, Inc.; Circuit Civil Case No. 17-006972-CI-20.
- Recommendation:** Consideration of the proposed settlement in the case of Pinellas County v. The Artec Group, Inc.; Circuit Civil Case No. 17-006972-CI-20.
38. [19-1654A](#) Proposed settlement in the case of Constance Smith and Todd Smith v. Pinellas County; Circuit Civil Case No. 18-001925-CI-20.
- Recommendation:** Consideration of the proposed settlement in the case of Constance Smith and Todd Smith v. Pinellas County; Circuit Civil Case No. 18-001925-CI-20.
39. [19-1487A](#) County Attorney Reports - None.

COUNTY ADMINISTRATOR REPORTS

40. [19-1486A](#) County Administrator Reports:
- A public hearing will be held on October 22, 2019 regarding a proposed ordinance to the Pinellas County Code for the prohibition of equine riding within aquatic preserves and providing for the prohibition of unpermitted seagrass damage within aquatic preserves.

COUNTY COMMISSION

41. [19-1490A](#) County Commission New Business Items - None.
42. [19-1491A](#) County Commission Board Reports and Miscellaneous.

ADJOURNMENT - 1:43 P.M.

Special Accommodations

Persons needing a special accommodation to participate in this proceeding should contact the Office of Human Rights, by written or oral request, at least 48 hours prior to the proceeding at: 400 South Fort Harrison Avenue, Suite 500, Clearwater, Florida, 33756, Phone: (727) 464-4880, TDD: (727) 464-4062.

Public Participation Procedures

Persons wishing to speak during the Citizens to be Heard portion of the agenda or regarding a specific agenda item must complete a Citizen Comment Card. Cards should be given to staff at the table located at the front of the Assembly Room. At the scheduled section of the meeting when the item is before the Board of County Commissioners (Board), the Chairman will call each individual, one by one, to the lectern to be heard. Each individual may speak for up to three minutes.

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 followed by comments from 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. 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 after completing a Public Hearing Comment Card and submitting it to staff at the table located at the front of the Assembly Room.
3. Representatives of groups consisting of five or more individuals who are present during the Public Hearing may speak on behalf of the group for up to 10 minutes at the Chairman's discretion. To do so, the other individuals in the group must have waived their time to the representative by providing their information on the Group Speaker List, located on the back of the Public Hearing Comment Card.

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.