

## **Pinellas County Board of County Commissioners**

*333 Chestnut Street, Palm Room  
Clearwater, FL 33756  
pinellas.gov*



### **Hybrid In-Person and Virtual Regular Meeting Agenda**

Thursday, September 7, 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 Chaplain Milton Smith, Palm Harbor Fire Rescue.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [23-0998A](#) Partner Presentation:  
- Charles Carden, General Manager, Tampa Bay Water

**CITIZENS TO BE HEARD**

2. [23-1110A](#) Citizens To Be Heard - Public Comment.

**CONSENT AGENDA - Items 3 through 10****CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

3. [23-1329A](#) Minutes of the regular meetings held July 18 and August 1, 2023.
4. [23-1330A](#) Vouchers and bills paid from July 23 through August 12, 2023.

## Reports received for filing:

5. [23-1331A](#) Dock Fee Report for the month of July 2023.
6. [23-1332A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-17 dated July 31, 2023 - Audit of Emergency Rental Assistance Program.
7. [23-1333A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-18 dated August 4, 2023 - Investigative Review of the Municipal Recycling Reimbursement Grant Program involving the City of Clearwater.
8. [23-1334A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-19 dated August 7, 2023 - Review of 2007 Grand Jury Presentment Recommendations.
9. [23-1335A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-20 dated August 10, 2023 - Inspector General's Observation of the Communications Department's Annual Physical Inventory of Fixed Assets.

## COUNTY ADMINISTRATOR DEPARTMENTS

Development Review Services

10. [23-1191A](#) Plat of Wilds; a private residential subdivision.

**Recommendation:** Approval of the plat for Wilds located in Section 35, Township 27 South, Range 16 east, and acceptance of the sidewalk and street sign guarantees for recording.

- The private subdivision is located east of Hawks Landing Boulevard.
- Wilds Land Company, LLC is submitting this plat as a requirement for site plan number 4595.11.
- The site is being subdivided into 17-single family lots and six tracts. The site is designed to be a private subdivision and the six tracts will be dedicated to the homeowner's association.
- Sidewalks and street signs are a requirement of this subdivision.
- Wet signature required on mylars, and street sign and sidewalk guarantee to be recorded separately.

**REGULAR AGENDA**

## ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

## COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

11. [23-1174A](#) Agreement with Trane US Inc. for Central Energy Plant maintenance and services.

**Recommendation:** Approval of the agreement with Trane US Inc. for Central Energy Plant (CEP) maintenance and services

- This contract provides operational and maintenance support for the CEP to provide chilled water and air conditioning to buildings in the downtown Clearwater area.
- The new agreement is a 36-month term for \$760,244.00 with an annual fee, labor, and overtime rates for emergency services including \$100,000.00 for emergency services/repairs. The agreement has services removed: landscaping, lighting, janitorial services, plumbing, water treatment, electrical coverage, and fire alarm/protection. These services are being provided by County contractors resulting in a 7% reduction as compared to pricing from Trane US Inc.
- This agreement replaces the prior contract with the same vendor awarded for a 60-month term for \$2,359,945.42.
- Funding for this contract is included in the FY 2023 Amended Budget and the FY24 Proposed Budget. Funding is from the Operating Budget of the Department of Administrative Services which is funded in the General Fund.

Contract No. 23-0573-N, in the total not-to-exceed of \$760,244.00 with an estimated annual expenditure of \$253,414.66 for a thirty-six-month term; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Convention and Visitors Bureau

12. [23-1261A](#) Revisions to the Capital Projects Funding Program Guidelines from the Tourist Development Council.

**Recommendation:** Approval of the Tourist Development Council's (TDC) recommended revisions to the Capital Project Funding Program Guidelines (Guidelines).

- Capital Project Funding Program (CPFP) provides a significant economic benefit to the County through increased tourist room nights and attendance.
- Current Guidelines were approved by the Board of County Commissioners on August 7, 2018.
- Substantive revisions include:
  - 1.) Added requirement to project or maintain minimum room night and attendance thresholds.
  - 2.) Eliminated TDC Capital Projects Funding Committee and replaced with staff evaluating and scoring CPFP applications.
  - 3.) Revised the rating criteria to include contribution of the project to County's strategic plan and the projected minimum room night and attendance growth rate.
  - 4.) Revised the point system associated with the rating criteria from a maximum of 1,000 points to a maximum of 100 points.
- Recommended revisions were unanimously approved by the TDC on March 29, 2023.
- Revising the guidelines has no fiscal impact on Pinellas County. Funding to support the Capital Project Funding Program is provided through the Tourist Development Tax Fund.

County Administrator

13. [23-1064A](#) Palm Harbor Historical Society Fiscal Year 2023 Municipal Services Taxing Unit special projects funding request.

**Recommendation:** Approval of the Municipal Services Taxing Unit (MSTU) funding request, in the amount not to exceed \$20,000.00, for the Palm Harbor Historical Society (PHHS) to install an historically appropriate front entry door and design of entry features at the Palm Harbor Museum.

Additionally, delegate the approval and execution to the County Administrator of the PHHS 2023 MSTU Funding Agreement, which will allow for a grant amount not to exceed \$20,000.00 to be advanced to the PHHS for the installation of historically appropriate front door and design of entry features at the Palm Harbor Museum.

- The Palm Harbor Museum is an architecturally significant structure built in 1915 by Judge Thomas W. Hartley and is listed as an historic landmark by the Pinellas County Historic Preservation Board.
- Two wooden porches that existed when the house was first built in 1915 had become dilapidated and were removed in the 1950s. As a result, the front entry to the Museum has no protection or covering and is directly exposed to the elements (see photo included in attachments to the file).
- Modifications to the “Judge Hartley House” require the professional services of a registered architect experienced in historic preservation so that a Certificate of Appropriateness can be issued.
- The architect will provide construction documents and design a historically appropriate and hurricane rated canopy/roof feature that will provide protection from further weather damage.
- The project funding request is in the amount not to exceed \$20,000.00 for design, construction documents and replacement of door. Construction for the canopy/roof feature will be accomplished in a future phase.

14. [23-1268A](#) Palm Harbor Merchants Association Fiscal Year 2023 Municipal Services Taxing Unit special projects funding request.

**Recommendation:** Approval of the Municipal Services Taxing Unit (MSTU) funding request, in the amount of \$18,695.00, for the Palm Harbor Merchants Association (PHMA) purchase two 18 KV generators, a 10'x10' branded event tent, thirty barricades, a barricade storage cart and a 7'x14' enclosed trailer that will securely store all this equipment thus eliminating the need for a stationary storage shed.

Additionally, delegate to the County Administrator the approval and execution of the PHMA 2023 MSTU Funding Agreement, which will allow for a grant amount not to exceed \$20,000.00 to be advanced to the PHMA for the purchase of equipment described above.

- The Palm Harbor Merchants Association is a core community organization focused on promoting special events in the Palm Harbor Central (Form Based Code) District (District). Not having the equipment necessary to hold events is an organizational and financial burden on the Palm Harbor Merchants and is a limiting factor on the number and quality of events that the community can enjoy.
- Purchasing this equipment, instead of renting it for every event, will eliminate the repetitive rental costs and create an ancillary revenue stream by offering to rent it to other organizations that hold events in the District. This ancillary revenue will offset the maintenance and operational costs of the equipment.
- If funding is approved, this equipment will be purchased in time for the PHMA to hold a major Veterans Day event in the District in November and will be used extensively throughout the year on many other planned annual events.
- Money generated from these events will support streetscape maintenance and the costs associated with the proposed street lighting district being considered with Duke Energy and the PHMA in the Downtown Palm Harbor Central District.
- This project will foster continual economic growth and vitality in the Downtown Palm Harbor (DPH) Form Based Code District. The Palm Harbor Merchant Association is committed to sustaining the operational objectives of the DPH Master Plan and the DPH Streetscape and Parking Action plan.

Human Services

15. [23-0737A](#) First Option of Renewal with Personal Enrichment Through Mental Health, Inc., to continue supporting operational costs of the designated public crisis stabilization unit and the Pinellas Integrated Care Team.

**Recommendation:** Approval of the First Option of Renewal (Renewal) with Personal Enrichment Through Mental Health, Inc., (PEMHS) to continue supporting the county's designated public crisis stabilization unit (CSU) and the Pinellas Integrated Care Team (PIC Team).

- This Renewal continues funding the county's only public CSU and the PIC Team an integrated case management pilot. This is the first Renewal under this agreement.
- The CSU provides assessment and stabilization services for individuals experiencing a mental health crisis. The PIC Team provides field-based integrated case management to connect individuals to community treatment and resources in collaboration with the Pinellas County Sheriff Office's Mental Health Unit (MHU).
- In June 2018, the County coordinated the implementation of the PIC Team to improve how residents' access behavioral health services to avoid the need for crisis stabilization.
- The expenses associated with this renewal option are included in the (as yet unapproved) Preliminary Fiscal Year 2024 Budget, in the amount of \$2,302,719.00 in the General Fund, as presented at the Budget Information Session for Human Services with \$1,777,719.00 allocated to the CSU and \$525,000 is allocated to the PIC Team. Expenditures under this renewal option will not occur if this portion of the budget is not adopted.
- The Board approved the agreement with PEMHS on September 22, 2020, and the first amendment on March 28, 2023. The first amendment implemented a 5% cost of living adjustment increasing the total annual funding of this agreement by \$109,653.00 (\$84,653.00 for the CSU and \$25,000.00 for the PIC Team).



Management and Budget

16. [23-1068A](#) Grant Funding Agreement with the State of Florida Division of Emergency Management regarding a Federal Emergency Management Agency Public Assistance Grant for disaster relief funding associated with Hurricane Nicole.

**Recommendation:** Approval of the federally funded sub-award and grant agreement with the State of Florida, Division of Emergency Management (FDEM) for reimbursement through the Federal Emergency Management Agency (FEMA) for public safety costs related to the response to Hurricane Nicole.

- Execution of this grant funding agreement with the FDEM is necessary to appropriate funding for eligible disaster relief costs.
- As of December 31st, 2022, the County had expended approximately \$31,887.20 on Hurricane Nicole emergency response. All funds apply to Fiscal Year 2023.
- The County will leverage FEMA for reimbursement of emergency response activities.
- No other Board actions have taken place related to this item.

17. [23-1321A](#) Resolution establishing the Pinellas County General Fund Reserve Policy at a minimum of 20.8% of recurring revenues.

**Recommendation:** Adopt the attached resolution establishing the Pinellas County General Fund Reserve Policy.

- The policy is to maintain a minimum level of designated reserves in the General Fund of 20.8%, equivalent to two and one-half months, of recurring revenues.
- This policy by itself has no fiscal impact on Pinellas County.

Parks and Conservation Resources

18. [23-1324A](#) Written notice that the County is exercising its option to purchase real property from the Blanche K. "Pip" Whitesell Revocable Trust Agreement.

**Recommendation:**

Approval of a written notice declaring that the County is exercising its option to purchase a parcel of real property as depicted in Exhibit A (Property) from the Blanche K. "Pip" Whitesell Revocable Trust Agreement (Seller).

- Property is 20.315 acres of environmentally sensitive land that has a northern and southern border adjacent to County-owned preserve land.
- County entered into Option Contract for Sale and Purchase for the Property on March 31, 1998.
- Effective date for exercise of the option to purchase became effective on December 13, 2022, the date of notification from Seller's attorney.
- Original expiration for exercise of option was June 13, 2023.
- Amended expiration for exercise of option is September 13, 2023.
- Purchase price will be determined by calculating the average of two appraisals conducted by separate appraisers that are approved by County staff.
- Purchase funding is budgeted in Capital Improvement Program project 002168A - Environmental Lands Acquisition, funded by Local Infrastructure Sales Surtax (Penny for Pinellas). The Fiscal Year 2023 project budget is \$3.0M.

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Clerk of the Circuit Court

19. [23-1288A](#) Resolution amending the County's Investment Policy.

**Recommendation:** Adoption of a resolution amending the County's Investment Policy.

- The Clerk of the Circuit Court and Comptroller (Clerk) is responsible for managing and administering the County's investments.
- The Pinellas County Investment Committee (Committee) comprised of the Clerk, Clerk staff, Office of Management and Budget staff, and financial advisors reviewed the County's Investment Policy (Policy) and recommends changes to the Policy.
- The proposed changes will comply with recent legislative changes {House Bill 3} and to increase the portfolio limits of SEC Registered Money Market Funds.

## COUNTY ATTORNEY

20. [23-1297A](#) Proposed initiation of litigation in the case of Pinellas County v. James J. Gold and/or John J. Sierra - action for foreclosure of Special Magistrate lien.

**Recommendation:** Approval and authorization for the County Attorney to initiate litigation in the case of Pinellas County v. James J. Gold and/or John J. Sierra.

21. [23-1296A](#) Proposed initiation of litigation in the case of Pinellas County v. Jeffery L. Gray- action for foreclosure of Special Magistrate lien.

**Recommendation:** Approval and authorization for the County Attorney to initiate litigation in the case of Pinellas County v. Jeffery L. Gray.

22. [23-1255A](#) Resolution approving early extension of 2023 tax rolls.

**Recommendation:** Adopt the resolution approving early extension of 2023 tax rolls, pursuant to Section 197.323, Florida Statutes, directing the Property Appraiser to complete and deliver the extended tax rolls to the Tax Collector on or before October 6, 2023, and directing the Clerk of the Circuit Court to deliver the resolution to the Property Appraiser.

23. [23-1111A](#) County Attorney Reports.

COUNTY ADMINISTRATOR

24. [23-1112A](#) County Administrator Reports.

COUNTY COMMISSION

25. [23-1320A](#) Appointments to the Youth Advisory Committee (Board of County Commissioners as a whole).

**Recommendation:** Approve the appointments to the Youth Advisory Committee.

- Applicants can be viewed in the attached packet.
- Suggested voice vote to approve slate of candidates.

26. [23-1113A](#) County Commission New Business:  
Pertinent and timely Committee/Board updates, policy considerations, administrative/procedural considerations, and other new business.

6:00 PM

## PUBLIC HEARINGS

### BOARD OF COUNTY COMMISSIONERS

27. [23-1202A](#) Resolutions adopting tentative millage rates and budgets for Fiscal Year 2024 (first public hearing).

**Recommendation:**

Following a public hearing, adopt resolutions approving the tentative millage rates and budgets for Fiscal Year (FY) 2024.

- The budget is as proposed on July 18, 2023, and presented in the FY24 Proposed Budget book.
- Two changes to the Proposed Budget are recommended:
  - Adding \$23.6M in the Opioid Settlement Fund, newly clarified since the budget was proposed.
  - Moving \$7,693,000.00 in the American Rescue Plan Act funding to Penny projects (reducing Penny accordingly), and in return moving \$3,693,000.00 in Penny funding to partially replace the funding as necessary.

## 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](mailto: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.*