

Pinellas County Board of County Commissioners

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



Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, February 8, 2022
9:30 A.M.

Hybrid In-Person and Virtual Regular Meeting

Charlie Justice, Chairman
Janet C. Long, Vice-Chair
Dave Eggers
Rene Flowers
Pat Gerard
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 Reverend Dr. Jim Sorvillo, Sr., Church of the Ascension, Clearwater.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [21-2459A](#) Engineers Week Proclamation:
 - Paul Bellhorn, Engineering Section Manager, Public Works
 - Becky Cook, Engineer 3, Utilities
2. [21-2284A](#) Partner Presentation:
 - Rhea Law, President, University of South Florida (USF)
 - Martin Tadlock, Chancellor, USF St. Petersburg Campus

PUBLIC HEARINGS

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

3. [22-0080A](#) Case No. CW 22-01 - City of St. Petersburg
Countywide Plan Map amendment from Residential Medium and Multimodal Corridor to Residential High, regarding approximately 11 acres out of an approximately 14.73-acre property, located at the northwest corner of 6th Street South and 32nd Avenue South.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. 22-01, a proposal by the City of St. Petersburg, to amend the Countywide Plan Map from Residential Medium and Multimodal Corridor to Residential High, regarding approximately 11 acres out of an approximately 14.73-acre property, located at the northwest corner of 6th Street South and 32nd Avenue South.

* It is the intent of the developer to build multifamily housing on the property, which was formerly a mobile home park, but is now vacant.

* The amendment to the Residential High category will allow higher density residential uses up to 30 units per acre.

* Approximately 3.6 acres of the western portion of the property is located in the Coastal High Hazard Area (CHHA).

* The developer has proposed a restrictive covenant which directs all residential units to the portion of the property outside of the 2016 CHHA boundary.

* Nonresidential amenities will be developed on the CHHA portion instead.

* Forward Pinellas and the Planners Advisory Committee each unanimously recommended approval of the proposal.

4. [22-0081A](#) Case No. CW 22-02 - City of Dunedin
Countywide Plan Map amendment from Residential Low Medium and Preservation to Recreation/Open Space and Preservation, regarding 44.68 acres more or less, located at Keene Road and 1900 Virginia Avenue.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 22-02, a proposal by the City of Dunedin to amend the Countywide Plan Map from Residential Low Medium and Preservation to Recreation/Open Space and Preservation, regarding 44.68 acres more or less, located at Keene Road and 1900 Virginia Avenue.

* The two parcels of the amendment area were acquired by the City of Dunedin in May 2021 with significant financial assistance from Pinellas County in addition to contributions from others.

* The purpose of this property acquisition was to preserve this land for public enjoyment as parklands which are also known as the Gladys E. Douglas Preserve.

* The amendment area consists of two properties, the first of which is approximately 33 acres of vacant land, and the second of which is approximately 10 acres containing single-family residential homes and other accessory structures.

* After completion of the acquisition process, the City of Dunedin took steps to complete the annexation of the property into its jurisdiction to facilitate the intended use of the subject properties as public parklands, hence the proposed amendment to the Recreation/Open Space category.

* Only the areas that are designated Residential Low Medium will be amended to Recreation/Open Space, while the portions of the amendment area designated Preservation will remain the same.

* Forward Pinellas and the Planners Advisory Committee each unanimously recommended approval of the proposal.

5. [22-0082A](#) Case No. CW 21-14 - City of Oldsmar
Countywide Plan Map amendment from Activity Center to Activity Center,
regarding 38.60 acres more or less, located in the Town Center
Commercial Residential zoning district, located within the area south of
Tampa Road and north of State Street East (SR 580)/State Street West.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 21-14, a proposal by the City of Oldsmar to create bonus provisions for vertically integrated mixed-use developments within 38.60 acres more or less, in the Town Center Commercial Residential (TCCR) zoning district, located within the area south of Tampa Road and north of State Street East (SR 580)/State Street West.

* While the Countywide Plan Map category will remain Activity Center, Section 6.2.2.1 of the Countywide Rules requires that amendments to Activity Centers which increase the highest allowable density or intensity standard filed of record must be processed as a Tier II amendment.

* For this proposed amendment, the City of Oldsmar is amending their Comprehensive Plan to allow for a density/intensity bonus in the City's Community Redevelopment District (CRD) category, which corresponds to the Countywide Plan Map Activity Center category.

* Currently, the standards of the CRD allow up to 30 units per acre (UPA) for residential uses, and a maximum floor area ratio (FAR) of 1.0 for nonresidential uses.

* The purpose of the proposed amendments to the CRD is to incentivize transit-supportive, vertically integrated mixed-use developments in the TCCR zoning district.

* The amendment to the CRD category proposes a density/intensity bonus allowing up to a maximum density of 65 UPA for residential units, a maximum intensity or FAR of 2.0 for nonresidential uses, and a maximum density of 150 UPA for transient accommodations.

* This density/intensity bonus would only apply to the TCCR district within the CRD category, located along the area of Tampa Road and SR 580.

* Approximately 58 percent of the TCCR district falls within the Coastal High Hazard Area (CHHA), requiring the City address Countywide Rules Section 4.2.7.1 dealing with increases in density and/or intensity in the CHHA. The City has proposed a set of balancing criteria as mitigation for these situations and is discussed further in the attached Staff Analysis.

* Forward Pinellas and the Planners Advisory Committee each unanimously recommended approval of the proposal.

BOARD OF COUNTY COMMISSIONERS

6. [21-2389A](#) Ordinance updates to Chapter 14 of the Pinellas County Code relating to animals specifically administrative, definition updates, and regarding the judicial process in Pinellas County.

Recommendation: Conduct a public hearing for proposed ordinance updates on the augmentation, clarification, and standardization with other sections within the Pinellas County Code or with state statutes.

- * Ordinance updates not related to Pet Stores
- * Approve ordinance updates on the augmentation, clarification, and standardization of code with other sections within the code or with state statutes.
- * Approve clarification regarding legal definitions, public nuisance, bite incidents and fees, and charges administration in Sections 14-30, 14-37, 14-38, 14-50, and 14-61.
- * Approve the proposed changes in Sec. 14-39 - Bites Incidents will add the occurrence of a humane bite and Sec. 14-48 - Impoundment will update animal hold times.
- * Approve creation of Section 14-36 - Animal Care; Manner of Keeping is being added to define and clarify acceptable standards for the keeping of animals including paragraph (b) establishing access to 80 square feet of open space to dogs in enclosures, and paragraph (c) establishing humane animal trapping guidelines.
- * Approve Section 14-49 - Adoption, Redemption and Disposition of Animals (a)(1) will require microchipping of all animals reclaimed at Animal Services and paragraph (d) establishes guidelines for the adoption of animals found and harbored in the community.

CITIZENS TO BE HEARD

7. [21-2500A](#) Citizens To Be Heard - Public Comment

CONSENT AGENDA - Item 8

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

8. [22-0143A](#) Vouchers and bills paid from January 2 through 15, 2022.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Housing & Community Development

9. [21-2584A](#) Affordable housing project funding recommendation for Seminole Square Apartments by Archway Partners.

Recommendation: Recommend conditional approval of affordable housing funding for the Seminole Square Apartments project by Archway Partners.

It is further recommended that the County Administrator be authorized to negotiate and approve terms, conditions, and the final funding amount not to exceed the Board of County Commissioners (Board) approved amount.

* The funding recommendation for Seminole Square Apartments by Archway Partners is \$4M, for land acquisition and construction costs.

* Seminole Square is a new construction project of 96 multi-family affordable apartment units serving households earning at or below 80.0% of Area Median Income (AMI). 34 of the units will be further restricted to 30.0% of AMI and 11 of the units further restricted to 60.0% AMI.

* The project location is 2075 Seminole Boulevard in Largo.

* The total development cost is estimated to be \$27,553,517.00. Other sources of funding include Multi-Family Mortgage Revenue Bonds (\$10,758,140.00), JP Morgan Private Mortgage (\$10,200,000.00), the City of Largo (\$610,000.00), and Deferred Developer Fee (\$1,985,377.00).

* Next steps: The County and Housing Finance Authority staff will complete additional due diligence activities including, but not limited to, property appraisals, title searches, loan underwriting and financial analysis. Funding agreements, leases, loan documents, and affordability restrictions will be prepared, negotiated, and executed.

* Board funding approval is conditioned upon satisfactory completion of all due diligence review as determined by the County Administrator.

* The County has previously committed \$23.4M of Penny IV funding toward 1,197 housing units that include 884 affordable homes. A summary table showing project status is attached.

* Eight applications are currently under review by staff for future recommendations to the Board.

10. [21-2616A](#) Affordable housing project funding recommendation for Blue Dolphin Tower by Blue Sky Communities.

Recommendation: Recommend conditional approval of affordable housing funding for the Blue Dolphin Tower project by Blue Sky Communities.

It is further recommended that the County Administrator be authorized to negotiate and approve final terms, conditions, and funding amount not to exceed Board of County Commissioners (Board) approved amount.

* Blue Dolphin Tower by Blue Sky Communities is a new construction project of 81 multi-family affordable apartment units that will serve households earning at or below 80.0% of Area Median Income (AMI). With 13 of the units will be further restricted to 30.0% of AMI and 56 units restricted to 60.0% AMI.

* The funding recommendation for Blue Dolphin Tower is \$2,050,000.00 for land acquisition. Recommended funding sources are \$1M from State Housing Initiatives Partnership grant funds and \$1,050,000.00 from the Penny for Pinellas affordable housing budget.

* The total development cost is estimated to be \$28.1M. Other sources of funding include low-income housing tax credit equity, Raymond James Private Mortgage, the City of Clearwater, and Deferred Developer Fee.

* The project is located at 610 Franklin Street in Clearwater.

* Next steps: The County and Housing Finance Authority staff will complete additional due diligence activities including, but not limited to, property appraisals, title searches, loan underwriting and financial analysis. Funding agreements, leases, loan documents, and affordability restrictions will be prepared, negotiated, and executed.

* Board funding approval is conditioned upon satisfactory completion of all due diligence review as determined by the County Administrator.

* The County has previously committed \$23.4M of Penny IV funding toward 1,197 housing units that include 884 affordable homes. A summary table showing project status is attached.

* Eight applications are currently under review by staff for future recommendations to the Board.

Public Works

11. [21-1912A](#) Award of bid to Suncoast Development of Pinellas County, Inc. for Fiscal Years 2022-2024 Countywide Americans with Disabilities Act of 1990 sidewalks and work order sidewalk, drainage, and roadway improvements.

Recommendation: Approval of the award to bid with Suncoast Development of Pinellas County, Inc. for Fiscal Years 2022-2024 Countywide Sidewalks and Americans with Disabilities Act of 1990 (ADA) improvements and also work order sidewalk, drainage, and roadway improvements.

* The primary purpose of this contract is to construct sidewalk and ADA improvements in support of the roadway resurfacing program.

* The contract is also used for work order construction of sidewalk, drainage, and roadway improvements at various locations throughout the County.

* Work is expected to be completed within 830 consecutive calendar days.

* There were two bids received with Suncoast Development of Pinellas County recommended for award as the lowest responsive and responsible bidder in the amount of \$19,533,940.00.

* Funding for the ADA improvements and work order projects are budgeted across multiple CIP and Operating Budgets in the total amount of \$23 million.

* The total budget for the FY 2022-24 was increased to complete more individual projects and allow for labor and unit price increases.

* Suncoast Development of Pinellas County, Inc. is a certified Pinellas County Small Business Enterprise contractor.

Contract No. 22-0022-CP(AJM); PID No. 004973A; in the amount of \$19,533,940.00 on basis of the lowest responsive and responsible bid received meeting specifications. All work is expected to be completed within 830 consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

12. [22-0026A](#) Cooperative Funding Agreement with the Southwest Florida Water Management District for the Curlew Creek and Smith Bayou Watersheds Feasibility Study.

Recommendation: Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for the Curlew Creek and Smith Bayou Watersheds Feasibility Study.

* The agreement provides \$361,000.00 in SWFWMD Cooperative Funding Initiative funds. Required County match is \$361,000.00. The project total is \$722,000.00.

* The County match is programmed in the Penny for Pinellas Capital Improvement Program Six-Year Plan.

* Funding will allow for development of a Preliminary Engineering Report to evaluate proposed Best Management Practices in the Watershed Management Plan.

* Results of study will include recommendations that address flooding, erosion and water quality concerns within the Curlew Creek and Smith Bayou Watersheds.

SWFWMD Agreement No. 22CF0003709 and Project No. Q221; PID No. 004121A; Agreement amount is \$722,000.00; Agreement expires January 1, 2025; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Utilities

13. [21-2404A](#) Change Order No. 2 (Final) with TLC Diversified, Inc. for construction of the Highland Lakes Area Air Release Valve Replacement.

Recommendation: Approval of Change Order No. 2 (Final) with TLC Diversified, Inc. for the construction services of the Highland Lakes Area Air Release Valve Replacement.

* The purpose of this project was to replace existing air release valve assemblies located in below grade manholes and the installation of above grade air release valve assemblies at six sites on an existing force main.

* Change Order No 2 (Final) increases the contract by \$226,152.84 due to the difference between original estimated and final quantities used, plus an additional increase for unanticipated project conditions as described below and accepts the contract as complete.

* Additional funds were needed to restore private properties adjacent to the site because of a bypass installation and other work associated with the project, additional field testing was performed to determine the condition/integrity of a 20-inch diameter force main resulting in additional pipe being replaced.

* Pay items were also added to account for additional demobilizing and remobilizing, 4-inch valves, message boards, and line stops to minimize tankering.

* The County received confirmation that property owners are satisfied with the restoration.

* This contract was awarded by the Board of County Commissioners on April 7, 2020 in the amount of \$784,230.00. Change Order No. 1 was approved by the Board of County Commissioners on April 13, 2021 in the amount of \$221,728.51.

Contract No. 190-0106-CP(PLU); PID No 003123L increase in the amount of \$226,152.84 for a revised final contract amount of \$1,232,111.35; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

14. [22-0106A](#) Proposed settlement in the case of Raymond Mireles v. Pinellas County; Circuit Civil Case No. 20-003080-CI-19.

Recommendation: Consideration of the proposed settlement in the case of Raymond Mireles v. Pinellas County.

15. [21-2501A](#) County Attorney Reports.

COUNTY ADMINISTRATOR

16. [21-2502A](#) County Administrator Reports:
- Accomplishment Report

COUNTY COMMISSION

17. [21-2503A](#) County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business.

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.