

Pinellas County Board of County Commissioners

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



Regular Meeting Agenda

Tuesday, October 23, 2018
2:00 PM

Kenneth T. Welch, Chairman
Karen Williams Seel, Vice-Chairman
Jay J. Beyrouti
Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long

Mark S. Woodard, County Administrator
Jewel White, County Attorney
Ken Burke, Clerk of the Circuit Court and Comptroller

ROLL CALL**INVOCATION by Commissioner Welch.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Pinellas County Employee Choir Performance:
Singing "God Bless America"
 - Rebecca Fiesbeck
 - Lisa Freeman
 - Willie Roundtree
 - Dan Glaser
 - Valerie Fuzz
 - Sherrill Culliver
 - Ova Moore
 - Michael Liadis
2. Veterans Day Proclamation:
Community Veterans Engagement Board
 - Milton White, Co-Chair
 - Julie Boor
 - Eugenia Simmons
 - Stacey-Rae Simcox
 - Zeffrey Mims
 - Frank Chicollo
 - Matthew Shankweiler
 - Rick Chesler
3. Partner Presentation:
Recognition to the County Administrator
 - Matthew Campbell

CONSENT AGENDA**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

4. Minutes of the County Administrator recruitment meeting held August 29, 2018 and the regular meeting held September 25, 2018.

Reports received for filing:

5. Quarterly Report of Routine Dock and Dredge/Fill Applications Received from July 1 to September 30, 2018.

6. Pinellas County Sheriff's Office Adopted Budget for Fiscal Year 2018-2019.

Miscellaneous items received for filing:

7. City of Clearwater Ordinances Nos. 9155-18 and 9158-18 adopted September 6, 2018, annexing certain properties.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

8. Award of bid to Lema Construction & Developers, Inc. for the new maintenance facility project at the St. Pete-Clearwater International Airport.

County Administrator

9. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending September 30, 2018.
10. Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending September 30, 2018.

Public Works

11. Award of bid to Florida Safety Contractors, Inc. for the Advanced Traffic Management System project at Alternate U.S. Highway 19 South from State Road 60 to 34th Street North.
12. Award of bid to Keystone Excavators, Inc. for the Bee Branch Creek Phase 1 erosion projection project.
13. Joint Project Agreement with the City of Clearwater for utility work associated with the Hercules Avenue Sidewalk Phase 2 project from Sherwood Street to Sunset Point Road.

Real Estate Management

14. Purchase authorization for requirements of heavy and light duty vehicles and equipment.

Solid Waste

15. Award of bid to A1 Assets, Inc. for requirements of recycling and demanufacturing of electronics.

Utilities

16. Award of bid to TLC Diversified, Inc. for the Pump Station 018 replacement project.

COUNTY ATTORNEY

17. Transfer case of Arthur Basner v. Heritage Village & Inn, LLC; HUD Case No. 04-17-6733-8; PC Case No. 17-011 to another legal services provider.
18. Notice of new lawsuit and defense of the same by the County Attorney in the case of Yashica Clemmons, Ciara Butler, and Natasha Winkler v. Pinellas County, et al.; United States District Court for the Middle District of Florida; Case No. 8:18-cv-1497-EAK-AEP - constitutional violations arising from alleged wrongful deaths.
19. Notice of new lawsuit and defense of same by the County Attorney in the case of Crevello Properties, LLC v. Pinellas County; Circuit Civil Case No. 18-006039-CI-11 - action for declaratory judgment and injunctive relief.
20. Notice of new lawsuit and defense of the same by the County Attorney in the case of Lisa Eutize v. Jermaine Bennett and Pinellas County; Circuit Civil Case No. 18-005998-CI-20 - allegations of negligence resulting in personal injuries.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

21. Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending September 30, 2018.
22. Receipt and file report on the Law Enforcement Trust Fund for the quarter ending September 30, 2018.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

23. Authorization to apply for the Federal Aviation Administration Airport Improvement program discretionary funding for Federal Fiscal Year 2019 at St. Pete-Clearwater International Airport.
24. Change Order No. 1 with Pepper Contracting Services, Inc. for the St. Pete-Clearwater International Airport landside and parking lot improvement project.

Economic Development

25. Resolution approving B8080654075 as a qualified applicant for the Qualified Target Industry Tax Refund program.

26. Resolution expressing support of B8080654075 as a qualified applicant for an Economic Development Ad Valorem Tax Exemption.
27. Resolution approving A7010327720 as a qualified applicant for the Qualified Target Industry Tax Refund program.
28. Resolution expressing support of A7010327720 as a qualified applicant for an Economic Development Ad Valorem Tax Exemption.

Human Services

29. Alcohol and Drug Abuse Trust Fund grant recommendations and agreement to fund seven non-profit agencies.
30. Grant award from the U.S. Department of Justice for the enhancement and expansion of the Pinellas County Family Drug Treatment Court.
31. Grant award from the U.S. Department of Health and Human Services for the Fiscal Year 2018 Expanding Access to Quality Substance Use Disorder and Mental Health Services Grant for the Health Care for the Homeless program.
32. Grant award from the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance for the Comprehensive Opioid Abuse site-based program, category 6.
33. Grant award from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, for Assisted Outpatient Treatment services for individuals with serious mental illness.

Real Estate Management

34. Resolution authorizing the lease of the Lealman Community Campus and Lease Agreements with the Children's Educational Services, Inc. dba The Broach School St. Petersburg and Excelerated Teaching Center, Inc. for the use of space at the Lealman Community Campus.
35. Lease Agreement with The Young Men's Christian Association of Greater St. Petersburg, Florida, Inc. for the use of space within the Lealman Community Campus.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

COUNTY ADMINISTRATOR

36. County Administrator Miscellaneous.

COUNTY ATTORNEY

37. County Attorney Miscellaneous.

COUNTY ADMINISTRATOR REPORTS

- 38.** County Administrator Reports:
- Tampa Hillsborough Expressway Authority (THEA) - Partnership Opportunity
- Code Enforcement Liens, Foreclosures and Demolition - Proposed Approach

CITIZENS TO BE HEARD

- 39.** Public Comment.

COUNTY COMMISSION

- 40.** Resolution re-naming the former Windsor Charter School.
- 41.** Resolution clarifying the delegated authority of the Human Resources Director to act as Plan Administrator of the Board of County Commissioners sponsored employee benefit plans.
- 42.** Appointments to the Pinellas County Construction Licensing Board (Board of County Commissioners as a whole).
- 43.** Re-appointments to the Board of Adjustment (Commissioners Eggers & Gerard).
- 44.** Re-appointments to the Local Planning Agency Board (Commissioners Eggers & Gerard).
- 45.** County Commission New Business Items:
- Ready for 100 (Commissioner Long)
- 46.** County Commission Board Reports and Miscellaneous Items.

PUBLIC HEARINGSEducational Facilities Authority

47. Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue Bonds in an aggregate principal amount of not to exceed \$18,350,000.00 on behalf of Advantage Academy of Pinellas, Inc.

BOARD OF COUNTY COMMISSIONERS

48. Proposed modifications to the Pinellas County Code related to purchasing.
49. Petition of Boulevard Park Properties to vacate that portion of a 45-foot-right-of-way known as 20th Terrace Southwest (Dieffenwierth Avenue) lying adjacent to Lots 11 through 13 and Lots 14 through 16, and also that portion of the 6-foot alley lying north of and adjacent to Lots 11 through 13, Conrade's Addition to Largo, Plat Book 10, Page 66, lying in Section 3-30-15. (Legislative Hearing)
50. Ordinance amending the Pinellas County Code, Chapter 122-Traffic and Vehicles, by revising Sections 122-32 and 122-35, repealing references to backing into parking spaces.
51. Ordinance amending 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 166-Environmental and Natural Resource Protection; deleting Chapter 162-Signs and Chapter-170 Miscellaneous Provisions in their entirety (second hearing); and providing for amendment of the Pinellas County official zoning atlas and geographic information system to reflect changes in zoning district names. (Companion to Items No. 52 and 53)
52. Ordinance amending the Pinellas County Land Development Code, Chapter 158-Floodplain Management, adding Appendix E to incorporate certain local administrative and technical amendments to the Florida Building Code relating to floodplain management. (Companion to Items No. 51 and 53)
53. Ordinance relocating Article V-Water and Navigation Regulations, Article II, Division 3-Mangrove Trimming and Preservation, and Article VI-Surface Water Management of Chapter 166-Environmental and Natural Resource Protection of the Pinellas County Land Development Code to Chapter 58-Environment of the Pinellas County Code; and amending Chapter 110-Special Assessments of the Pinellas County Code. (Companion to Items No. 51 and 52)

54. (Q) Z/LU-21-09-18 (Clearwater Community Church, Inc.)
A request for a zoning change from RPD-10, Residential Planned Development - 10 units per acre and A-E, Agricultural Estate Residential to IL, Institutional Limited and a land use change from Institutional and Residential Low Medium to Institutional on approximately 9.59 acres located at 2897 Belcher Road in unincorporated Dunedin.
55. (Q) DA-23-09-18 (Huntley Properties, LLC)
Request for termination of a previously-approved Development Agreement regarding approximately 19.73 acres located at 7950 Park Boulevard in Pinellas Park.
56. (Q) Z-24-09-18 (Olympia Management, LLC)
A request for a zoning change from R-R, Rural Residential to R-3, Single Family Residential on approximately 2.05 acres located at 2333 Tampa Road in Palm Harbor.
57. (Q) Z/LU-11-06-18 (Pinellas Auto Sales)
A request for a zoning change from R-3, Single Family Residential to C-2, General Retail Commercial and Limited Services (0.32 acre) and C-2-CO, General Retail Commercial and Limited Services-Conditional Overlay (0.38 acre) with the Conditional Overlay limiting the use of the northern 220-foot portion of the property to the parking of vehicle inventory only, and a land use change from Residential Urban to Commercial General on approximately 0.70 acre located at 6789 Ulmerton Road in unincorporated Largo (a portion of parcel 06-30-16-70938-400-1302).

ADJOURNMENT

Special Accommodations

Persons needing a special accommodation to participate in this proceeding should contact the Office of Human Rights, by written or oral request, at least 48 hours prior to the proceeding at: 400 South Fort Harrison Avenue, Suite 500, Clearwater, Florida 33756, Phone: (727) 464-4880, TDD: (727) 464-4062.

Public Participation Procedures

Persons wishing to speak during the Citizens to be Heard portion of the agenda or regarding a specific agenda item must complete a Citizen Comment Card. Cards should be given to staff at the table located at the front of the Assembly Room. At the scheduled section of the meeting when the item is before the Board of County Commissioners (Board), the Chairman will call each individual, one by one, to the lectern to be heard. Each individual may speak for up to three minutes.

Public Hearing Procedures

The procedure used by the Board in conducting public hearings is to have a staff presentation followed by the applicant presenting the specific proposal. The Board will then hear comments from the proponents followed by comments from the opponents and a staff summary. The applicant will then be given an opportunity to close and the Board will decide on the matter.

Public hearings before the Board are governed by the provisions of Section 134-14 of the Pinellas County Land Development Code. That code provides that at the conclusion of each person's presentation, any speaker may seek the Chairman's permission to ask questions of staff. Specifically:

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

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

1. The applicant should present his or her entire case, including rebuttal, in no more than 20 minutes.
2. Persons wishing to speak regarding a Public Hearing item may speak for up to three minutes each after completing a Public Hearing Comment Card and submitting it to staff at the table located at the front of the Assembly Room.
3. Representatives of groups consisting of 5 or more individuals who are present during the Public Hearing may speak on behalf of the group for up to 10 minutes at the Chairman's discretion. To do so, the other individuals in the group must have waived their time to the representative by providing their information on the Group Speaker List, located on the back of the Public Hearing Comment Card.

Appeals

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

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

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