

Pinellas County

*333 Chestnut Street, Palm Room
Clearwater, FL 33756*



Minutes - Final

Tuesday, March 26, 2024

2:00 P.M.

Hybrid In-Person and Virtual Regular Meeting

Public Hearings at 6:00 P.M.

Board of County Commissioners

Kathleen Peters, Chair

Brian Scott, Vice-Chair

Dave Eggers

René Flowers

Charlie Justice

Chris Latvala

Janet C. Long

ROLL CALL - 2:00 P.M.

Present: 7 - Chair Kathleen Peters, Vice-Chair Brian Scott, Commissioner Dave Eggers, Commissioner René Flowers, Commissioner Charlie Justice, Commissioner Chris Latvala, and Commissioner Janet C. Long

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Derelynn Revie, Board Records Manager; and Franchesca DiNapoli, Board Reporter, Deputy Clerk

INVOCATION by Reverend Clarence Williams, Greater Mt. Zion A.M.E. Church, St. Petersburg**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. National Community Development Month Proclamation:
 - Joe Riddle, Grant Program Manager, Housing and Community Development
 - Marcella Faucette, Community Development Specialist 3, Housing and Community Development
 - Andrea Ramirez, Community Development Specialist 2, Housing and Community Development

Chair Peters invited Mr. Riddle and Mses. Faucette and Ramirez to join her at the podium and read a proclamation recognizing April 2024 as National Community Development Month; whereupon, Mr. Riddle provided brief comments.

2. Partner Presentation:
 - Sean King, Chief Strategy Officer, Habitat for Humanity of Pinellas and West Pasco Counties

Chair Peters invited Habitat for Humanity of Pinellas and West Pasco Counties Chief Executive Officer Mike Sutton to join her at the podium. Referring to a PowerPoint presentation, Mr. Sutton provided information regarding Habitat's Homeownership Program and highlighted the organization's impact on the community and its partnership with the County; whereupon, he thanked the Board of County Commissioners for its support.

CITIZENS TO BE HEARD

3. Citizens To Be Heard - Public Comment.
 - David Ballard Geddis, Jr., Palm Harbor (submitted documents)
 - Mack Johnson, Largo
 - Greg Pound, Largo

CONSENT AGENDA - Items 4 through 12

A motion was made by Commissioner Long, seconded by Commissioner Flowers, that the Consent Agenda items be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

- 4. Minutes of the regular meeting held February 20, 2024.

The item was approved as part of the Consent Agenda.

- 5. Vouchers and bills paid from February 4 through March 2, 2024.

Period February 4 - February 10, 2024

Accounts Payable - \$19,627,214.92

Payroll - None

Period February 11 - February 17, 2024

Accounts Payable - \$31,027,525.01

Payroll - \$4,585,326.36

Period February 18 - February 24, 2024

Accounts Payable - \$17,582,997.83

Payroll - None

Period February 25 - March 2, 2024

Accounts Payable - \$73,714,096.88

Payroll - \$4,565,015.51

The item was approved as part of the Consent Agenda.

Reports received for filing:

- 6. Dock Fee Report for the month of February 2024.

The item was approved as part of the Consent Agenda.

- 7. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2024-02

dated February 29, 2024 - Inspector General's Follow-up Audit of the Observation of the Surplus 2022 Annual Physical Inventory of Fixed Assets.

The item was approved as part of the Consent Agenda.

8. Housing Finance Authority of Pinellas County (A Component Unit of Pinellas County, Florida) Independent Auditor's Reports, Financial Statements, and Required Supplementary Information, September 30, 2023.

The item was approved as part of the Consent Agenda.

Miscellaneous items received for filing:

9. Juvenile Welfare Board FY24 Q1 Financials.

The item was approved as part of the Consent Agenda.

10. City of Tarpon Springs Ordinance 2023-25 adopted February 20, 2024, annexing certain real property.

The item was approved as part of the Consent Agenda.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

11. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending February 29, 2024.

The item was approved as part of the Consent Agenda.

Utilities

12. Ranking of firms and agreement with Quest Ecology, Inc. for ecological consultant services on the Cross Bar and Al Bar Ranch property located in Pasco County, FL.

(Contract No. 23-1050-RFP) Ranking of firms and agreement approved in the total not-to-exceed amount of \$1,322,000.00, effective for five years from April 21, 2024. This contract replaces a prior contract and has a provision for four five-year extensions.

The item was approved as part of the Consent Agenda.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

13. Municipal Services Taxing Unit funding for the Ozona Village Hall improvement project.
Funding request approved in the one-time amount of \$18,782.50.

A motion was made by Commissioner Eggers, seconded by Commissioner Justice, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

Human Services

14. Grant award for continuation funding from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Care for the Homeless program.

Grant award for the continuation of federal funding approved in the amount of \$1,926,977.00 for a budget period of March 1, 2024, through February 28, 2025. No County match required.

Responding to a query by Commissioner Scott, Human Services Director Karen Yatchum related that while this funding covers a portion of the program, the County also provides support.

A motion was made by Vice-Chair Scott, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

Public Works

15. Specific Purpose Survey of maintained right-of-way of Fisher Road from north of Elcid Court to County Road 39.

No action taken. Staff directed to obtain additional information.

Following introductory comments by Mr. Burton, Commissioner Scott made a motion to approve the item; whereupon, the following individuals expressed their concerns:

Paul Self, Palm Harbor
William and Carmen Goodwin, Palm Harbor

At the request of Mr. Burton, Public Works Director Kelli Hammer Levy referred to a map of the specified section of Fisher Road and noted that it is unclear who constructed the road. She provided information regarding the Florida Statute relating to maintained rights-of-way and indicated that the County has maintained the road and drainage for at least the past seven years; that the community has been requesting improvements to the area; and that the County cannot move forward with the improvements until ownership of the right-of-way is established; whereupon, with input from Deputy County Administrator Jill Silverboard, she responded to queries by the members.

Thereupon, Attorney White referenced Florida Statute 95.361 and stated that if a road has been constructed by an unknown entity and has been maintained or repaired by the County for the past seven years, the Board may authorize the recording of this survey with the Clerk, which would constitute prima facie evidence that the County owns that area; whereupon, she noted that a provision in the Statute provides an opportunity for those affected to dispute.

Commissioners Scott, Flowers, and Eggers expressed their concerns; whereupon, Commissioner Scott withdrew his motion.

Thereupon, Chair Peters confirmed that the members provided consensus that staff should return with additional information for the Board.

Safety and Emergency Services

16. Agreement between Pinellas County and St. Petersburg College for improvement of the Fire and Emergency Medical Services Training Center.

Contract No. 23-0641-A approved in the not-to-exceed reimbursement amount of \$1,500,000.00 to St. Petersburg College for repairs to the County-owned training center located at 5005 126th Avenue North, Clearwater, through December 31, 2026.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

17. Amendment No. 1 to the Agreement to receive E911 trust fund monies from the State of Florida for Pinellas County's E911 training room redesign.

Amendment No. 1 approved certifying that monies received will be used to purchase and install console furniture workstations for the E911 training room redesign. The amendment also corrects the reduced award amount to reflect the new amount of \$337,544.75.

A motion was made by Vice-Chair Scott, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

18. Issuance of a Certificate of Public Convenience and Necessity to Med-Trans Corp. d/b/a AirStar 1 for provision of helicopter ambulance service in Pinellas County.

Sitting as the Emergency Medical Services Authority, certificate issued as set forth in the Staff Report. Certificate will expire on December 31, 2024.

A motion was made by Vice-Chair Scott, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

Human Resources

19. Agreement with Gallagher Benefit Services Inc. for employee benefits consulting services.

(Contract No. 24-0177-ITN) Agreement approved in an annual amount of \$357,707.19, for a sixty-month total cost not to exceed \$1,788,535.97.

Mr. Burton thanked Interim Human Resources Director Peggy Rowe for her great work and introduced new Human Resources Director Wade Childress.

Responding to a query by Commissioner Eggers, Mr. Burton and Ms. Rowe provided clarifying comments regarding the bidding process and purpose of the contract; whereupon, a brief discussion ensued.

A motion was made by Commissioner Long, seconded by Commissioner Flowers, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

COUNTY ATTORNEY

20. Proposed initiation of litigation in the case of Jad Joubran v. Beau Monde Inc. et al; HUD Case No. 04-23-5313-8; PC Case No. 23-039 - alleged housing discrimination.

Initiation of litigation approved.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

- 21.** Proposed initiation of litigation in the case of Pinellas County v. Bryan McGoldrick, DVM, et al. - action for monetary damages.

Initiation of litigation approved.

A motion was made by Commissioner Long, seconded by Vice-Chair Scott, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

- 22.** Proposed settlement in the case of Giovanni Rojas v. Pinellas County; Circuit Civil Case No. 23-000704-CI - allegations of negligence resulting in personal injuries.

Settlement approved in accordance with the confidential memorandum dated March 26, 2024.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

- 23.** County Attorney Reports

Attorney White provided an update regarding ongoing litigation with the Florida Property Assessed Clean Energy (PACE) Funding Agency, indicating that the County has joined other Florida counties, Tax Collectors, and some State Attorneys in requesting that a Leon County Circuit Judge reconsider his decision which allows PACE to operate statewide in contravention of a statute that requires local authorization; and that a hearing was held wherein the Judge declined to reconsider his opinion. Thereupon, she noted that it is the intention of her Office to join an appeal effort to the Florida Supreme Court, if there is no opposition from the Board; and that the members may contact her for additional information.

COUNTY ADMINISTRATOR

- 24.** County Administrator Reports

Strategic Plan discussion

Mr. Burton related that discussion regarding the Strategic Plan, in conjunction with the budget process, will continue at the April 4 work session.

Upcoming sandbag distribution events

Mr. Burton provided information regarding sandbag events to be held in May, noting the desire to encourage residents to be prepared prior to hurricane season.

Responding to queries by the members, Mr. Burton, with input from Public Works Director Kelli Hammer Levy, indicated that sandbags, educational materials, and demonstrations of sandbag placement will be provided; and that events are currently scheduled to take place in Pinellas Park, Seminole, Palm Harbor, Clearwater, St. Petersburg, and North Lealman, along with an emergency management event in Tarpon Springs; whereupon, a brief discussion ensued.

Upcoming Tri-County BCC meeting

Mr. Burton related that the next Tri-County Board of County Commissioners meeting will be held on April 19 at Ruth Eckerd Hall.

COUNTY COMMISSION

25. Appointment to the Pinellas County Historical Commission (Individual appointment by Commissioner Justice).

Appointment of Steven Elftmann approved to fill a vacancy set to expire November 4, 2024.

A motion was made by Commissioner Justice, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

26. Appointment to the Technical Management Committee.

Catherine Eichner appointed to fill a vacant position as one of two representatives for the County.

A motion was made by Commissioner Eggers, seconded by Vice-Chair Scott, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

27. County Commission New Business:
Pertinent and timely Committee/Board updates, policy considerations,

administrative/procedural considerations, and other new business:

- 1.) Skyway Bridge Lighting Resolution
- 2.) Tri-County Meeting Resolution

Deviating from the agenda, Chair Peters related that her appointment to the Charter Review Commission (CRC), Richard Butler, recently became an elected official and is no longer eligible to serve on the CRC; that he will be sworn into his new position prior to the next CRC meeting on April 4; and that she would like to appoint Alan Swartz to fill the vacant seat on the CRC.

She further indicated that Todd Jennings, also a member of the CRC, was appointed to fill a vacant seat for the City of Belleair and is no longer eligible to serve on the CRC; and that she recommends that Lealman Fire District Division Chief James Millican be appointed to fill Mr. Jennings' position.

A motion was made by Commissioner Flowers, seconded by Commissioner Scott, that Mr. Swartz be appointed to the Charter Review Commission to fill the position vacated by Mr. Butler. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

In response to remarks by Commissioner Justice, Attorney White provided brief comments and confirmed that elected officials cannot serve on the CRC, with the exception of those named in the Charter.

A motion was made by Commissioner Scott, seconded by Commissioner Justice, that Chief Millican be appointed to the Charter Review Commission to fill the position vacated by Mr. Jennings. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

Chair Peters clarified that Mr. Jennings will be sworn in on April 9 and will remain as a member of the CRC until that date; and that the appointment of Chief Millican will take effect April 9.

The members provided updates regarding their assigned boards and committees and commented on various topics, as follows:

Commissioner Flowers

- Prayers for those affected by the collapse of the Francis Scott Key Bridge
- Receiving the W.E.B. DuBois Humanitarian Award
- Continuum of Care Committee meeting
- Senator Darryl Rouson's Town Hall Meeting

Commissioner Justice

- Groundbreaking for Skyway Lofts II
- Firefighter's Muscular Dystrophy Association Chili Blaze

- Council of North County Neighborhoods (CNCN) meeting
- Florida Dream Center renovations kick-off
- Tribute service for former Pinellas-Pasco Public Defender Bob Dillinger
- John Morroni Foundation event
- Request to discuss naming policy

Commissioner Scott

- Metropolitan Planning Organization education session in Orlando
- Discussion at a Gulf Beaches Rotary Club meeting regarding the Tampa Bay Rays/Hines deal
- Toured Boys & Girls Clubs of the Suncoast
- Annual Leaders Luncheon to End Overdose
- CNCN meeting
- Historic Preservation Board meeting
- Forward Pinellas meeting
- Tampa Bay Water meeting and proclamation for Water Conservation Month
- Valspar Championship golf tournament
- John Morroni Foundation event
- Discussion with the director of the West Coast Inland Navigation District
- Request for an update regarding American Rescue Plan Act funds

Commissioner Long

- Canvassing Board
- Surprise party for Mike Sutton
- Richard Butler retirement party
- Notifications for future board vacancies

Commissioner Eggers

- Raising standards for pet stores
- Tampa Bay Water
- Thanks to Transportation Section Manager Tom Washburn for working on ground issues in the community
- Congratulations to newly elected individuals and thanks to those vacating positions for their service
- Charter Review Commission
- Tampa Bay Water presentation at the St. Petersburg Museum of History
- John Morroni Foundation event
- Prayers for the families affected by the collapse of the Francis Scott Key Bridge
- CNCN meeting
- Transit Town Hall hosted by Representative Linda Chaney
- Pasco County voting to opt out of Live Local Act
- Wished everyone a Happy Easter

Commissioner Latvala

- Philadelphia Phillies Spring Training attendance
- Congratulations to new City of Clearwater Mayor, Bruce Rector, and Councilmembers Mike Mannino and Ryan Cotton
- Thanks to City of Clearwater Councilmembers Mark Bunker and Kathleen Beckman for their service
- Tribute service for former Pinellas-Pasco Public Defender Bob Dillinger
- Suggestion to rename the Bayside Bridge to the Dillinger/McCabe Bayside Bridge

Sunshine Skyway Resolution

Resolution No. 24-15 approved supporting the Florida Department of Transportation lighting of the Bob Graham Sunshine Skyway Bridge in recognition of World Parkinson's Day on April 11, 2024.

A motion was made by Commissioner Flowers, seconded by Commissioner Latvala, that the resolution be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

Tri-County Meeting Resolution

Resolution No. 24-16 approved indicating the Board's support for a joint meeting to be held with the Boards of County Commissioners of Hillsborough and Pasco Counties on April 19, 2024, and authorizing the Board's participation.

A motion was made by Commissioner Eggers, seconded by Commissioner Flowers, that the resolution be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

Chair Peters

- Requested workshop to discuss potential ways to honor former Pinellas-Pasco Public Defender Bob Dillinger
- Trip to South America

Meeting Recessed: 3:47 P.M.

Meeting Reconvened: 6:00 P.M.

6:00 PM

PRESENTATIONS

28. Clearwater For Youth Scholarship Presentation

Chair Peters provided brief opening comments and invited Clearwater For Youth Executive Director Kevin Dunbar and former Pinellas County Commissioner Calvin Harris to join her at the podium; whereupon, Mr. Dunbar discussed the objectives of Clearwater for Youth and introduced the scholarship recipients in attendance.

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.

BOARD OF COUNTY COMMISSIONERS

29. Case No. ZON-23-10 (Storage at Anclote, LLC)

A request for a zoning change from R-A, Residential Agriculture to E-1, Employment-1 on approximately 0.37 acre located at the northeast corner of Anclote Road and North Bend Drive in unincorporated Tarpon Springs. (Quasi-Judicial)

Resolution No. 24-17 adopted approving the zoning change. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

A motion was made by Commissioner Long, seconded by Vice-Chair Scott, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

30. Case No. FLU-23-06 (Team Savage, Inc. and G4 Landwerks, LLC)

A request for a Future Land Use Map amendment from Preservation and Residential Low to Residential/Office/Retail on approximately 1.7 acres located at 29703 U.S Highway 19 North in unincorporated Clearwater. (Companion to Item No. 31)

Ordinance No. 24-8 adopted approving Case No. FLU-23-06. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received.

Planning Section Manager Scott Swearngen noted that he will present information regarding Item No. 30 and companion Item No. 31 simultaneously. Thereupon, referring to a PowerPoint presentation containing photographs and maps, Mr. Swearngen provided

an overview of the request, pointed out the location of the subject property, described surrounding land uses and zoning designations, and discussed historical information related to the property. He indicated that the applicant wishes to maintain the existing use of the property as a motorcycle/watercraft retail store, including some outdoor storage and vacant areas; that there is also a mobile home on the property; and that the proposed use includes improvements such as a new sales building, service center, parking lot, inventory storage, stormwater system, and new driveways/circulation.

Mr. Swarengen related that the proposed Future Land Use Map and zoning amendment requests are considered an appropriate transition between U.S. Highway 19 and residential; that the amendments would make the property more cohesive to the area, recognize long-term use of the property, and allow the site to be redeveloped in a more appropriate manner; that the conditional overlay provides greater protection for neighboring properties; and that the proposed amendments are consistent with the Comprehensive Plan.

Mr. Swarengen indicated that a neighborhood informational meeting was held regarding the proposed project wherein the applicant's representative presented the conceptual site plan and responded to questions; that four letters of concern have been received; and that the Development Review Committee and the Local Planning Agency recommend approval of both applications; whereupon, he responded to comments and a query by Commissioner Eggers regarding building setbacks and height restrictions, noting that development requirements set by the conditional overlay and the zoning designation would apply to the entirety of the property.

Upon the Chairman's call for the applicant, Katie Cole, Clearwater, appeared and indicated that Dimmitt Automotive Group purchased Cycle Springs Powersports and is seeking to make improvements that will bring the parcels into compliance. She referred to a PowerPoint presentation containing maps and photographs and provided background information regarding the subject property, including prior uses, noting that improvements are currently being made to U.S. Highway 19 which limit access points to the subject property.

Ms. Cole introduced Daniel Bergin, Civil On Demand; whereupon, he referred to a PowerPoint presentation, reviewed the conditional overlay, and provided an overview of the conceptual site plan, noting that enhancements will include increased setbacks, consolidation of buildings and driveways, landscaping and site beautification, and improved traffic circulation; whereupon, Ms. Cole discussed efforts to buffer commercial use from the residential neighborhood surrounding the subject property, and indicated that the proposed setbacks are based on input from neighbors.

In response to the Chair's call for individuals wishing to speak, Susan Farrell, Clearwater, and Kathleen Roberts, Clearwater, appeared and expressed their concerns.

In response to comments and queries by Commissioner Justice, Mr. Swarengen

discussed the current setbacks and those in the proposed conditional overlay, noting that the proposed setbacks exceed the current zoning requirements; and that a site plan will be submitted for approval at a later date.

Responding to further queries by Commissioner Justice, Zoning Division Manager Michael Schoderbock provided historical information related to the acquisition of additional properties to the rear of the subject property by previous owners, as well as code enforcement issues related to non-permitted uses on the property. He discussed buffering requirements, and related that buffering standards set by the proposed conditional overlay exceed what is required by the Code; whereupon, Messrs. Swarengen and Schoderbock responded to comments and queries by the members regarding potential traffic impacts to the area, buffering requirements, privacy for neighboring properties, and other topics.

In rebuttal, Ms. Cole summarized the proposals, and indicated that the applicant is amenable to increasing the requirement for an opaque fence from six to eight feet, which would be a modification to the conditional overlay; and that letters in support of the requests have been distributed to the members and submitted to the Clerk.

In response to a comment by Chair Peters, Attorney White clarified that the Board should vote on Item No. 30 first; and that if the item is approved, the Board would then vote on Item No. 31.

A motion was made by Commissioner Eggers, seconded by Vice-Chair Scott, that the item be approved. The motion carried by the following vote:

Aye: 6 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, and Commissioner Latvala

Absent: 1 - Commissioner Long

31. Case No. ZON-23-07 (Team Savage, Inc. and Landwerks, LLC)

A request for a zoning change from RMH, Residential Mobile/Manufactured Home and CP, Commercial Parkway to CP-CO, Commercial Parkway - Conditional Overlay on approximately 3.7 acres located at 29703 U.S Highway 19 North in unincorporated Clearwater. (Quasi-Judicial) (Companion to Item No. 30)

Resolution No. 24-18 adopted approving the zoning change, as amended. The Local Planning Agency recommended approval of the request, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

A motion was made by Commissioner Flowers, seconded by Commissioner Scott, that the item be approved with an amendment to the conditional overlay, requiring an eight-foot opaque fence.

The motion carried by the following vote:

Aye: 6 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, and Commissioner Latvala

Absent: 1 - Commissioner Long

32. Case No. CP-23-01 (Pinellas County/Housing and Community Development Department)
(re-adoption public hearing)

A request to amend the Pinellas County Comprehensive Plan Future Land Use Map (FLUM) Category Descriptions and Rules, Part 1-FLUM Category Descriptions to add the Mixed Use Corridor-Supporting-Neighborhood Park, Mixed Use Corridor-Supporting-Local Trade, and Mixed Use Corridor-Primary-Commerce, Future Land Use Mixed Designations to facilitate implementation of the Lealman Form Based Code; and amending the unincorporated Pinellas County FLUM Legend. (Companion to Item No. 33)

Ordinance No. 23-27 re-adopted, as specified in the Staff Report. No correspondence has been received.

Mr. Burton provided background information, indicating that the Board previously held a public hearing regarding this item; and that the proposed re-adoption is before the Board today due to a missed submittal deadline to the State.

At the direction of Chair Peters and based on a request from a citizen who is present, Planning Section Manager Scott Swearngen referred to a PowerPoint presentation and provided an overview of the previously approved amendments related to Item Nos. 32 and 33.

In response to the Chair's call for individuals wishing to be heard, Ned Willis, St. Petersburg, appeared and expressed his concerns.

In response to queries by Commissioner Flowers, Mr. Swearngen, with input by Attorney White, discussed permissible uses under the current zoning designations; whereupon, in response to queries by the members, Mr. Swearngen provided brief comments, relating that a property owner could apply for a variance to the Lealman Form Based Code using the process currently in place.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

33. Case No. FLU-23-04 (Pinellas County/Housing and Community Development Department)
(re-adoption public hearing)

A request for a land use change on approximately 168.63 acres from Commercial General, Employment, Residential Urban, Residential Medium, Residential/Office Limited, Residential/Office General, Institutional, and Transportation/Utility to Mixed Use Corridor-Supporting-Neighborhood Park (approximately 36.5 acres); from Commercial General, Residential Low, Residential Urban, Residential Low Medium, Residential Medium, and Residential/Office General to Mixed Use Corridor-Supporting-Local Trade, (approximately 38.71 acres); and from Commercial General, Employment, Residential Low, Residential Urban, Residential Low Medium, Residential Medium, and Residential/Office General to Mixed Use Corridor-Primary-Commerce (approximately 93.42 acres); comprising various parcels within the

Lealman Community Redevelopment Area. (Companion to Item No. 32)

Ordinance No. 23-28 re-adopted, as specified in the Staff Report. No correspondence has been received. No citizens appeared to be heard.

A motion was made by Vice-Chair Scott, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

34. Case No. LDR-24-02 (first public hearing)

An ordinance of Pinellas County, Florida, providing for the amendment of the Pinellas County Land Development Code, Chapter 134 - General and Administrative Provisions, Chapter 138 - Zoning, Chapter 142 - Airport Zoning, Chapter 154 - Site Development, Right-of-Way Improvements, Subdivisions, and Platting, and Chapter 158 - Floodplain Management. (Legislative)

First public hearing held. No correspondence has been received. No citizens appeared to be heard.

35. Case No. LDR-24-03 (first public hearing)

An ordinance of Pinellas County, Florida, providing for the amendment of the Pinellas County Land Development Code, Section 154-52 and the Pinellas County Stormwater Manual, updating parts A, B, and C of the manual for unincorporated areas. (Legislative)

First public hearing held. No correspondence has been received. No citizens appeared to be heard.

Commissioner Eggers commended staff for their efforts in bringing about the proposed amendment, and indicated that the updates to the County's Stormwater Manual will provide much needed relief for residents with larger properties; whereupon, Commissioner Scott concurred with Commissioner Eggers' comments.

36. Resolution supplementing the Fiscal Year 2024 Budget for unanticipated revenue for Capital Projects Fund and Surface Water Utility Fund, and unanticipated fund balance for the General Fund. Realign appropriations within the American Rescue Plan Act and Capital Projects Funds.

Resolution No. 24-19 adopted recognizing and appropriating unanticipated revenue and realigning of funds as outlined in the Staff Report. No correspondence has been received. No citizens appeared to be heard.

Mr. Burton referenced a request made by the Board at a previous work session regarding funds to be transferred to the Surface Water Utility Fund and indicated that staff will present recommendations to the Board at a later date.

A motion was made by Commissioner Flowers, seconded by Commissioner Long, that the item be approved. The motion carried by the following vote:

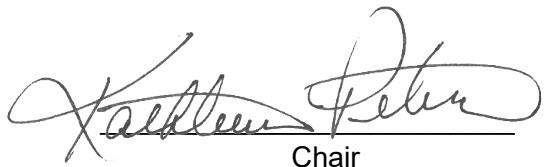
Aye: 7 - Chair Peters, Vice-Chair Scott, Commissioner Eggers, Commissioner Flowers, Commissioner Justice, Commissioner Latvala, and Commissioner Long

ADJOURNMENT - 7:37 P.M.

ATTEST: KEN BURKE, CLERK

By 
Deputy Clerk




Chair