

Pinellas County Board of County Commissioners

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



Regular Meeting Agenda

Tuesday, January 8, 2019
9:30 AM

Karen Williams Seel, Chair
Pat Gerard, Vice-Chair
Dave Eggers
Charlie Justice
Janet C. Long
Kathleen Peters
Kenneth T. Welch

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

ROLL CALL**INVOCATION by Reverend Bob Scott, Peace Memorial Presbyterian Church, Clearwater.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [18-2005A](#) Martin Luther King, Jr. Day Proclamation:
 - Thelma Bruce, President, St. Petersburg Metropolitan Section of the
 National Council of Negro Women, Inc.
2. [18-2006A](#) National Mentoring Month Proclamation:
 - Dr. Valerie Brimm, Director, Office of Strategic Partnerships, Pinellas
 County Schools
 - Keosha Simmons, Lunch Pals Coordinator, Pinellas County Schools
3. [18-2013A](#) Doing Things! Employee Recognition Award:
 - Ervin Hillary, Compliance Inspector, Solid Waste
4. [18-2016A](#) Partner Presentation:
 - Dr. Valerie Brimm, Director, Office of Strategic Partnerships, Pinellas
 County Schools
5. [18-2015A](#) Partner Presentation:
 - Barbara St.Clair, Executive Director, Creative Pinellas, Inc.

CONSENT AGENDA

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

6. [18-2091A](#) Minutes of the regular meeting held November 20, 2018.
7. [18-2092A](#) Vouchers and bills paid from November 18 through December 15, 2018.

Reports received for filing:

8. [18-2093A](#) Dock Fee Report for the month of December 2018.
9. [18-2094A](#) Quarterly Report of Routine Dock and Dredge/Fill Applications Received
 from October 1 to December 31, 2018.
10. [18-2096A](#) Quarterly Donation Listing of \$500 or More for the quarter ended September
 30, 2018.

Miscellaneous items received for filing:

11. [18-2097A](#) City of Clearwater Ordinances Nos. 9170-18, 9173-18, 9180-18, 9183-18, 9186-18, 9196-18, and 9199-18 adopted November 15, 2018, annexing certain properties.
12. [18-2098A](#) City of Seminole Ordinances Nos. 18-2018, 19-2018, and 22-2018 adopted November 13, 2018, annexing certain properties.
13. [18-2099A](#) Eastlake Oaks Community Development District minutes of the meeting held August 16, 2018.

COUNTY ADMINISTRATOR DEPARTMENTS

Public Works

14. [18-1059A](#) Award of bid to AKCA, Inc. for requirements of traffic pavement marking materials and services for the Tampa Bay Area Purchasing Cooperative.

Recommendation: Approval of the award of bid to AKCA, Inc. for the requirements of traffic pavement marking materials and services for the Tampa Bay Area Purchasing Cooperative (Cooperative).

* Two bids were received for this contract.

* The Cooperative contract:

1. supports the cities of Oldsmar, Pinellas Park and St. Petersburg.
2. will implement safety improvements to better protect vehicles and pedestrians.

Contract No. 178-0490-B(RO) in the annual amount of \$679,265.50 for a sixty month term total of \$3,396,327.50 on the basis of being the lowest, responsive, responsible bid received meeting specifications. Authorize the Chairman to sign and the Clerk of the Court to attest.

15. [18-1154A](#) Award of bid to Cone & Graham, Inc. for the intersection improvements project on Betty Lane at Sunset Point Road.

Recommendation: Approval of the award of bid to Cone & Graham, Inc. for the intersection improvements project on Betty Lane at Sunset Point Road.

* Contract for Americans with Disabilities improvements including new sidewalks and pedestrian crossings on Betty Lane at Sunset Point Road.

* Award to lowest responsive, responsible bidder Cone & Graham Inc.

* Project includes a Joint Project Agreement with the City of Clearwater.

* Project is partially grant funded by the Southwest Florida Water Management District.

Bid No. 178-0516-CP (JJ); PID No. 001018A; in the amount of \$ 3,150,991.20 on the basis of being the lowest responsive, responsible bid received meeting specifications. All work is expected to be completed within 700 consecutive calendar days. Authorize the Chairman to sign and the Clerk of the Court to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Human Rights

16. [18-2021A](#) Authority to advertise a public hearing amending Article IV of Chapter 70 of the Pinellas County codes relating to wage theft/recovery.

Recommendation: Authorize a public hearing to be held on January 22, 2019 to adopt an ordinance amending Article IV of Chapter 70 of the Pinellas County codes relating to wage theft/recovery.

* Ordinance change will amend the manner in which wage theft complaints are processed; clarify when claimed wages may be trebled after a hearing before a Special Magistrate; enhance protections against retaliation in wage theft complaints; and establish an enforcement process should retaliation occur.

* Ordinance change will allow for enforcement within the City of St. Petersburg.

* Funding for the Wage Theft/Recovery Ordinance is already contained in the current budget for the Pinellas County Office of Human Rights, and this change does not result in any additional costs to the County.

* Since January 1, 2016, more than \$300,000.00 has been recovered and paid to employees as a result of this ordinance.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Convention and Visitors Bureau

17. [18-1830A](#) Local Arts Funding Agreement with Creative Pinellas, Inc. for marketing and promoting Pinellas County as an arts community and arts destination during Fiscal Year 2019.

Recommendation: Approval of the Local Arts Funding Agreement with Creative Pinellas, Inc. (Creative Pinellas) for marketing and promoting the County as a vibrant arts community and arts destination in Fiscal Year 2019 (FY19).

* The term of the agreement is one year.

* The total sum of commitment is \$891,740 (\$710,740 from the Tourist Development Tax Fund, \$145,000 from General Fund, and \$36,000 from the Transportation Trust Fund).

* Detailed promotional and marketing benefits to the County are listed in Exhibit A of the agreement.

Human Services

18. [18-1915A](#) Funding Agreement with Directions for Mental Health, Inc. for the Assisted Outpatient Treatment Grant program.

Recommendation: Approval of the Funding Agreement with Directions for Mental Health, Inc. (Directions for Living) for the Assisted Outpatient Treatment Grant Program (AOT Grant).

* The AOT Grant provides funding to increase capacity of mental health services for individuals with serious mental illness that have been court-ordered to receive outpatient treatment services. Under the Grant Funding Agreement, Directions for Living will lead care coordination, psychiatric services, and case management for AOT grant clients.

* The program will serve approximately 100 clients annually.

* Contract amount not to exceed \$2,663,235.00 for four years from the AOT Grant.

Public Works

19. [18-1858A](#) Interlocal Agreement with the Tampa-Hillsborough County Expressway Authority to identify future transportation solutions.

Recommendation: Approval of the Interlocal Agreement with the Tampa-Hillsborough County Expressway Authority to identify future transportation solutions.

* On October 23, 2018, the Board of County Commissioners directed staff to develop an initial interlocal agreement to allow for the Tampa-Hillsborough County Expressway Authority (THEA) to analyze potential toll facility solutions that will benefit the citizens of the County.

* THEA will be fully responsible for the total cost of the Sketch Level Analysis and neither party will have any funding obligations toward additional analysis until such time that a separate project and specific interlocal agreement is brought forward before both the County and THEA boards for approval.

* County staff will be responsible for any public engagement and stakeholder feedback on the sketch level analysis.

Authorize the Chairman to sign and the Clerk of the Court to attest.

20. [18-1959A](#) Amendment No. 3 to the Emergency Grant Funding Agreement with the Florida Department of Environmental Protection for red tide management for and within Pinellas County.

Recommendation: Approval of Amendment No. 3 to the Emergency Grant Funding Agreement with the Florida Department of Environmental Protection for red tide management within Pinellas County.

* Amendment No. 3 provides \$1,199,251.30 additional funding to respond to large scale impact from red tide. The total revised funding amount is \$7,500,000.00.

* Funding utilized for contractual services and related costs to address the impacts of red tide debris removal in offshore waters, on the beaches, within the Intracoastal Waterway and canals, and Tampa Bay.

* The Board of County Commissioners (Board) approved the original agreement on September 13, 2018 for funding in the amount of \$1,300,748.70.

* The Board approved an additional \$2 million in grant funding on October 9, 2018 through Amendment No. 1 to the agreement.

* The Board approved an additional \$3 million in grant funding on November 20, 2018 and extended the agreement expiration date from December 1, 2018 to March 31, 2019 through Amendment No. 2 to the agreement.

County PID No. 90004G1 and FDEP Contract No. AB006. Authorize the Chairman to sign and the Clerk of the Court to attest.

Real Estate Management

21. [18-1766A](#) First Amendment to the Agreement with S&ME, Inc. for professional environmental and engineering services.

Recommendation: Approval of the First Amendment (Amendment) to the Agreement with S&ME, Inc. for requirements of continuing environmental and engineering consulting services including environmental assessment and remediation activities.

* Amendment increases contract limit from \$500,000.00 to \$920,000.00 to continue remediation at the former Zero Corporation site.

* Environmental assessment and remediation services are on a task order basis.

* For consistency with maintenance, operations and interactions with the Florida Department of Environmental Protection, it is best to retain the existing consultant services firm.

* The County assumed remediation responsibility of the former Zero Corporation site, when the company filed bankruptcy and dissolved in 2007.

* Project is budgeted and funding derived through several Capital Improvement Program budgets and/or operating budgets based on task order assignments.

Contract no. 156-0008-CN (RG); increase in the not to exceed amount of \$420,000.00 for a revised five year upset limit of \$920,000.00; effective through April 8, 2021. Authorize the Chairman to sign and the Clerk of the Court to attest.

22. [18-1546A](#) Second Amendment to the Lease Agreement with Mainstream Partners IV, LLC to expand existing warehouse space to support the relocation of the records warehouse storage operations for the State Attorney, Public Defender, Medical Examiner, and Court Administration.

Recommendation: Approval of the Second Amendment to the Lease Agreement (Agreement) with Mainstream Partners IV, LLC for warehouse space for records storage for the State Attorney, Public Defender, District Six Medical Examiner's Office, and the Sixth Judicial Circuit Court.

* The new records storage facility (26,400 s.f.) is located at 7200 114th Avenue North, Largo.

* The new location will be immediately adjacent to the current County's surplus warehouse.

* New rent term is for sixty months with a rental rate of \$10.22/s.f. with an annual 3% escalation rate. The landlord is contributing \$643,432.34 for tenant improvement and \$95,966.00 towards the County's relocation expenses.

* The County will expend one-time capital costs of \$11,000.00 for the installation of fiber optic communications and interior communications wiring, and \$28,637 for interior fencing to segregate records storage for each stakeholder agency.

* The current records storage facility (25,288 s.f.) is thirty-eight years old has been under lease for thirty years and is located at 5300 Ulmerton Rd., Clearwater.

* The current rental rate is \$10.77/s.f. with an annual 3.5% escalation rate.

23. [18-1886A](#) Interlocal Agreement with the City of Clearwater and the Pinellas Suncoast Transit Authority for a joint-use facility site study.

Recommendation: Approval of the Interlocal Agreement with the City of Clearwater and the Pinellas Suncoast Transit Authority for a downtown Clearwater joint-use facility site study.

* Agreement provides for participation, funding and review of a study of three potential sites to determine viability and budget estimates of each.

* The study will cost \$74,868.00 and is to be performed by Williamson-Dacar Associates, Inc.

* Both the City and the County have programmed funds in Penny IV for a joint-use project.

* The three sites being evaluated are:

1. 14 S. Ft. Harrison (County-owned).
2. Surface parking lot supporting 14 S. Ft. Harrison (County-owned) and the PSTA transit station.
3. Vacant lot at southeast corner of Pierce St. and S. East Avenue (City-owned).

COUNTY ADMINISTRATOR

24. [18-2008A](#) County Administrator Miscellaneous.

COUNTY ATTORNEY

25. [18-2009A](#) County Attorney Miscellaneous.

COUNTY ADMINISTRATOR REPORTS

26. [18-2007A](#) County Administrator Reports:
- Recommended updates to the Board of County Commissioners Travel Policy
 - Federal Legislative update from Van Scoyoc Associates
 - Discussion of the 2019 Federal Legislative Priorities

CITIZENS TO BE HEARD

27. [18-2012A](#) Public Comment.

COUNTY COMMISSION

28. [18-2057A](#) 2019 State Legislative Program.

Recommendation: Approval of the 2019 State Legislative Program.

- * The 2019 State Legislative program illustrates the Board's priorities, State Appropriations requests, and guiding principles for the 2019 Florida Legislative session.
- * The program is a result of discussions with the Board, County staff, Pinellas County Legislative Delegation, and the County's contracted state government relations firm.
- * Priorities include:
 1. Support regional transportation coordination and funding, specifically related to Florida Department of Transportation District 7.
 2. Oppose efforts that preempt local governments from controlling or managing Community Redevelopment Areas as local economic development tools.
 3. Support increased funding for mental health, including central receiving facilities and Marchman beds.
 4. Support language that brings clarity to self-defense laws, including Stand Your Ground and Justifiable Use of Force.
 5. File legislation that removes the requirement of the governmental building official appointees to reside in Pinellas County.
- * In addition to the priorities included in the program, County staff, and our state government relations firm, Southern Strategy Group, will closely monitor all issues that emerge throughout the 2019 Session and the remainder of the year.

29. [18-2010A](#) County Commission New Business Items:
- Child Welfare Fund Proposal (Commissioner Gerard)
 - Eckerd Connects Report - Prevention of Child Abuse and Neglect (Commissioner Seel)

30. [18-2011A](#) County Commission Board Reports and Miscellaneous.

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.