

Pinellas County Board of County Commissioners

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



Regular Meeting Agenda

Tuesday, January 28, 2020
2:00 P.M.

Public Hearings at 6:00 P.M.

Pat Gerard, Chair
Dave Eggers, Vice-Chair
Charlie Justice
Janet C. Long
Kathleen Peters
Karen Williams Seel
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 J.C. Pritchett, Faith Church, St. Petersburg.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [19-2224A](#) Human Trafficking Prevention Month Proclamation:
 - Paul Valenti, Director, Office of Human Rights
 - Jeffrey Lorick, Compliance Manager, Office of Human Rights
 - Daisy Rodriguez, Director, Human Services
 - Doug Templeton, Operations Manager, Consumer Protection
 - Jason Ohman, Senior Investigator, Consumer Protection
 - Jim Clark, Investigator, Consumer Protection
 - Celeste Fernandez, Community Development Administrator, Department of Children and Families
2. [19-2225A](#) Lincolnshire Cooperation Proclamation:
 - Colin Davie, Executive Councillor of Economy and Place
3. [20-012A](#) Marketing and Communications Local and State Awards:
Florida Public Relations Association
 - Judges Award and Award of Distinction for Pinellas County's Red Tide Crisis Communication Response
 - Award of Distinction for a Life Saved: Kayaker Rescue Media Event Public Relations Society of America
 - Award of Excellence for Pinellas County's Red Tide Crisis Communications Response
4. [19-2248A](#) Partner Presentation:
 - Mike Sutton, President and CEO, Habitat for Humanity of Pinellas and West Pasco Counties
5. [19-2227A](#) Partner Presentation:
 - #PurePinellas by Commissioner Justice

CITIZENS TO BE HEARD

6. [19-2228A](#) Public Comment.

CONSENT AGENDA - Items 7 through 19**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

7. [20-066A](#) Vouchers and bills paid from November 17 through December 28, 2019.

Reports received for filing:

8. [20-067A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, 2020 Inspector General's Annual Audit Plan.
9. [20-068A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-01 dated January 8, 2020 - Follow-Up Investigation of Misappropriation of County Laptop.
10. [20-069A](#) Report of Expenses Incurred Under Incentives, Awards, and Recruitment Ordinance No. 07-26 for quarter ended September 30, 2019.
11. [20-070A](#) Juvenile Welfare Board Quarterly Financial Statements for the period ended September 30, 2019.

Miscellaneous items received for filing:

12. [20-071A](#) City of Clearwater Ordinances Nos. 9328-19, 9331-19, and 9334-19 adopted December 5, 2019, annexing certain properties.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

13. [19-2234A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending December 31, 2019.
Recommendation: Accept the receipt and file report of non-procurement items delegated to the County Administrator.
14. [20-047A](#) Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2019.
Recommendation: Accept the receipt and file report of purchasing items delegated to the County Administrator.

Convention and Visitors Bureau

15. [19-332A](#) Ranking of firms and agreement with Birdsall, Voss and Associates, Inc. for advertising and promotional services pertaining to the Convention and Visitors Bureau.

Recommendation: Approval of the ranking of firms and execution of agreement with Birdsall, Voss and Associates, Inc. for advertising and promotional services pertaining to the Convention and Visitors Bureau (CVB).

* This Agreement provides advertising planning, media buying, and creative campaign development services for the CVB, d/b/a Visit St. Pete/Clearwater (VSPC).

* VSPC functions as the official tourism marketing and management organization for the entire County including its 24 municipalities.

* The St. Pete/Clearwater area is the leading destination on the Gulf Coast in the U.S., drawing more than 16.6 million visitors and 6.8 million room nights in Fiscal Year 2018.

Contract No. 189-0284-P (JJ) in an annual amount of \$14,465,000.00 for a sixty-month contract value of \$72,325,000.00. Authorize the Chairman to sign and the Clerk of the Court to attest.

Public Works

16. [19-1453A](#) Award of bid to Suncoast Development of Pinellas County, Inc. for the Fiscal Year 2020-2022 Countywide ADA, sidewalk, drainage, and roadway improvements.

Recommendation: Approval of the award of bid to Suncoast Development of Pinellas County, Inc. (Suncoast) for the Fiscal Year 2020-2022 Countywide ADA, sidewalk, drainage, and roadway improvements.

* The purpose of this contract is to construct sidewalk, drainage, roadway and ADA improvements in support of the roadway resurfacing program.

* Two bids were received with an award recommendation to the lowest responsive responsible bid, Suncoast, in the amount of \$14,364,444.00.

* All work is expected to be completed within 830 consecutive calendar days.

* Suncoast is certified as a Pinellas County Small Business Enterprise.

Bid No. 189-0509-CP(PLU); PID No. 004184A; in the amount of \$14,365,444.00 as the lowest responsive, responsible bid received meeting specifications. Authorize the Chairman to sign and the Clerk of the Court to attest.

Utilities

17. [19-769A](#) Ranking of firms and agreement with Ardurra Group, Inc. for professional engineering services pertaining to South Cross Bayou Dewatering Enhancement project.

Recommendation: Approval of the ranking of firms and agreement with Ardurra Group, Inc. for professional engineering services for the South Cross Bayou Dewatering Enhancement project.

* The contract is for professional engineering services for design and rehabilitation of the existing electrical system, a new or rehabilitated conveyance system, new or rehabilitated piping system, new polymer storage and feed system.

* Award recommendation is the Ardurra Group, Inc. per the Consultant Competitive Negotiation Act in the amount of \$983,533.76.

* Three Small Business Enterprise firms are included with Ardurra's submittal for structural engineer, electrical engineering, and instrumentation and controls services.

Contract No. 189-0371-NC (SS); in the amount of \$983,533.76. The design, permitting, bidding and construction administration process are expected to be completed within one thousand and twenty-five consecutive calendar days. Authorize the Chairman to sign and the Clerk of the Court to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

18. [19-2358A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2019.

Recommendation: Accept the receipt and file report of Sheriff's Office grants received and service contracts - payments to the Sheriff for October 1, 2019 through December 31, 2019

19. [19-2366A](#) Receipt and file report on the Law Enforcement Trust Fund for the quarter ending December 31, 2019.

Recommendation: Accept the receipt and file report on the Law Enforcement Trust Fund from October 1, 2019 to December 31, 2019.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

20. [19-2134A](#) Updated Allegiant Air, LLC Operating and Use Agreement with St. Pete-Clearwater International Airport.

Recommendation: Approval of the updated Allegiant Air, LLC contract that was previously approved in Granicus item number 19-1297A. Substitute the updated Agreement for the Agreement that was previously approved by the Board of County Commissioners (Board).

* The new five-year Agreement for Fiscal Years 2020 through 2024 was previously approved by the Board on September 24, 2019.

* Due to a scrivener's error, language in Sections 5.1 ("General") and Section 5.2 (Fee Waivers) was left out of the last approved agreement. This language is consistent with the prior agreement with Allegiant from 2013.

* The fiscal impact from the Granicus Number 19-1297A remains the same.

* The original terms of the Operating and Use Agreement remain intact and unchanged.

Human Services**21.** [19-2268A](#) Six-month Social Action Funding Awards under the Fiscal Year 2020 Decision Package for community programs.

Recommendation: Approval of the Funding Agreement with In Touch with Communities Around the World, Inc. dba Arts Conservatory for Teens, and First Amendments with Pinellas Ex-Offender Re-Entry Coalition, Inc. (PERC) and the Area Agency on Aging of Pasco-Pinellas, Inc. (AAAPP).

* Decision package funding for community program support totaling \$750,000.00 has been included in the Human Services' Fiscal Year (FY) 2020 adopted budget.

* On October 8, 2019 six-month Agreements were approved to continue existing program support for PERC's STARS program, AAAPP's senior meals program, and the Pinellas County Urban League's Youth Empowerment program totaling \$401,530.00 (Legistar file # 19-819D).

* The remaining \$348,470.00 is recommended for award following a simplified Social Action Funding (SAF) grant process held competitively with nine requesting programs. The rank and review committee evaluated the applications on September 13, 2019 and three additional awards were recommended. The agreements for execution will fund:

1.) Arts Conservatory for Teens' workforce development and training program to serve approximately 50 teens at \$50,000.00.

2.) PERC STARS program for job training, employment support and job placement for approximately 50 more adults at and additional \$214,994.00.

3.) AAAPP program for the delivery of approximately 12,000 more senior meals at an additional \$83,476.00.

* In addition, nineteen SAF agreements totaling \$800,495.00 have been processed for one-year renewals under Legistar file #19-440D and 19-1231A.

* A new and competitive SAF solicitation will be released in early 2020 seeking applications for awards starting in FY21.

Public Works**22.** [19-2334A](#) Agreement with the Gulf Consortium for partial grant funding of the Lake Seminole Sediment Removal and Restoration project.

Recommendation: Approval of the Agreement with the Gulf Consortium for partial grant funding of the Lake Seminole Sediment Removal and Restoration project.

* Agreement is part of Gulf Coast Ecosystem Restoration Council's Spill Impact Component.

* Agreement will fund dredging of approximately 100,000 cubic yards of organic sediments from Lake Seminole as part of the overall project.

* Also provides funds for post-dredging monitoring efforts for three years.

Gulf Consortium Project No. 16-1; County PID No. 000157A; funding in amount of \$1,160,000.00 through September 30, 2026. Authorize the Chairman to sign and the Clerk of the Court to attest.

23. [19-2302A](#) Resolution dedicating a portion of County-owned property being a portion of Taylor Park on 16th Avenue Southwest in Section 4, Township 30 South, Range 15 East, as public right-of-way.

Recommendation: Adopt the resolution dedicating a portion of County-owned property being a portion of Taylor Park on 16th Avenue Southwest in Section 4, Township 30 South, Range 15 East, as public right-of-way.

* Resolution to dedicate a portion of County-owned property in Taylor Park in Largo as public right-of-way on 16th Avenue S.W.

* The parcel has been improved by the County including roadway and / or drainage improvements and is needed for public right-of-way.

* This road segment is currently being proposed as part of the future Road Transfer Interlocal Agreement between the City of Largo and County.

It is further recommended the Clerk of the Circuit Court be authorized to record the resolution in the public records of the County.

Safety and Emergency Services

24. [19-2371A](#) Updated 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 allowing Pinellas County to participate in the State Fiscal Year 2019-2020 Medicaid Public Emergency Medical Transportation Intergovernmental Transfer program.

Recommendation: Approval of the Updated Medicaid Public Emergency Transportation (PEMT) Letter of Agreement (LOA) with the Agency for Health Care Administration (AHCA) and Intergovernmental Transfer program (IGT) Questionnaire to participate in the expansion of the PEMT program via an IGT program.

* The PEMT IGT is the annual program supplementing unreimbursed fees associated with emergency ambulance transportation services provided by public entities to some Medicaid recipients.

* Pinellas County signed a Letter of Agreement (LOA) with AHCA in September 2019, (Granicus #19-1607A).

* Subsequent to the September agreement, AHCA made minor changes to the LOA originally approved adding a requirement to complete and sign "Intergovernmental Transfers Questionnaire".

* This item is the updated agreement and questionnaire.

* Projected net revenue of \$2,838,530.71 to the Emergency Medical Services Fund in Fiscal Year 2020.

Utilities

25. [19-2357A](#) Change Order No. 3 with Polydyne, Inc. for requirements of polymers for wastewater treatment.

Recommendation: Approval of Change Order No. 3 with Polydyne, Inc. for requirements of polymers for wastewater treatment.

* Total increase is \$485,056.17 for the remainder of the contract term.

* Part of this increase is necessitated by the addition of two rotary drum thickeners at the South Cross facility in conjunction with polymer originally specified did not produce as expected or anticipated and required a switch to an alternate product requiring a higher dosage.

* This contract provides for requirements of polymers utilized at the South Cross Bayou and William E. Dunn Water Reclamation Facilities.

* Polymers are utilized to thicken and dewater bio solids generated during the wastewater treatment process so biosolids may be 100% beneficially re-used as Class AA fertilizer.

Contract No. 178-0044-B(JA) increase in the amount of \$485,056.17 for a revised contract value of \$1,347,718.17 with an annual amount of \$449,239.39 through March 20, 2021.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

26. [19-2161A](#) Revisions to the Emergency Medical Services Rules and Regulations.

Recommendation: Sitting as the Pinellas County Emergency Medical Services (EMS) Authority, approve revisions to the Pinellas County EMS Rules and Regulations.

* Pinellas County existing EMS Rules and Regulations are periodically updated.

* This item updates those rules as recommended by the Medical Control Board and EMS Advisory Council. The changes are as follows:

1.) Allows Emergency Medical Technician Instructors for specialized courses such as Basic Life Support and public education.

2.) Changes the name of the "Continuing Medical Education Planning Committee" to the "EMS Training Group" to account for their oversight of the EMS Academy.

3.) Memorializes the "EMS Academy" approach from the former Office of the Medical Director/System Orientation.

4.) Memorializes the "Clinical Status Inquiry" for transfers to another agency.

5.) Memorializes Emergency Pediatric Care as our pediatric training standard.

6.) Provides for a provision period for new CME Instructors.

7.) Provides a 30-day timer on Administrative/Medical Control Directives unless otherwise specified.

8.) Clarifies limited practice personnel assigned to the Communications Center.

COUNTY ATTORNEY

27. [19-2207A](#) Proposed settlement in the case of Glenn Fiore v. Pinellas County; Circuit Civil Case No. 19-004344-CI-13.

Recommendation: Consideration of the proposed settlement in the case of Glenn Fiore v. Pinellas County.

28. [19-2229A](#) County Attorney Reports.

COUNTY ADMINISTRATOR REPORTS

29. [19-2231A](#) County Administrator Reports:
- CareerSource Pinellas Update

COUNTY COMMISSION

30. [19-2034A](#) Appointment to the Local Planning Agency (Individual Appointment by Commissioner Justice).
- Recommendation:** Approve the appointment of Mattaniah S. Jahn by Commissioner Charlie Justice to the Local Planning Agency (LPA) to fill a current vacancy set to expire on November 3, 2020.
- * Mattaniah S. Jahn to serve as Commissioner Justice's appointment on the LPA.
 - * One person is being appointed.
 - * No ballots necessary.
31. [19-2232A](#) County Commission New Business Items.

6:00 P.M.

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

32. [20-094A](#) Proposed ordinance amending Article IV of Chapter 70 of the Pinellas County Code Relating to Wage Theft/Recovery.

Recommendation: Conduct a public hearing regarding a proposed ordinance amending Article IV of Chapter 70 of the Pinellas County Code, relating to Wage Theft/Recovery.

- * Amend Section 70-303 relating to Legislative findings of fact.
- * Amend Section 70-304 relating to intent and purpose.
- * Amend Section 70-305 relating to definitions.
- * Amend Section 70-306 relating to wage theft violations.
- * Amend Section 70-307 relating to procedures for wage theft violations.
- * Amend Section 70-308 relating to enforcement of wage theft violations.
- * Amend Section 70-309 relating to appeals.
- * Delete Section 70-310 relating to Retaliation.
- * Amend all sections for clarity, consistency and uniformity.
- * Provide for severability, for an effective date, for areas embraced, and for inclusion in the Pinellas County Code.

33. [19-2370A](#) Resolution supplementing the Fiscal Year 2020 Budget for unanticipated fund balances in the Surface Water Utility, Capital Projects, Solid Waste Renewal and Replacement, Water Renewal and Replacement, and Sewer Renewal and Replacement Funds.

Recommendation: Conduct a public hearing and adopt the attached resolution recognizing unanticipated fund balance and adjusting capital project budgets in Surface Water Utility, Capital Projects, Solid Waste Renewal and Replacement, Water Renewal and Replacement, and Sewer Renewal and Replacement Funds in the Fiscal Year (FY) 2020 budget as outlined in the staff report.

- * The resolution recognizes unanticipated fund balance in the FY20 Budget in various funds as follows: Surface Water Utility Fund \$800,000.00; Capital Projects Fund \$26,933,900.00; Solid Waste Renewal and Replacement Fund \$2,811,000.00; Water Renewal and Replacement Fund \$220,000.00; Sewer Renewal and Replacement Fund \$3,004,000.00.
- * The FY20 actual beginning fund balances have exceeded the budget in the funds identified due to changes in project scheduling not anticipated during budget development. The resolution also adjusts the FY20 Capital Budget for projects that did not progress as anticipated in FY19 and projects that progressed ahead of schedule in FY19.

34. [19-2279A](#) Case No. LU-30-12-19 (K G G K Venture, LLC)
A request for a land use change from Residential/Office/Retail to Commercial General on approximately 3.23 acres located at 28795 U.S. Highway 19 North in unincorporated Clearwater.

Recommendation: Based upon evidence and findings contained in the staff report and attachments, Case No. LU-30-12-19 is recommended for approval:

1.) An Ordinance approving the application of K G G K Venture, LLC for a change in land use from Residential/Office/Retail to Commercial General.

* The applicants are seeking a land use change on 3.23 acres of land that contains a vacant restaurant. If granted, the amendment will allow for general commercial uses.

* The applicants are proposing to develop the site with a self-storage facility.

* The Local Planning Agency unanimously recommended approval of the request (vote 5-0). No one appeared in favor or in opposition.

* One letter in opposition has been received, specifically against the proposed self-storage use. They are not opposed to other commercial uses.

35. [19-2280A](#) Case No. Q Z/LU-15-09-19 (McMullen Booth 2AC 3 2019 Trust, Martin J. Rosato, Trustee)
A request for a land use change from Recreation/Open Space to Institutional (Legislative) and a zoning change from R-A, Residential Agriculture to LI, Limited Institutional (Quasi-Judicial) with a Development Agreement limiting the use on the property to a one-story medical office having a maximum size of 18,000 square feet and requiring additional development parameters involving site access, roadway improvements, buffering, and building design, on approximately 2.0 acres located on the east side of McMullen Booth Road, approximately 900 feet north of Curlew Road in Palm Harbor.

Recommendation: Based upon evidence and findings contained in the staff report and attachments, Case N. Q Z/LU-15-09-19 is recommended for approval:

1.) An Ordinance approving the application of McMullen Booth 2AC 3 2019 Trust, Martin J. Rosato, Trustee for a land use change from Recreation/Open Space to Institutional, on approximately 2.0 acres located on the east side of McMullen Booth Road approximately 900 feet north of Curlew Road.

2.) A Resolution approving a zoning change from R-A, Residential Agriculture to LI, Limited Institutional, with a Development Agreement limiting the use on the property to a 1-story medical office having a maximum size of 18,000 square feet and requiring additional development parameters involving site access, roadway improvements, buffering, and building design.

* The applicant is seeking land use and zoning changes on 2 acres of land that is currently vacant. If granted, the amendments will allow for a medical office.

* The contract purchaser is proposing to construct a dentist office.

* The proposed Development Agreement will limit the use to a medical office that can be a maximum of 1-story and 18,000 square feet in size, along with additional requirements involving site access, roadway safety improvements, buffering and building design to address safety concerns.

* The Local Planning Agency recommended approval of the request (vote 3-2). Those who voted no offered no specific explanation. Two persons spoke in favor and one person representing a group of five individuals spoke in opposition. Those in opposition cited various concerns, including traffic, flooding, development along the scenic/non-commercial corridor, and not enough visual buffering. They desire for the property to remain undeveloped open space.

* A petition in support of the proposal with 19 signatures, and one letter in support have been received. A petition in opposition with 76 signatures and two letters in opposition have been received. The stated reasons for opposition include traffic concerns, loss of open/green space, flooding concerns, development along the scenic/non-commercial corridor, belief that there are other commercially-zoned locations already available for development, and a worry that this will set a precedent.

ADJOURNMENT

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.