

Pinellas County Board of County Commissioners

Pinellas County Cooperative Extension
12520 Ulmerton Road, Largo
www.pinellascounty.org



Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, July 13, 2021

2:00 P.M.

Public Hearings at 6:00 P.M.

Dave Eggers, Chair
Charlie Justice, Vice-Chair
Rene Flowers
Pat Gerard
Janet C. Long
Kathleen Peters
Karen Williams Seel

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

ROLL CALL

INVOCATION by Rev. J.C. Pritchett, Interdenominational Ministerial Alliance, St. Petersburg.

PLEDGE OF ALLEGIANCE**PRESENTATIONS AND AWARDS**

1. [21-1046A](#) National Parks and Recreation Month Proclamation:
Parks and Conservation Resources Advisory Board
- Debbie Chayet, Chairman
- Peg Cummings, Vice Chairman
2. [21-1053A](#) Employee Recognition Award:
Veteran Services
- Cleosinda Mizutani, Office Specialist
Building & Development Review Services
- Leila Kheireddine, Project Coordinator
- Michael Howsare, Project Coordinator
- Dayne Morris, Engineer
3. [21-1047A](#) Partner Presentation:
- Vernon Bryant, Executive Director, Florida Botanical Gardens
Foundation
4. [21-1169A](#) Business Partner Presentation:
- Paul Peiffer, President, AFC Urgent Care

CITIZENS TO BE HEARD

5. [21-1054A](#) Citizens To Be Heard - Public Comment.

CONSENT AGENDA - Items 6 through 22**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

6. [21-1284A](#) Minutes of the in-person and virtual regular meeting held April 27, 2021.
7. [21-1283A](#) Vouchers and bills paid from May 23 through June 12, 2021.

Reports received for filing:

8. [21-1285A](#) Dock Fee Report for the month of May 2021.

Miscellaneous items received for filing:

9. [21-1287A](#) Report of Discounts, Errors, Double Assessments, and Insolvencies with the Tax Collector Recapitulation for the 2020 Tax Roll.
10. [21-1288A](#) Eastlake Oaks Community Development District proposed Operating Budget for Fiscal Year 2022.
11. [21-1289A](#) City of Clearwater Ordinance Nos. 9448-21 and 9451-21 adopted June 3, 2021, annexing certain properties.
12. [21-1290A](#) City of Seminole Ordinance No. 04-2021 adopted May 25, 2021, annexing certain properties.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

13. [21-443A](#) (Deferred to a future BCC meeting)
Award of bid to Centennial Contractors Enterprises, Inc., Harbour Construction, Inc., Johnson-Laux Construction, and New Vista Builders Group, LLC for requirements of Job Order Contracting for large construction projects.

Recommendation: Approval of the award of bid to Centennial Contractors Enterprises Inc., Harbour Construction Inc., Johnson Laux Construction, and New Vista Builders Group LLC for requirements of Job Order Contracting (JOC) for large construction projects.

* This contract is designed to be utilized for large construction projects. As a benefit (compared to small JOC contracts) this contract provides the ability for firms to compete against each other for a prospective project.

* Award in the amount of \$12,500,000.00 upset limit to each contractor for a total award of \$50,000,000.00 based on the lowest responsive, responsible price multipliers received meeting specifications.

* Duration of the contracts shall be for five years with price multipliers fixed for the term of the contract. Based on the actual price of a project, the upset limit for specific vendors may require an increase prior to construction.

* Projects which may be constructed via this JOC contract include but are not limited to: Sheriff's Aircraft Hangar (\$10 Million); New North County Service Center (\$25-\$30 Million); Detention Center Security Checkpoint project (\$10 Million); Animal Services Kennel Renovation (\$3-4 Million); Medical Examiner HVAC Renovation (\$1.5 Million).

* The utilization of JOC as a delivery process for large construction projects should provide an average of 4-5-month time savings per project as compared to a typical design/bid/build construction delivery process.

Contract No. 21-0324-CP(MJ), in the amount of \$50,000,000.00 for five years with fixed price multipliers for the term of the contract. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

14. [21-1208A](#) Declare surplus and authorize the sale of County-owned equipment and vehicles.

Recommendation: Declare surplus and authorize the sale of equipment and vehicles on the attached lists. Approve distribution of the proceeds from the sale of vehicles and equipment sold to the funds from which the assets were purchased, typically the Fleet Vehicle Replacement or a specific enterprise fund.

* This action declares the listed items as surplus and authorizes their sale to the highest bidder.

* The usefulness of the identified equipment and vehicles has been exhausted.

* Unlike other surplus items, surplus vehicles are not available for donation because the proceeds are owed to the Fleet Vehicle Replacement Fund or specific enterprise fund for vehicle replacement.

County Administrator

15. [21-1153A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending June 21, 2021.

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

16. [21-1209A](#) Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending June 30, 2021.

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

Management and Budget

17. [21-1119A](#) Fiscal Year 2021 Board Budget Amendment No. 3 to realign appropriation from Reserves to Contingency in the General Fund for unanticipated Fiscal Year 2021 expenditures.

Recommendation: Approval of the Fiscal Year (FY) 2021 Budget Amendment No. 3 pursuant to Florida Statute section 129.06(2)(b) realigning \$925,810.00 from the General Fund Reserves for Contingencies to Administrative Services (Facilities and Real Property) for unanticipated expenses related to COVID-19.

* While it was expected during FY21 budget development that there would be a budgetary impact due to COVID-19, it was too soon to reasonably project the costs.

* Total projected expenditures total \$1,475,810.00. Approximately \$550,000.00 is expected to be offset by personnel lapse.

* These expenditures will be submitted for reimbursement from the Federal Emergency Management Agency.

Utilities

18. [21-087A](#) Award of the bid to four contractors: Astra Construction Services, Caladesi Construction Co., Archer Western, and TLC Diversified, Inc. for Job Order Contracting for as-needed work on wastewater treatment and water facilities, underground utility repair, maintenance, and minor construction.

Recommendation: Approve the award of the bid to four contractors: Astra Construction Services, Caladesi Construction Co., Archer Western, and TLC Diversified, Inc. for Job Order Contracting for as-needed work on wastewater treatment and water facilities, underground utility repair, maintenance, and minor construction. Rejection of Gibraltar Construction Co. and Wing Plumbing, on the basis of being non-responsive and not meeting minimum qualifications in the categories of utilities construction.

- * This is a job order based (non-job specific) contract to perform work as needed.
- * Award in the amount of \$20,000,000.00 with \$5,000,000.00 to each of the four vendors.
- * Duration of the contracts shall be for five years with prices fixed for the term of the agreement.
- * Work orders will not exceed \$1,000,000.00 of the \$5,000,000.00 awarded to each vendor.

Bid No. 21-0241-CP(PLU); in the amount of \$5,000,000.00 for each vendor for a total of \$20,000,000.00 to these responsive, responsible bids received meeting specifications. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

19. [20-2392A](#) Award of bid to Polydyne, Inc. for reclaimed methanol and Colonial Chemical Solutions, Inc., for virgin methanol - a Tampa Bay Purchasing Cooperative Contract.

Recommendation: Reject the bid from Brenntag Mid-South, Inc. as non-responsive for not submitting a price sheet as required in the bid solicitation document.

Approval of the award of bid to Polydyne, Inc. for reclaimed methanol and Colonial Chemical Solutions for virgin methanol, respectively, for County Utilities and the City of Oldsmar - Tampa Bay Purchasing Cooperative Contract (Cooperative).

* This Cooperative contract contains requirements from the County and the City of Oldsmar for reclaimed methanol and virgin methanol on an as-needed basis.

* Recommend award of bid to Polydyne, Inc. for reclaimed methanol in the amount of \$3,125,250.00 for the County and \$138,900.00 for the City of Oldsmar. Award of bid to Colonial Chemical for virgin methanol in the amount of \$422,500.00 for the County.

* Total County award in the amount of \$3,547,750.00.

* The City of Oldsmar as the Cooperative participant is responsible for issuance of their own award and funding in the amount of \$138,900.00 for the five-year term.

* Five bids were received with award recommendation to the lowest responsive, responsible bidders.

* County staff does not recommend award of the glycerin line item as the pricing received is exorbitant.

* This contract will replace the current contract for Methanol and Glycerin that will expire on September 17, 2021.

Contract No. 21-0219-B-BW, with an estimated average annual amount of \$709,550.00 for a sixty-month term total of \$3,547,750.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

20. [21-1229A](#) Receipt and file report of civil lawsuits filed against Pinellas County as delegated to the County Attorney.

Recommendation: Accept the receipt and file report of civil lawsuits filed against Pinellas County.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

21. [21-670A](#) Receipt and file report on the Law Enforcement Trust Fund for the quarter ending June 30, 2021.

Recommendation: Accept the receipt and file report on the Law Enforcement Trust Fund from April 1 to June 30, 2021.

22. [21-672A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending June 30, 2021.

Recommendation: Accept the receipt and file report of Sheriff's Office grants received and service contracts - payments to the Sheriff for April 1 through June 30, 2021 for Fiscal Year 2021.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Convention and Visitors Bureau

23. [21-1190A](#) Fiscal Year 2022 Elite Event funding recommendations from the Tourist Development Council, including a waiver of the Elite Event Funding Program Guidelines scoring requirements.

Recommendation: Approval of the Tourist Development Council's (TDC) funding recommendations for Fiscal Year 2022 Elite Events, including a waiver of the Elite Event Funding Program Guidelines (Guidelines) scoring requirements as to the Localtopia event.

* This program provides funding for eligible major events that meet the criteria in the Guidelines, which requires Category 1-3 events to generate a large number of event attendees and substantial room nights in the County, and requires Cultural Heritage events (Category 4), to generate a large number of attendees.

* There are 18 Elite Events recommended by the TDC to be funded for a cumulative total not exceeding \$1 million. Staff will negotiate final funding amounts for each event agreement to ensure a return on investment.

* The TDC approved for the Board of County Commissioners (Board) to consider a waiver of the Guidelines as to the minimum scoring criteria for Localtopia.

* As funding agreements are negotiated, consistent with Board approval and Board Delegated Authority, the County Administrator will execute the agreements and they will appear as Non-Procurement Delegated items on the Board meeting agenda.

Economic Development

24. [21-1182A](#) Application for the Florida Job Growth Grant Fund in the amount of \$4,000,000 to fund a portion of the design, construction, and equipping of an approximate 45,000-square-foot purpose built, state-of-the-art facility to house the Tampa Bay Innovation Center incubator.

Recommendation: Approval to submit a grant proposal to the Florida Department of Economic Opportunity for the Florida Job Growth Grant Fund in the amount of \$4,000,000.00.

* The Florida Job Growth Grant Fund is an economic development program designed to help fund projects that promote public infrastructure and workforce training across the state.

* This grant would help fund portion of the design, construction and equipping of an approximate 45,000-square-foot purpose built, state-of-the-art facility to house the Tampa Bay Innovation Center incubator.

* In July 2019, the U.S. Economic Development Administration (EDA) awarded a grant of \$7,463,295.00 to the County for this project with a design and construction budget of \$12,000,000.00. Pinellas County committed to a match of \$4,536,705.00 for the EDA grant.

* The total project cost is currently estimated at \$15,608,795.00, which includes the building's design and construction, as well as fixtures, furniture, and equipment (FF&E). This is higher than the EDA budget due to an estimated \$2,000,000.00 increase in construction cost and the estimated \$1,500,000.00 for FF&E.

25. [21-1196A](#) Three applications for funding under the Penny for Pinellas Employment Sites Program.

Recommendation: Conditional approval and funding of the three projects presented here following the successful completion of due diligence to comply with program guidelines as determined by the County Administrator.

It is further recommended that the Board delegate authority to the County Administrator to negotiate and execute all agreements and documentation associated with the Employment Sites Program project funding.

A total of four applications were received and evaluated. Based on scoring evaluations and the determination of these projects' readiness to proceed, these three applications are recommended for conditional funding at this time.

* Brooker Creek V, LLC in the amount of \$908,500.00 to assist with construction of a new 130,000-square-foot manufacturing facility in Oldsmar.

* CMNY Transitions, LLC in the amount of \$1,723,000.00 to assist with construction of a new 86,350-square-foot manufacturing facility in Pinellas Park.

* Multi-Use SCIF in the amount of \$183,655.00 to fund the acquisition of a Sensitive Compartmented Information Facility in unincorporated mid-County.

Housing & Community Development

26. [21-1181A](#) Resolution adopting Forward Pinellas's Safe Streets Pinellas Action Plan and a "Vision Zero" approach to County decision-making, policy development, project planning, and implementation.

Recommendation: Approval of a resolution adopting Forward Pinellas's Safe Streets Pinellas Action Plan and a "Vision Zero" approach to eliminate traffic fatalities and serious injuries on the Pinellas County transportation network by 2045 for the health, safety, and welfare of our citizens and visitors. The resolution accomplishes the following:

- * Adopts the Safe Streets Pinellas Action Plan in furtherance of Vision Zero, a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy equitable mobility for all.
- * Establishes the consideration of Vision Zero in County decision-making, policies, project planning and implementation.
- * Commits to continued County collaboration with Forward Pinellas and the Safe Streets Pinellas working group to implement, review, and revise the Action Plan.

Public Works

27. [21-834A](#) Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection for the former Baypointe Golf Course Brownfield site.

Recommendation: Approval of the Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection for the former Baypointe Golf Course Brownfield site.

- * The County will conduct site rehabilitation on contaminated areas within the former Baypointe Golf Course Brownfield site.
- * The former Baypointe Golf Course was designated a Brownfield site on January 12, 2021, per Resolution 21-2.
- * The BSRA allows the County to receive tax credit incentives providing reimbursement of certain costs associated with site rehabilitation.

Maximum amount up to \$500,000.00 in tax credits annually; authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Safety and Emergency Services

28. [21-1228A](#) Issuance of a Certificate of Public Convenience and Necessity for provision of Helicopter Ambulance Service in Pinellas County.

Recommendation: Approve and issue a Certificate of Public Convenience and Necessity (COPCN) to Med-Trans Corporation, d/b/a Med-Trans Florida for provision of Helicopter Ambulance Service in Pinellas County.

* COPCNs are issued by Boards of County Commissioners in all Counties in Florida. The certificate allows Emergency Medical Services (EMS) provider agencies to be licensed by the Florida Department of Health.

* The certificate process ensures there are coordinated and regulated EMS Systems at a County level.

* Certificates are issued on an annual basis to ensure continuous compliance to the various standards and requirements.

* Med-Trans Corporation, d/b/a Bayflite is changing their operating name to Med-Trans Corporation, d/b/a Med-Trans Florida.

* Med-Trans Florida is one of four helicopter services in Pinellas County per the attached provider agency listing.

Authorize the Chairman to sign the Certificate.

COUNTY ATTORNEY

29. [21-1291A](#) Proposed initiation of litigation in the case of Pinellas County v. Daniel Bornstein - action for injunctive relief.

Recommendation: Approval and authorization for the County Attorney to initiate litigation in the case of Pinellas County v. Daniel Bornstein.

30. [21-1272A](#) Proposed settlement in the case of Alexis Rodriguez v. Pinellas County, Florida; Circuit Civil Case No. 19-008075-CI-15.

Recommendation: Consideration of the proposed settlement in the case of Alexis Rodriguez v. Pinellas County, Florida.

31. [21-1256A](#) Proposed settlement through Plan Confirmation in the case of In re: Purdue Pharma L.P., et al, debtors - Purdue Pharma, L.P. Case No 19-23469 (bankruptcy).

Recommendation: Consideration of the proposed settlement through Plan Confirmation in the case of In re: Purdue Pharma L.P., et al, debtors - Purdue Pharma, L.P. Case No. 19-23469 (bankruptcy).

32. [21-1230A](#) Resolution authorizing the County Administrator to enter into necessary agreements with the Florida Attorney General regarding the prospective allocation and use of settlement proceeds relating to the opioid epidemic.

Recommendation: Consideration and approval of a resolution authorizing the County Administrator to enter into necessary agreements with the Florida Attorney General regarding the prospective allocation and use of settlement proceeds relating to the opioid epidemic.

33. [21-1282A](#) Delegation to the County Administrator the authority to enter into an interlocal agreement establishing the Opioid Abatement Funding Advisory Board.

Recommendation: Delegate to the County Administrator the authority to enter into an interlocal agreement establishing the Opioid Abatement Funding Advisory Board (OAFAB).

* Delegation of authority will allow the County Administrator to execute a final interlocal agreement in support of designation as a "Qualified County" for opioid settlement purposes.

* The proposed interlocal establishes the OAFAB and provides guidelines for the acceptance and distribution of potential settlement funding.

* There is no funding committed by execution of the interlocal agreement. The interlocal outlines the roles and responsibilities of the County and the Cities of St. Petersburg, Pinellas Park, and Clearwater in supporting the OAFAB.

34. [21-1055A](#) County Attorney Reports:
- County Redistricting Board Update

COUNTY ADMINISTRATOR

35. [21-1056A](#) County Administrator Reports:
- FEMA Maps
- Fiscal Year 2022 Proposed Budget

COUNTY COMMISSION

36. [21-1012A](#) Reappointments/appointments to the Parks and Conservation Resources Advisory Board (Board of County Commissioners as a whole).

Recommendation: Approve two appointments with experience in Environmental Science and/or policy for the Parks and Conservation Resources Advisory Board for a one-year term beginning on August 1, 2021 through July 31, 2022.

* This item is for two appointments with each needing experience in Environmental Science and/or policy to serve for a one-year term beginning on August 1, 2021 through July 31, 2022.

* Three applicants applied. One applicant would be a reappointment, one applicant met the Environmental Science and/or policy requirement and one applicant did not meet the requirement.

* Applicant names can be reviewed on the ballot/worksheet. Clerk may request a verbal vote/approval.

37. [21-1057A](#) County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and Other New Business.

6:00PM

PUBLIC HEARINGS

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

38. [21-1170A](#) Ordinance amending the Countywide Rules (first public hearing).

Recommendation: Sitting as the Countywide Planning Authority (CPA), hold the first of two public hearings to consider proposed amendments to Countywide Rules to create a Senior Housing Bonus, revise the map adjustment process, and other minor housekeeping changes as follows:

- * Forward Pinellas has received a request to amend the residential equivalency standards, specifically for the Assisted Living Facility (ALF) use based on the growing residential needs of Pinellas County's aging population.
- * The amendment identifies criteria for defining what qualifies as Senior Housing, allows each local government the discretion for determining the maximum number of allowable residential dwelling units, residential equivalent beds, and/or floor area ratio bonuses allowable in their applicable zoning district and/or future land use categories.
- * The amendment prohibits the application of this density/intensity bonus in the Coastal High Hazard Area.
- * The map adjustment process is being revised in response to local government requests for interpretation and clarification of this administrative process.
- * The amendment adds criteria for adjusting Preservation or Recreation/Open Space boundaries, including clarification that a survey is required unless very specific de minimis criteria are met as well as replaces the current "official acceptance process" with a process similar to Tier I map amendments, where staff processes the adjustments administratively and the Forward Pinellas Board and CPA are notified after the fact.
- * Housekeeping amendments to definitions related to submerged land, continuances, withdrawals, and animal boarding uses are also part of this amendment package.

BOARD OF COUNTY COMMISSIONERS

39. [21-1122A](#) Ordinance providing for the repeal of Section 126-1 of the Pinellas County Code, relating to vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in public easements and right-of-way.

Recommendation: Recommend repeal of Section 126-1 of the Pinellas County Code through a new repeal ordinance, relating to vesting of title to potable water lines, sanitary sewer lines, and storm drainage facilities in public easements and right-of-way.

* This code is based on a special law enacted in 1978 and provides clarification of ownership for buried water, wastewater, and stormwater infrastructure.

* This code is no longer applicable and does not align with County best practices associated with right-of-way permits and easements.

* Repeal of this ordinance will enable the County to address ownership of infrastructure and assets through easements and right-of-way permits.

40. [21-992A](#) Petition of Robert W. Morgan to vacate the south 30 feet of the 60-foot-right-of-way of 54th Avenue North, lying north of and adjacent to lot 7, per Orange Estates of Saint Petersburg First Addition, Plat Book 36, Page 13, Lying in Section 3-31-15, Pinellas County, Florida. (Legislative Hearing)

Recommendation: Denial of the petition to vacate a 30-foot wide portion of the 54th Avenue North right-of-way based on County staff objections. If granted, adopt the attached resolution pursuant to §336, Florida State Statutes.

* The petitioner is requesting to vacate a 30-foot wide portion of the 54th Avenue North right-of-way.

* The petitioner is requesting the vacation to allow for an increase in property size.

* County staff recommend denial of the vacation request because the right-of-way is designated by the Comprehensive Plan for future needs for transportation improvements, Pinellas County Utilities has infrastructure in the vicinity of the vacate request area, and the area provides the ability to improve stormwater drainage along 54th Avenue.

Authorize the Clerk of the Circuit Court to record the resolution in the public records of Pinellas County.

41. [21-1218A](#) Case No. Q Z/LU-21-01 (Noell Family, LLC, Attn: Chris Noell) (2nd hearing)
A request for a land use change from Residential Suburban and Preservation to Residential Low and Preservation and a zoning change from R-A, Residential Agricultural and R-3, Single Family Residential to R-5-CO, Urban Residential-Conditional Overlay and PC, Preservation/Conservation.

Recommendation: Based upon evidence and findings contained in the staff report and attachments, Case No. Z/LU-21-01 is recommended for:

- 1.) Adoption of an Ordinance approving the application of Noell Family, LLC for a land use change from Residential Suburban and Preservation to Residential Low (15.2 acres) and Preservation (6.3 acres) on approximately 21.5 acres located at and to the south of 4706 Pleasant Avenue in Palm Harbor.
- 2.) Adoption of a Resolution for a zoning change from R-A, Residential Agriculture and R-3, Single-Family Residential to R-5-CO, Urban Residential-Conditional Overlay (15.2 acres) and PC, Preservation-Conservation (6.3 acres), with the Conditional Overlay limiting the number of residential units to either 68 one-story villas or 68 two-story townhomes, requiring a minimum 20 foot building setback from the western property line, and requiring an eight-foot high opaque fence and a minimum five-foot wide landscape buffer at a minimum 30 percent opacity along the western property line.

* This is the second of two required hearings on the land use Ordinance. The Board transmitted the Ordinance for state agency review on April 27, 2021.

* Following the Board meeting, staff worked with the applicant and representatives of the Suncoast Primate Sanctuary to address community concerns.

* The applicant agreed to the following:

- a.) Limit the number of units to 68, instead of the maximum allowed of 82.
- b.) Regardless of normal R-5 setback allowances, any building located along the western boundary of the site adjacent to the Pinellas Trail and Suncoast Primate Sanctuary will have a minimum setback of 20 feet.
- c.) A buffer from the Suncoast Primate Sanctuary, which includes an 8-foot high opaque fence and a 5-foot wide landscape buffer at 30% opacity.
- d.) Construction of a new southbound left turn lane from US-Alternate 19 onto Valley Road and a new sidewalk along Pleasant Avenue and Valley Road from the subject site to the Pinellas Trail.

* The applicant submitted a wetland survey and an environmental report.

* State and regional review agencies have indicated no objections to the proposal.

* The Local Planning Agency recommended approval of the request (vote 5-1). The vote against the proposal did not cite specific reasons. Five persons appeared in opposition, citing increased density, traffic, ecological impacts, and buffering/compatibility with adjacent uses.

* Nine individual letters and several petitions with a total of 2,793 signatures in opposition have been received.

42. [21-1205A](#) Ordinance amending Chapter 138-Zoning and Chapter 146-Historic Preservation of the Pinellas County Land Development Code establishing the Downtown Palm Harbor Form-Based Code.

Recommendation: First of two public hearings for Case Number LDR-27-11-19. Based upon evidence and findings contained in the staff report and attachments, this Case is recommended for approval. A second adoption hearing is forthcoming at a later date.

This Case consists of an Ordinance, adding Section 138-2153 to the Pinellas County Land Development Code to adopt the Downtown Palm Harbor Form-Based Code; and adding Article XII - Downtown Palm Harbor Form-Based Code to Chapter 138 of the Pinellas County Land Development Code; and amending related sections of Chapter 138 and Chapter 146 of the Pinellas County Land Development Code. These amendments accomplish the following:

- * Adopt a form-based code as the new regulatory mechanism for the greater Downtown Palm Harbor area.
- * Replace the current Old Palm Harbor-Downtown district zoning category with a new Downtown Palm Harbor Form-Based Code District zoning category as Article XII of Chapter 138 of the Land Development Code.
- * Amend various sections throughout Chapter 138 to align with and conform to the new zoning district.
- * Amend Chapter 146 to update regulations and standards broadly affecting historic preservation in Pinellas County and to align with and conform to the new zoning district.

43. [21-1206A](#) Case No. Z/LU-28-11-19 (Pinellas County) (first hearing)
A request for a zoning change from OPH-D, Old Palm Harbor Downtown, C-2, General Commercial and Services, C-2-H, General Commercial and Services-Historic Preservation Overlay, R-3, Single Family Residential, R-4, One, Two, and Three Family Residential, LO, Limited Office, GO, General Office, C-1, Neighborhood Commercial, E-1, Employment 1, E-1-Co, Employment 1-Conditional Overlay and E-2, Employment 2 to DPH-FBC, Downtown Palm Harbor - Form Based Code District on approximately 64 acres comprising the greater Downtown Palm Harbor area.

Recommendation: Receive public comment on Case No. Z/LU-28-11-19: A request for a zoning change from OPH-D, Old Palm Harbor Downtown, C-2, General Commercial and Services, C-2-H, General Commercial and Services-Historic Preservation Overlay, R-3, Single Family Residential, R-4, One, Two, and Three Family Residential, LO, Limited Office, GO, General Office, C-1, Neighborhood Commercial, E-1, Employment 1, E-1-Co, Employment 1-Conditional Overlay and E-2, Employment 2 to DPH-FBC, Downtown Palm Harbor - Form Based Code District.

- * This is the first of two required public hearings.
- * This zoning amendment accomplishes the following:
 - a.) Establishes a zoning district boundary that follows the updated Downtown Palm Harbor Master Plan and associated Future Land Use Map category boundary configuration.
 - b.) Creates a transition between the downtown core and outlying neighborhoods.
 - c.) Includes all the Downtown Palm Harbor Historic District under one cohesive Future Land Use and Zoning area.

44. [21-1116A](#) Resolution approving the Fiscal Year 2021-2022 Annual Action Plan and authorizing actions related to the administration and operation of the Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant programs.

Recommendation: Hold a public hearing and adopt a resolution approving the Fiscal Year 2021 and Fiscal Year (FY) 2022 Annual Action Plan for community planning and development and authorize submittal to the U.S. Department of Housing and Urban Development (HUD).

* The FY21-FY22 Annual Action Plan contains the application for the Consortium's HOME Investment Partnerships (HOME) and the County's Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funds.

* The FY22 Annual Action Plan identifies the projects and activities the County will undertake in 2021-2022 to address the housing and community development needs identified in the FY 20-FY24 five-year consolidated plan.

* The County will receive \$2,551,626 in CDBG, \$1,322,893.00 in HOME and \$214,845.00 in ESG funding and estimates receiving \$50,000.00 in CDBG and \$800,000.00 in HOME program income in FY22.

* FY22 funding will be used for target area, public facility, public infrastructure, public service, homeless, homelessness prevention, affordable housing and planning and administration activities.

* Two public hearings were conducted to obtain input from participating cities, partnering agencies, community organizations and the public on community needs.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest applications, certifications, and HUD Grant Agreements, Specific Performance Agreements and Land Use Restriction Agreements, and Amendments; Authorize the Chairman to sign the Request for Release of Funds and Authority to Use Grant Funds; Authorize the County Administrator, or designee, to execute Housing Program Security Instruments, Agency Agreements, and Land Use Restriction Agreements; Authorize the Housing and Community Development Director to serve as local administrator for the HUD Environmental Review Online System; Authorize the Housing and Community Development Department Director to sign and file necessary forms, reports, and other administrative documents; and Authorize the Housing and Community Development Department to hold a Needs Assessment/Performance Review Public Hearing in the first quarter of 2022 on behalf of the Board of County Commissioners.

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@pinellascounty.org 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 pinellascounty.org/comment 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 www.pinellascounty.org/BCC_Participation.htm 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 pinellascounty.org/comment 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.