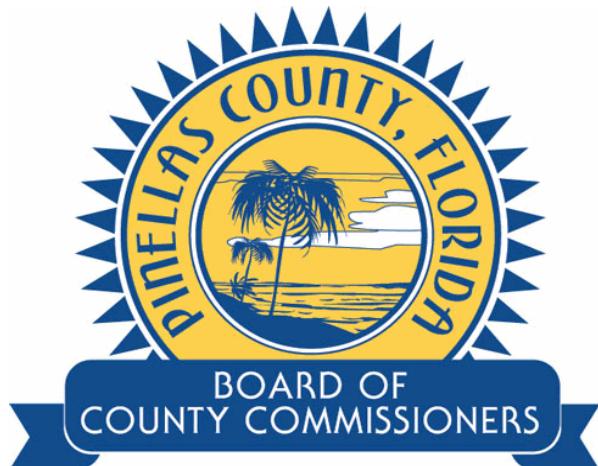


## **Pinellas County Board of County Commissioners**

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



### **Regular Meeting Agenda**

Tuesday, April 23, 2019

2:00 PM

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 Watson Haynes II, Pinellas County Urban League, St. Petersburg.**

**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [19-408A](#) Employee Appreciation Week Proclamation:
  - Kara Crabtree, Animal Services
  - Angela Greene, Human Services
  - Hazel Lane, Human Services
  - Bruno Rivera, Marketing & Communications
  - Jonathan Skinner, Parks & Conservation Resources
  - Michael Schoderbock, Planning
  - Casey Morse, Public Works
  - Melissa Perez, Real Estate Management
  - Lori Collins, Safety & Emergency Services
  - Billy Washington, Utilities
2. [19-409A](#) National Arbor Day Proclamation:  
Public Works - Stormwater and Vegetation Division
  - Michael P. DePappa, Section Manager
  - Jamie Franks, Operations Manager
  - Dave Hinrichs, Operations Manager
  - Carolyn Cheatham Rhodes, Urban Forester
  - John Martinotti, Crew Chief 2
  - Matt Hill, Tree TrimmerDevelopment Review Services
  - Carol Purchell, Environmental Program Manager 2
  - Mike Riley, Environmental Specialist 2
  - Jackie Hartley, Environmental Specialist 1
  - Lori Messenger, Environmental Specialist 1
  - Jerry Irizarry, Environmental Specialist 1
3. [19-460A](#) Mental Health Awareness Month Proclamation:
  - National Alliance on Mental Illness, Pinellas County
4. [19-566A](#) Partner Presentation:
  - Ed Sherwood, Executive Director, Tampa Bay Estuary Program
5. [19-157A](#) Partner Presentation:
  - #PurePinellas by Commissioner Justice

**CONSENT AGENDA - Items 6 through 27****CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

6. [19-574A](#) Minutes of the regular meeting held March 12, 2019.
7. [19-575A](#) Vouchers and bills paid from March 10 through March 23, 2019.

## Reports received for filing:

8. [19-576A](#) Pinellas County Comprehensive Annual Financial Report, Annual Financial Report, and Citizens' Guide to County Finances for the Fiscal Year ended September 30, 2018.
9. [19-578A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2019-07 dated April 4, 2019 - Follow-Up Audit of Tax Increment Financing of Community Redevelopment Areas' Payment to Cities.
10. [19-579A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Annual Report for the year ending December 31, 2018.
11. [19-580A](#) City of Dunedin Community Redevelopment Agency Annual Report for Fiscal Year 2017-2018.
12. [19-581A](#) City of Largo Community Redevelopment Agency Annual Report for Fiscal Year 2017-2018.
13. [19-582A](#) City of Oldsmar Community Redevelopment Agency Annual Report for Fiscal Year 2018-2019.
14. [19-583A](#) City of Safety Harbor Community Redevelopment Agency Annual Report for Fiscal Year 2017-2018.

## Miscellaneous items received for filing:

15. [19-584A](#) Florida Department of State, Division of Historical Resources, notification of official listing of Cycadia Cemetery in the National Register of Historic Places.
16. [19-585A](#) City of Clearwater Ordinances Nos. 9229-19 and 9232-19 adopted March 7, 2019, annexing certain properties.
17. [19-586A](#) City of Seminole Notice of Ordinance Enactment and Public Hearing to be held April 23, 2019, re proposed Ordinance No. 03-2019 annexing certain property.

## COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

18. [19-515A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending March 31, 2019.

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

19. [19-497A](#) Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending March 31, 2019.

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

Purchasing

20. [19-270A](#) Authority to advertise a proposed modification to the Pinellas County Code related to purchasing.

Recommendation: Authorize a public hearing to be held on May 7, 2019 for a proposed modification to the Pinellas County Code related to purchasing.

\* Requesting approval to advertise a Public Hearing to modify the Pinellas County Code related to purchasing.

\* Code Section 2-165 does not conform to current case law and will be revised to reflect the current structure and direction of the Small Business Enterprise Program.

\* The language currently expressed in Code Section 2-165 will be replaced in its entirety with the proposed language attached.

## COUNTY ATTORNEY

21. [19-466A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of James A. Latiolais, Jr. v. Pinellas County, Community Development and Planning Department; Circuit Civil Case No. 18-006909-CI - action for injunctive relief.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of James A. Latiolais, Jr. v. Pinellas County, Community Development and Planning Department; Circuit Civil Case No. 18-006909-CI.

22. [19-467A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Blevins Road Boring, Inc. v. Pinellas County; Circuit Civil Case No. 19-000932-CI-20 - allegations of damage as a result of negligence.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of Blevins Road Boring, Inc. v. Pinellas County; Circuit Civil Case No. 19-000932-CI-20.

23. [19-468A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Mia Sintt v. Pinellas County; Circuit Civil Case No. 19-001021-CI-8 - 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 Mia Sintt v. Pinellas County; Circuit Civil Case No. 19-001021-CI-8.

24. [19-469A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Susan Maliner-Colvin v. Pinellas County; Circuit Civil Case No. 18-001085-CI-7 - alleged breach of contract.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of Susan Maliner-Colvin v. Pinellas County; Circuit Civil Case No. 18-001085-CI-7.

25. [19-495A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Janet Flanagan v. Pinellas County; Circuit Civil Case No. 19-001967-CI-21 - 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 Janet Flanagan v. Pinellas County; Circuit Civil Case No. 19-001967-CI-21.

## AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

### Sheriff's Office

26. [19-480A](#) Receipt and file report on the Law Enforcement Trust Fund for the quarter ending March 31, 2019.

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

27. [19-481A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending March 31, 2019.

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

**REGULAR AGENDA****ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA****COUNTY ADMINISTRATOR DEPARTMENTS**Airport

28. [19-318A](#) Change Order No.2 to the contract with Walbridge Aldinger, LLC for the Customs and Border Protection Improvement project at the St. Pete-Clearwater International Airport.

**Recommendation:** Approval of Change Order No.2 with Walbridge Aldinger, LLC for the Customs and Border Protection Improvement project at the St. Pete-Clearwater International Airport (Airport).

- \* Extension of sixty-two days to the contract for Airport border protection improvements.
- \* Increase of \$345,297.53 for material and labor costs to meet building codes.
- \* Contract was originally awarded by the Board of County Commissioners on August 21, 2018 to renovate the existing Federal Inspection Facility to US Custom and Border Protection Design Standards.
- \* Additional work is required to fire spray roof trusses and update electrical boxes to meet building code requirements.

Contract No. 178-0305-CP (LN); PID No. 002878A; increase in the amount of \$345,297.53, for a revised contract total of \$7,057,784.53 extending the contract through October 28, 2019.

Planning

29. [19-450A](#) Resolution adopting the Linking Lealman Action Plan implementing mobility and complete streets.

**Recommendation:** Approval of the resolution adopting the Linking Lealman Action Plan implementing mobility and complete streets (Linking Lealman Action Plan) to improve transportation infrastructure and quality of life in the Lealman Community Redevelopment Area (CRA).

- \* The Linking Lealman Action Plan is a phased implementation plan for sidewalks, bicycle facilities, trails, street and intersection improvements, transit improvements, and wayfinding and place making elements.
- \* Adoption authorizes projects identified in the Linking Lealman Action Plan to be reviewed for implementation through the Capital Improvements Program portfolio review process, the Lealman Redevelopment Trust Fund, the Local Government Infrastructure Surtax (Penny for Pinellas funds) and other potential funding sources.

Real Estate Management

30. [19-380A](#) Resolution reserving parcel number 20-30-15-27468-002-0031; an escheated property in the ownership of the County, instead of transferring it to the City of Seminole.

Recommendation: Approval of the amended resolution retaining the escheated parcel in the ownership of Pinellas County.

- \* The Property is located within the unincorporated boundaries of Pinellas County.
- \* The Property will be added to the surplus properties list held in Real Estate Management.

Authorize the Clerk of the Court to attest and record the Resolution in the public records of Pinellas County.

## COUNTY ADMINISTRATOR

31. [19-411A](#) County Administrator Miscellaneous.

## COUNTY ATTORNEY

32. [19-412A](#) County Attorney Miscellaneous.

## COUNTY ADMINISTRATOR REPORTS

33. [19-410A](#) County Administrator Reports.

## CITIZENS TO BE HEARD

34. [19-415A](#) Public Comment.

## COUNTY COMMISSION

35. [19-463A](#) Resolution clarifying the delegated authority of the Human Resources Director to act as Plan Administrator of the Board of County Commissioners sponsored employee benefit plans.

Recommendation: Approval of a Resolution to remove reference to the Benefits Advisory Committee, per consensus reached by the Appointing Authorities.

\* Resolution No.18-90 was approved by the Board of County Commissioners on October 23, 2018 to clarify the Human Resources Director's delegated authority and establish a benefits advisory committee.

\* Subsequent to the passage, the Appointing Authorities decided that an independent staff committee was more desirable, in order to allow staff to effectively operate as a working group without Sunshine body limitations and constraints for meeting notices, communications, and scope of the committee.

\* The new resolution would supersede Resolution 18-90, and eliminate the requirement that a formal Benefits Advisory Committee be established in light of the agreement to create the staff working group/committee.

36. [19-545A](#) Reappointment to the Local Planning Agency (Board of County Commissioners as a whole).

*Recommendation:* Approval of the reappointment of Valerie Hibbard as an alternate member of the Local Planning Agency. The term of office shall be four years.

37. [19-413A](#) County Commission New Business Items.

38. [19-414A](#) County Commission Board Reports and Miscellaneous Items.

6:00 PM

## PUBLIC HEARINGS

### BOARD OF COUNTY COMMISSIONERS

39. [19-429A](#) Release of public road right-of-way, as recorded in Official Record Book 18037, Page 1170, by General Release, and reservation of a drainage, utility, and sidewalk easement over the property. (Legislative Hearing)

**Recommendation:** Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statutes 336. Authorize the Clerk of the Court to attest and record the resolution in the Public Records of Pinellas County

- \* The right of way was acquired and a portion is requested to be released to allow for an affordable housing project to be built on the property by Habitat for Humanity.
- \* The County is retaining a drainage, utility and sidewalk easement over the released property.
- \* Staff supports this petition to vacate request.

40. [19-325A](#) Petition of Pinellas Affordable Living, Inc. to vacate that certain 16-foot alley lying between Lots 3 through 28, Block B, Central Park Subdivision, Plat Book 12, Page 87, lying in Section 31-30-16, Pinellas County, Florida. (Legislative Hearing)

**Recommendation:** Approval of the resolution vacating the alley, and if granted, adopt the attached resolution pursuant to Florida State Statute 336.

- \* Vacate a sixteen foot alley (unopened, platted, right-of-way).
- \* The Petitioners are attempting to meet federal funding timelines for the development of affordable housing on the site.
- \* The existing site is platted as a trailer park.

41. [19-356A](#) Petition of Pulte Home Company to vacate the north 6.54 feet of an 11.54-foot private drainage, utility and landscape easement lying in Lots 20, 21, and 22 and the south 6.54 feet of an 11.54-foot private drainage, utility and landscape easement lying in Lots 23, 24, and 25, Enclave at Palm Harbor, Plat Book 143, Page 14 and Official Record Book 20204, Page 2339, lying in Section 13-28-15, Pinellas County, Florida. (Quasi-Judicial Hearing)

**Recommendation:** Consider granting the petition to vacate, and if granted, adopt the attached resolution pursuant to Florida State Statute 177. Authorize the Clerk of the Court to attest and record the resolution in the Public Records of Pinellas County

- \* The site plan process required utility and landscape easements were required during the site plan process.
- \* The developer sought to make all easements larger than normal to accommodate as many new tree plantings, as possible.
- \* As the project developed, it was discovered that the large landscape easement was not necessary.
- \* The developer is requesting a vacation of easement section to provide area for pool installations for the new homes, currently under construction.
- \* The utility easement will remain in place.

42. [19-420A](#) Case No. (Q) Z-06-03-19 (J. Long Realty Group, LLC and K S K Homes, Inc.)  
Request for a zoning change from R-R, Rural Residential to R-1, Single Family Residential on an approximately 1.48-acre portion of two adjacent parcels located south of the 72nd Terrace North and Hubert Street intersection in unincorporated Seminole (street address: 13250 72nd Terrace North).

**Recommendation:** Adoption of Case No. (Q) Z-06-03-19 approving a change in zoning from R-R, Rural Residential to R-1, Single Family Residential on an approximately 1.48-acre portion of two adjacent parcels located south of the 72nd Terrace North and Hubert Street intersection.

- \* The requested change will make the zoning of the amendment area consistent with the remainder of the parcel.
- \* The R-1 zoning will allow for single family detached residential uses.
- \* R-1 allows a minimum lot size of 9,500 square feet whereas R-R requires a minimum of 16,000 square feet.
- \* The Local Planning Agency unanimously recommended approval of the request.

43. [19-419A](#)

Case No. (Q) Z-05-03-19 (Joyce M. Couture)

Request for a zoning change from R-3, Single Family Residential to RM-CO, Multi-Family Residential-Conditional Overlay (5.1 acres) and PC, Preservation/Conservation (0.32 acre), with the Conditional Overlay limiting the use to single family attached dwellings (townhouses) and their customary accessory uses on approximately 5.4 acres located at 600 Pennsylvania Avenue in Ozona.

**Recommendation:** Adoption of Case No. (Q) Z-05-03-19 approving the application of Joyce M. Couture for a change in zoning from R-3, Single Family Residential to RM-CO, Multi-Family Residential-Conditional Overlay and PC, Preservation/Conservation on approximately 5.4 acres located at 600 Pennsylvania Avenue in Ozona.

- \* The applicant is seeking a zoning change from R-3 to RM-CO and PC on a 5.4 acre parcel containing two single-family homes.
- \* The proposed Conditional Overlay would limit the use to single-family attached (townhouses) only.
- \* A townhouse subdivision with up to 26 units is proposed.
- \* The Local Planning Agency recommended approval of the request (vote 4-2).

**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 5 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 proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings 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.*