

Pinellas County Board of County Commissioners

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



Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, January 30, 2024
2:00 P.M.

Public Hearings at 6:00 P.M.

Kathleen Peters, Chair
Brian Scott, Vice-Chair
Dave Eggers
Rene Flowers
Charlie Justice
Chris Latvala
Janet C. Long

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

ROLL CALL**INVOCATION by Pastor Josh Heer, Living Hope Church, Largo.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [23-1812A](#) Human Trafficking Awareness Month Proclamation:
 - Major Nathaly Patterson, St. Petersburg Police Department
 - Lea Carrigan, Development Director, Restored to Dream
 - Doug Templeton, Chief Investigator, Pinellas County Consumer Protection

CITIZENS TO BE HEARD

2. [23-1801A](#) Citizens To Be Heard - Public Comment.

CONSENT AGENDA - Items 3 through 11**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

3. [24-0061A](#) Vouchers and bills paid from December 17 through December 30, 2023.

Reports received for filing:

4. [24-0062A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2023-32 dated December 21, 2023 - Audit of Safety Management Driver License Transport Data Exchange.

Miscellaneous items received for filing:

5. [24-0063A](#) City of Clearwater Ordinance No. 9722-23 adopted December 7, 2023, annexing certain properties.

COUNTY ADMINISTRATOR DEPARTMENTSCounty Administrator

6. [23-1820A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending January 4, 2024.

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

7. [23-2018A](#) Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2023.

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

COUNTY ATTORNEY

8. [23-1971A](#) 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

9. [23-2035A](#) Receipt and file report of the Law Enforcement Trust Fund for the quarter ending December 31, 2023.

Recommendation: Accept the receipt and file report on the Law Enforcement Trust Fund from October 1 to December 31, 2023.

10. [23-2036A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending December 31, 2023.

Recommendation: Accept the receipt and file report of Sheriff's Office grants received and service contracts - payments to the Sheriff for October 1 through December 31, 2023.

Tax Collector

11. [23-2054A](#) Award of quote to Observer Media Group d/b/a Business Observer for the advertisement of delinquent real estate tax lists.

Recommendation: Approval of the award of quote to Observer Media Group d/b/a Business Observer (Business Observer) for the advertisement of delinquent real estate tax lists.

- This contract provides legal newspaper advertising for delinquent real estate tax lists as required by the Tax Collector.
- Pursuant to Florida Statute 197.402, subsection (1): "If advertisements are required, the Board of County Commissioners (Board) shall make such notice as provided in chapter 50. The Tax Collector shall pay all charges, and the proportionate cost of the advertisements shall be added to the delinquent taxes collected." To satisfy this statutory requirement, the Office of County Attorney has advised that this quotation be submitted to the Board for consideration and approval.
- Two quote submissions were received with award to Business Observer as the low quoter.
- This contract replaces the current contract 22-0128-Q. This vendor is the incumbent vendor.
- This is included in the Fiscal Year 2024 Adopted Budget in the General Fund, the EMS Fund, Fire District Funds, and Special Taxing District Funds.

Contract No. 24-0117-Q in the annual amount of \$12,400.00 for a 36-month total not-to-exceed \$37,200.00 based on the lowest, responsive, and responsible quote received meeting specifications.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Animal Services

12. [23-2067A](#) First amendment to the agreement with Patterson Veterinary Supply, Inc to provide and install new kennels for Animal Services.

Recommendation: Approval of the first amendment to the agreement with Patterson Veterinary Supply, Inc. to provide and install new kennels for Animal Services.

- This contract provides for the complete installation of 240 back-to-back kennels and runs for Animal Services at 12450 Ulmerton Road, Largo, FL 33774.
- The first amendment increases the contract in the amount of \$253,988.32 for a revised total contract not to exceed \$1,178,460.73. Additional funds are needed due to changes in some of the kennel measurements and the addition of kennel top covers and resting benches.
- This contract was originally awarded by the Board of County Commissioners on August 1, 2023, in the amount of \$924,472.41.
- Funding for this award is budgeted in the Capital Improvement Plan, under Animal Services Renovation and A/C Replacement (004009A), Fiscal Year (FY) 2024-FY25, funded by the Local Option Infrastructure Sales Surtax (Penny for Pinellas).

Contract No. 23-0518-ITB increase in the amount of \$253,988.32 for revised total contract value of \$1,178,460.73, effective through July 31, 2024; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Construction Services

13. [23-2061A](#) Change Order No.1 with Erickson & Lindstrom Construction Co. to the Bayside Health Clinic expansion project.

Recommendation: Approval of Change Order No.1 with Erickson & Lindstrom Construction Co. to the Bayside Health Clinic expansion project.

- The project is for construction work associated with the Bayside Health Clinic expansion consisting of three Phases: Phase 1 is for additional exam rooms that will incorporate negative pressure capabilities for the ability to isolate patients with airborne infectious diseases, adding approximately 1,251 square feet (SF) of addition/expansion; Phase 2 will convert existing exam rooms/office space into a reconfigured professional office/workstation; Phase 3 will add approximately 1,100 SF of additional/expansion space for additional consultation/offices and a 3rd dental operatory.
- Additional funds are needed due to the inflationary price of construction materials, primarily steel and concrete, and a significant delay (6 months) in receiving sealed drawings, site plan approval and permit review and approval, increasing the original contract amount by \$240,336.00 for a new revised agreement amount of \$1,881,347.41.
- Removes the retainage provision from the agreement to allow for the grant funding to be reimbursed on time; grant project period end dates are as follows Phase 1 - August 31, 2024; Phase 2 - March 31, 2024; Phase 3 - September 14, 2024. Project is time sensitive due to grant funding.
- On October 25, 2022, the Board of County Commissioners approved this contract in the amount of \$1,641,011.41 for a duration of 430 consecutive calendar days from the issuance of the notice to proceed.
- Funding for this agreement is budgeted under Bayside Clinic Expansion Phase 1 (001475E) and Bayside Clinic Expansion Phase 2, 3 (001475G), in the Capital Improvement Plan.
- The additional funding for this change order is funded in program project Government Facilities Remodel and Renovation (004100A).

Contract No. 22-0607-CP, increased amount of \$240,336.00 for a revised agreement amount of \$1,881,347.41; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Housing & Community Development

14. [23-1751A](#) Declare a County owned parcel as surplus and authorize the conveyance of the parcel to the Housing Finance Authority of Pinellas County. (Companion to Item No. 15)

Recommendation: Adoption of the resolution to declare a County owned parcel (Parcel) as surplus in the Lealman Community Redevelopment Area (CRA) and grant authorization to donate the Parcel to the Housing Finance Authority of Pinellas County (HFA) for an affordable multi-family housing development, and grant authorization for the Chairman to execute the County Deed and Land Trust Agreement in accordance with Section §125.38, Florida Statutes.

- The County provided Penny for Pinellas funding to acquire the subject Parcel, the former Wood Acres mobile home park site, located at 3901 46th Avenue North within the Lealman CRA, for affordable housing development.
- Pinellas Affordable Living, Inc. (PAL) ranked as the top respondent to a Request for Notification and proposes to build seventeen multi-family apartments on the subject property for persons and families who are at or below 60% of the area median income. PAL will be applying to the Florida Housing Finance Corporation for primary project funding and estimates an additional amount of approximately \$1 million will be needed from the County for project construction.
- Upon transfer of the subject property, the HFA will prepare and execute ground lease documents to lease the property to PAL for the development of affordable multi-family housing.
- Florida Statutes, §125.38 grants the Board authority to convey property that is not needed for County purpose to a not-for-profit organization for the purposes of promoting community interest and welfare if the Board determines it is in the best interest of the County.
- This item has no fiscal impact on Pinellas County. No funds will be exchanged. The market value of the land to be conveyed is \$910,000.00 per an appraisal completed on November 15, 2023.

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

15. [23-1591A](#) Ranking of firms and agreement with Pinellas Affordable Living, Inc. for the development of affordable housing located at 3901 46th Avenue North in the Lealman Community Redevelopment Area. (Companion to Item No. 14)

Recommendation: Approval of the ranking of the firms and agreement with Pinellas Affordable Living, Inc. (PAL), as the number one ranked firm, for the development of affordable housing located at 3901 46th Avenue North in the Lealman Community Redevelopment Area.

- PAL was selected as the number one ranked firm through a competitive request for negotiation process to develop affordable housing on the County owned property located at 3901 46th Avenue North.
- PAL proposes to develop a 17-unit multi-family complex of one-, two- and three- bedroom apartments for households with special needs and incomes below 60% of Area Median Income.
- Through companion item 23-1751A, the parcel #03-31-16-51012-025-0030 will be conveyed to the Housing Finance Authority of Pinellas County (HFA) from the County. Upon transfer of the subject property, the HFA will lease the property to PAL for affordable housing development.
- The total development timeline estimate is 34 months.
- PAL anticipates a total project cost of \$5,865,600.00, equaling \$345,000.00 per unit and plans to apply to Florida Housing Finance Corporation for development and construction funding in March 2024. If successful, an application for County gap financing will be submitted for approximately \$1M.
- No County General Funds are required. The HFA is a dependent special district of the County.

Contract No. 22-0640-RN; there is no cost to the County; estimated annual revenue is \$0.

Human Services

16. [23-2025A](#) Program recommendation for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment grant submission.

Recommendation:

Approval of the Public Safety Coordinating Council's program recommendations for submission to the Criminal Justice, Mental Health, and Substance Abuse (CJMHSA) Reinvestment grant under the Florida Department of Children and Families.

- In Pinellas County, the Public Safety Coordinating Council (PSCC) was designated as the required Planning Committee by the Board of County Commissioners on October 16, 2007, to make program recommendations under CJMHSA Reinvestment Grant. The selected program requires Board approval of the recommendation prior to submission.
- A competitive solicitation was initiated, and a press release was issued, receiving four proposal responses.
- Due to critical grant timelines for approvals and grant preparation, a special PSCC public meeting was held on December 18, 2023, at 1:00PM to review and select the program for recommendation.
- The PSCC recommends the Treatment for Individuals Experiencing Homelessness Program (TIEH) as the top proposal for Submission for the CJMHSA Grant. This program is a collaboration between Boley Centers, PEMHS, Pinellas County Sheriff's Office, and Pinellas Human Services.
- TIEH seeks to expand case management and behavioral health resources for justice involved individuals at Safe Harbor with aligned housing navigation. The proposal addresses gaps identified as part of a 2022 Safe Harbor Working Group report outlining a goal of increasing exits to permanent supportive housing and reducing the ratio of case managers to clients, currently at 1 to 72.
- The second ranked proposal, Pinellas County Pathways, was recommended as backup proposal due to submission timelines in the event the top ranked proposal is unable to submit.
- This grant opportunity funds up to the amount of \$1,200,000.00 over three years. An in-kind match equal to the award amount is required and will be identified by partners during application development. There is no cash match.

Management and Budget

17. [23-1972A](#) Recommendation to award grant funding to applicants of the second round of large capital projects funded by the American Rescue Plan Act nonprofit Capital Project Fund.

Recommendation: Approval of the recommended list of highest-ranked grant applicants for the second round of the large capital project track of the American Rescue Plan Act (ARPA) Nonprofit Capital Project Fund, administered by the Pinellas Community Foundation (PCF) and funded by the County's allocation of ARPA State and Local Fiscal Recovery Funds.

The ARPA nonprofit Capital Project Fund is recognized under the Negative Economic Impact expenditure category, as identified by the US Department of Treasury, and responds to the negative economic impacts of the COVID-19 public health emergency, by providing assistance to households, small businesses, and nonprofits.

The large capital project track of the ARPA nonprofit Capital Project Fund is intended to fund acquisitions of, or modification to, property by nonprofit organizations that have experienced a negative economic impact by the COVID-19 pandemic.

- After individually reviewing each grant proposal, the PCF independent rank and review committee met on December 12, 2023, to collectively rank and make award recommendations from the 42 eligible proposals requesting a total of \$12,644,023.25 in funding.
- The list of applications recommended for award, totaling \$2,967,000.00 in funding is attached.

Parks and Conservation Resources

18. [23-0980A](#) Annual agreement with the Pinellas County Sheriff's Office for law enforcement services by Environmental Lands Unit Deputies.

Recommendation: Approval of the annual agreement with the Pinellas County Sheriff's Office (PCSO) for law enforcement services by the Environmental Lands Unit from October 1, 2023 through October 1, 2024.

- Contract provides for two assigned Environmental Land Unit (ELU) deputies to patrol County preserves and parks at a cost of \$364,480 per year including personnel, vehicle, operating and training expenses.
- ELU deputies are critical to deter poaching of wildlife and cultural artifacts from county environmental lands and assist park rangers upon reports of suspicious activities.
- This partnership with the PCSO has existed since Fiscal Year 2001.
- Costs for the services are appropriated within the PCSO budget with General Fund dollars (\$273,841.33) and Utilities contributing (\$90,998.67) for their portion of the Brooker Creek Reserve.

Public Works

19. [24-0008A](#) Award of bid to Preferred Materials Inc. for Fiscal Year 2024 Pavement Preservation - Package 3.

Recommendation: Approval of the award of bid to Preferred Materials Inc. for Fiscal Year (FY) 2024 Pavement Preservation - Package 3.

- The proposed FY24 Pavement Preservation Package 3 contract consists of milling and resurfacing, pavement marking, detector loops and traffic control required to complete the following four projects:
 - Project A-PID 005631A-Tampa Road Resurfacing (Belcher Road-U.S. Highway 19/Lake St. George-Curlew Road)
 - Project B-PID 005692A-Local Group 63 (Beacon Groves in Palm Harbor)
 - Project C-PID 005634A-Local Group 86 (CR 1-Wexford Drive East/Saddle Court-Tenby Way in Palm Harbor)
 - Project D-PID 005697A-Local Group 99 (Colonial Boulevard West-Rusty Grackle Drive/Colonial Boulevard-U.S. Highway 19 North in Palm Harbor)
- Two bids were received with award recommendation to Preferred Materials Inc. as the lowest responsive responsible bidder in the amount of \$4,904,230.00. This is 12.12% under the engineer's estimate of \$5,580,826.54.
- The Small Business Enterprise commitment is 7% for this contract.
- All work will be completed within 330 consecutive calendar days.
- The funding for this award is budgeted in the Capital Improvement Plan, under Road Resurfacing & Rehabilitation PIV 004192A (Penny Funded) and Transportation Millage Capital Resurfacing Program 005700A (transportation millage funded), in FY24.

Contract No. 23-0833-ITB-C, in the amount of \$4,904,230.00, with all work completed within 330 consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

20. [23-2064A](#) Grant application to the National Oceanic and Atmospheric Administration Climate Resilience Regional Challenge 2024 grant program for Joe's Creek Greenway Trail and Channel Restoration project and the Lealman Exchange Resilience Hub.

Recommendation: Approval to apply for the National Oceanic and Atmospheric Administration Climate Resilience Regional Challenge 2024 grant program for the Joe's Creek Greenway Trail and Channel Restoration project (004116A) and Lealman Exchange (LEX) Resilience Hub.

- Grant funding in amount of \$39,001,310.00 is requested.
- Funding from this grant would be utilized for:
 - Construction of the Joe's Creek Greenway Trail Channel Restoration Project - \$13,000,000.00 to replace Penny and close funding gap.
 - U.S. Highway 19/34th Street North Crossing Improvements/Culvert - \$16,194,000.00.
 - LEX facility improvements, workforce development, and art in public spaces and grant administration - \$9,807,310.00.
- This action authorizes the Public Works Director to electronically sign and submit the grant application by the February 13, 2024 submission date.

Grant application request is \$39,001,310.00 and no matching funds are required.

21. [22-1368A](#) Ranking of firms and agreement with Kapsch TrafficCom USA, Inc. for the Pinellas Connected Community Project.

Recommendation: Approval of the ranking of firms and agreement with the number one ranked firm, Kapsch Traffic Com USA, Inc. (Kapsch) for the Pinellas Connected Community Project.

- This project will add new technology, field and computer hardware and software solutions to existing transportation systems and infrastructure to improve mobility and safety within the region.
- Kapsch will act as the system integrator/vendor for the Pinellas Connected Community Project (PID 004974A).
- Four proposals were received with award recommendation to the top ranked firm, Kapsch.
- The initial term is for three years with a not to exceed value of \$3,500,000.00.
- Kapsch will be required to provide all software upgrades, field equipment, project management, and integration services as necessary and agreed upon with the County.
- The project is supported by an Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Grant through the Federal Highway Administration.
- Funding for this award is budgeted in the Capital Improvement Plan, under ATMS (Advanced Traffic Management System) Project Pinellas County ATCMTD (004974A), Fiscal Year (FY) 2024-FY25, funded by a Federal Highway Administration Grant for ATMS Pinellas County Connected Community Project.

Contract No. 23-0029-RFP in the not to exceed contract value of \$3,500,000.00, effective for three years; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

22. [23-1908A](#) Road Transfer Interlocal Agreement with the City of Largo for the transfer of Lancaster Drive from Belcher Road to Dorchester Road.

Recommendation: Approval of the Road Transfer Interlocal Agreement (Agreement) with the City of Largo (City) for the transfer of Lancaster Drive from Belcher Road to Dorchester Road.

- County is partnering with municipalities to transfer rights-of-ways and maintenance responsibility for streets within municipal limits.
- Agreement transfers operation and maintenance responsibilities of Lancaster Drive from Belcher Road to Dorchester Road to the City (0.27 centerline miles).
- Transfer includes maintenance responsibilities for stormwater facilities.
- County provides one-time payment of \$25,000.00 to the City for resurfacing.
- Funding for this interlocal agreement is budgeted under program project Road Resurfacing and Rehabilitation (0004192A), in the Capital Improvement Plan, in Fiscal Year 2024.
- The expenditures associated with the Interlocal Agreement will be charged to the sub project "City of Largo Lancaster Dr Right of Way Transfer" (006334A).

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest the Interlocal Agreement and record the Interlocal Agreement with Exhibits A and B, and separately record the corresponding right-of-way maps (Mylars) in the official records of the County, Clerk of Circuit Court to file agreement in Official Records.

23. [24-0012A](#) Terminate American Empire Builders, Inc.'s right to proceed with the Westwinds and Crosswinds Bridge Replacements and the Oakwood Bridge Replacement Projects.

Recommendation: Approval to terminate American Empire Builders, Inc.'s (AEB) right to proceed with the Westwinds and Crosswinds Bridge Replacements and the Oakwood Bridge Replacement Projects.

- These contracts were for replacing the Crosswinds Drive Bridge over Crosswinds Canal, replacing the Westwinds Drive Bridge over Westwinds Canal, and replacing the Oakwood Drive Bridge over Stephanie's Channel.
- Termination for cause is due to AEB's non-performance and failure to provide and complete work under the contract terms. Numerous attempts have been made to work through the contractor and the surety company to complete the projects, but both have been non-responsive.
- Notice of default was formally sent to AEB in accordance with the contract documents on January 3, 2024. Staff is recommending the Board of County Commissioners (Board) terminate the contractor's right to proceed, in whole or in part, take possession of the work, any materials, tools, equipment, and appliances, take assignments of subcontracts and purchase orders and complete the work.
- The vendor will be suspended in accordance with County Code 2-161(b)(1)(a) for breach of contract upon Board approval of this item. County staff will pursue additional legal remedy under the law.
- Following Board action to terminate right to proceed under the agreements, County staff will work to complete the Westwinds/Crosswinds Project (that is substantially complete) through a current work order contract. The Oakwood project will need to be rebid following engineering re-assessment as this project is approximately 30% complete.
- Funding for these projects was budgeted in the Capital Improvement Program, under projects Westwinds (000700A) and Crosswinds (000702A) Bridge Replacements and the Oakwood (001035A) Bridge Replacement projects, in Fiscal Year (FY) 2022-FY23, funded by the Penny for Pinellas.

Contract Nos. 190-0109-CP and 21-0708-CP, termination of the right to proceed for cause; Authorize the Chairman to sign the termination letters.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

24. [23-2006A](#) Issuance of a Certificate of Public Convenience and Necessity to M&M Mobility d/b/a Shaddai Transportation Services for provision of non-medical wheelchair and stretcher van transport services.

Recommendation: Sitting as the Emergency Medical Services Authority, issue a Certificate of Public Convenience and Necessity (COPCN) to M&M Mobility d/b/a Shaddai Transportation Services to provide non-medical wheelchair and stretcher van transport services.

- This firm has completed an application and meets the Authority's requirement to operate as a non-medical wheelchair and stretcher van transport provider.
- There are currently ten firms that hold a COPCN to provide wheelchair and/or stretcher van transport services. Four of those ten firms are approved to provide both non-medical wheelchair and stretcher van transport services.
- If approved, the new COPCN will expire on June 30, 2024.
- The issuance of this certificate will have no fiscal impact on Pinellas County.

Authorize the Chairman to sign the certificates.

COUNTY ATTORNEY

25. [24-0001A](#) Proposed initiation of litigation in the case of Deborah Jackson v. PKC2, LLC et al; HUD Case No. 04-23-5251-8; PC Case No. 23-036 - alleged housing discrimination.

Recommendation: Approval and authorization for the County Attorney to initiate litigation on behalf of Deborah Jackson through outside counsel retained for these legal services.

26. [23-1802A](#) County Attorney Reports.

COUNTY ADMINISTRATOR

27. [23-1803A](#) County Administrator Reports.

COUNTY COMMISSION

28. [23-2058A](#) Appointment to the Emergency Medical Services Medical Control Board.

Recommendation: Sitting as the Emergency Medical Services Authority, approve the following reappointment to the Emergency Medical Services Medical Control Board for a two-year term ending December 2025.

- Appointment of Diane Conti as a Hospital Administrator alternate representative for HCA Florida Pasadena Hospital. Ms. Conti is a Chief Nursing Officer at the HCA Florida Pasadena Hospital.
- Ms. Conti is alternate to Brent Burish, Hospital Administrator primary representative for HCA Florida Pasadena Hospital.

29. [23-1927A](#) Appointment to the Unified Personnel Board (Board of County Commissioners as a whole).

Recommendation: Approve one appointment to the Unified Personnel Board for a two-year term, beginning January 1, 2024.

- List of applicants can be viewed on the attached ballot/worksheet.
- Ballot/worksheet will be provided by the Clerk.

30. [23-1804A](#) County Commission New Business:
Pertinent and timely Committee/Board updates, policy considerations, administrative/procedural considerations, and other new business.

6:00 PM

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

31. [23-1978A](#) Case No. ZON-22-08 (Cypress Run of FL, LLC)
A request for a change of zoning on approximately 5.46 acres located on the east side of East Lake Drive across from the intersection of North Highland Avenue in East Lake Tarpon from Residential Agriculture, R-A, Residential Planned Development, RPD, (5.46 acres) and from RPD to R-A, (0.05 acre) with a Development Master Plan, DMP, modification on an RPD zoned property to allow for the addition of 5.41 net acres to the DMP, three residential units, and two multi-use (maintenance/recreation/self-storage) buildings. (Quasi-Judicial)

Recommendation: Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON-22-08 is recommended for approval:

A resolution approving the application of Cypress Run of FL, LLC for a change in zoning from R-A to RPD, (5.46 acres) and from RPD, to R-A, (0.05 acre) with an associated DMP modification.

- On November 14, 2023, the Board of County Commissioners continued this case to the January 30, 2024, public hearing at the applicant's request to give the applicant time to review materials recently submitted in opposition.
- The applicant's representative has indicated an intent to submit a response prior to the rescheduled public hearing date.
- A zoning change on 5.46 acres and a modification of the Cypress Run DMP is requested.
- The proposed future use is three residential units and two multi-use buildings.
- A related Land Use amendment was approved earlier in 2023.
- The Local Planning Agency recommended approval of the current request (vote 4-0). No one spoke at the hearing and one letter of concern was received.

32. [23-2057A](#) Case No. FLU-23-08 (Igor Melnichuk)
A request for a Future Land Use Map amendment from Residential Low to Residential Urban on approximately 1.02 acres located at 3320 70th Avenue North in Lealman.

Recommendation: Based upon the evidence and findings contained in the staff report and attachments, Case No. FLU-23-08 is recommended for approval:

An ordinance approving the application of Igor Melnichuk for a Future Land Use Map (FLUM) amendment from Residential Low, (RL) to Residential Urban, (RU).

- The applicant is seeking a FLUM amendment on a 1.02-acre property in the Lealman Community Redevelopment Area.
- The applicant has expressed a desire to build residential townhomes on the subject property.
- The subject property is surrounded by various types of residential dwelling units, including single family detached and duplexes.
- The subject property is within walking distance from a busy retail/commercial node at the intersection of 34th Street North (also known as U.S. Highway 19) and 70th Avenue North.
- The Local Planning Agency recommended approval of the request (vote 7-0). No one appeared in opposition and no correspondence has been received.

33. [23-1975A](#) Amendment by resolution supplementing the Fiscal Year 2024 Operating and Capital Budgets for unanticipated fund balances and unanticipated receipt of funds and realigning reserves for requesting departments and funds.

Recommendation: Approval of the amendment by resolution supplementing the Fiscal Year (FY) 2024 Operating and Capital Budgets for unanticipated fund balances and unanticipated receipt of funds and realigning reserves for requesting departments and funds.

- Adopt the attached resolution recognizing unanticipated fund balance for the Operating Budget in the amount of \$26,712,680.00 for operating expenditures that were budgeted and expected to be spent in FY23 and are instead proposed to be carried forward to be spent in FY24.
- Adopt the attached resolution recognizing several operating grants and gifts that were not expected when the FY24 Operating Budget was proposed in the amount of \$20,334,100.00.
- Adopt the attached resolution and realign reserves for operating expenses in the amount of \$2,344,470.00 to update budgets in various departments based on new information since the budgets were proposed.
- Adopt the attached resolution realigning Reserves-Future Years with Capital Improvement Program (CIP) projects in FY24 for the purpose of funding design and construction in the amount of \$15,900,000.00. This is for one sidewalk project and multiple Utilities Department projects to bring existing project funding from future years into FY24 to accommodate capital construction.
- Adopt the attached resolution realigning appropriations within the American Rescue Plan Act Fund in the amount of \$250,000.00 to address one existing ARPA project that has increased in cost now that construction bids are available.
- Adopt the attached resolution recognizing and appropriating unanticipated fund balance in the CIP Budget in the amount of \$139,308,800.00 for capital expenditures that were budgeted and expected to be spent in FY23 and are instead proposed to be carried forward to be spent in FY24.
- Adopt the attached resolution recognizing two capital grants that were not expected when the FY24 Operating Budget was proposed in the amount of \$1,608,000.00.

ADJOURNMENT

Special Accommodations

Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County's Office of Human Rights by e-mailing such requests to accommodations@pinellas.gov at least three (3) business days in advance of the need for reasonable accommodation. You may also call (727) 464-4882.

Public Participation Procedures

Persons wishing to comment regarding a specific agenda item should do so:

In person - by preregistering at <https://comment.pinellas.gov> or by filling out a comment card with the County staff person in the meeting room; or,

Virtually - in advance in accordance with the instructions in the notice of this meeting, or on the virtual platform or phone after preregistering.

Members of the public wishing to make comments on the virtual platform or by phone must preregister by 5 p.m. the day before the meeting. At the scheduled section of the meeting when the item is before the Board of County Commissioners (Board), the Chairman or Clerk will call on each individual, one by one, to be heard. Each individual may speak for up to three minutes as may be modified by the Chairman. Comments or behavior that violate Pinellas County Commission Public Participation and Decorum Rules will be disconnected. Members of the public who cannot attend at the time an agenda item is before the Board may offer comments during the Citizens to Be Heard section near the beginning of the meeting. More information is available at <https://pinellas.gov/participating-in-a-BCC-meeting> or by calling (727) 464-4400.

Public Hearing Procedures

The procedure used by the Board in conducting Public Hearings is to have a staff presentation followed by the applicant presenting the specific proposal. The Board will then hear comments from the proponents, the opponents and a staff summary. The applicant will then be given an opportunity to close and the Board will decide on the matter. Public Hearings before the Board are governed by the provisions of Section 134 -14 of the Pinellas County Land Development Code as may be modified by Pinellas County Emergency Order. That code provides that at the conclusion of each person's presentation, any speaker may seek the Chairman's permission to ask questions of staff.

Specifically:

1. At the conclusion of the presentations by the applicant and any proponents, all affected parties may seek the Chairman's permission to ask questions of or seek clarification from the applicant and/or the proponents.
2. At the conclusion of the presentation by the opponents, all affected parties may seek the Chairman's permission to ask questions of or seek clarification from any opponent.

The applicant's closing comments will address testimony subsequent to his or her presentation. Continuing rebuttal of other than directly preceding testimony will not be allowed. Because much testimony has already been submitted in writing, the following guidelines accommodate efficient presentations:

1. The applicant should present his or her entire case, including rebuttal, in no more than 20 minutes.
2. Persons wishing to speak regarding a Public Hearing item may speak for up to three minutes each.
3. Persons wishing to attend virtually must preregister at <https://comment.pinellas.gov> by 5 p. m. the day before the meeting.

Appeals

Persons are advised that, if they decided to appeal any decision made at this meeting/hearing, they will need a record of the proceeding, and, for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based.

If a Board meeting beginning at 9:30 A.M. has not concluded by noon, a recess will be taken from noon to 12:30 P.M., and the remainder of the meeting will continue at 12:30 P.M.

If a Board meeting beginning at 2:00 P.M. has not concluded by 5:30 P.M., a recess will be taken from 5:30 to 6:00 P.M. The remainder of the afternoon agenda will resume at 6:00 P.M., followed by Public Hearings.