

## **Pinellas County Board of County Commissioners**

*315 Court Street  
Clearwater, FL 33756  
[www.pinellascounty.org](http://www.pinellascounty.org)*



### **Hybrid In-Person and Virtual Regular Meeting Agenda**

Tuesday, February 22, 2022  
2:00 P.M.

Public Hearings at 6:00 P.M.

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****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1.     [22-0028A](#)     Black History Month Proclamation:  
                      - Terri Lipsey Scott, Executive Director, Dr. Carter G. Woodson African American Museum
2.     [22-0029A](#)     Partner Presentation:  
                      - Mike Sutton, President & Chief Executive Officer, Habitat for Humanity of Pinellas and West Pasco Counties

**CITIZENS TO BE HEARD**

3.     [22-0030A](#)     Citizens To Be Heard - Public Comment.

**CONSENT AGENDA - Items 4 through 15****CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

4.     [22-0232A](#)     Minutes of the in-person and virtual regular meetings held on October 26 and November 9, 2021.
5.     [22-0233A](#)     Vouchers and bills paid from January 16 through 22, 2022.

## Reports received for filing:

6.     [22-0234A](#)     Division of Inspector General, Clerk of the Circuit Court and Comptroller, 2022 Inspector General's Annual Plan.
7.     [22-0235A](#)     Dock Fee Report for the month of January 2022.

## Miscellaneous items received for filing:

8.     [22-0236A](#)     City of Seminole Notice of Public Hearing to be held March 22, 2022, regarding proposed Ordinance No. 02-2022 and voluntary annexation.

## COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

9. [22-0173A](#) Quarterly report of claim settlements for the period of October 1, 2021 through December 31, 2021.

**Recommendation:** Accept the receipt and file quarterly report of claim settlements for the period of October 1, 2021 through December 31, 2021.

County Administrator

10. [22-0032A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the month ending January 31, 2022.

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

11. [21-2623A](#) Receipt and file report of purchasing items delegated to the County Administrator for the quarter ending December 31, 2021.

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

Public Works

12.     [22-0126A](#)     Cooperative Funding Agreement with the Southwest Florida Water Management District for Habitat Restoration at Roosevelt Creek Channel 5.

**Recommendation:**     Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for Habitat Restoration at Roosevelt Creek Channel 5.

\* Agreement provides \$350,000.00 in SWFWMD funding.

\* County match of \$350,000.00 is programed in the Penny for Pinellas Capital Improvement Program six-year plan.

\* Funding will be allocated for construction, construction engineering inspection, geographical information systems data, and as-built survey for modification of the salinity weir and restoration of the creek channel habitat.

\* A 2019 SWFWMD Cooperative Funding Agreement was cancelled for an earlier version of the project, that when bid, was rejected for funding shortfall. The project has been rescoped and this SWFWMD Agreement restarts the process.

\* Work under this Agreement is part of the Roosevelt Creek Channel 5 Improvement project, which is expected to be advertised for bid in late spring 2022.

\* Companion Legistar No. 22-0053D is an agreement with the Tampa Bay Estuary Program which provides the County \$100,000.00 for the habitat restoration and salinity weir modification work for the improvement project.

SWFWMD Agreement No. 22CF0003721 and SWFWMD Project No. W103; PID No. 002123A; Agreement provides \$350,000.00 in SWFWMD funding; Agreement expires December 31, 2025; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Utilities

13. [22-0160A](#) Cooperative Funding Agreement with the Southwest Florida Water Management District for the Advanced Metering Infrastructure Project.

**Recommendation:** Approval of the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) for the Advanced Metering Infrastructure (AMI) project.

- \* Agreement provides co-funding from SWFWMD in the amount of \$139,414.00 toward purchase and installation of a software system planned within the technology aspects of the AMI Project.
- \* The County is required to match the \$139,414.00, in the same amount for a total of 278,828.00, toward the AMI technology costs. Funding is available within the project budget to meet the match requirement. The SWFWMD funding will be available October 2022.
- \* This funding will support setup of an AMI software program that will promote and encourage water conservation by utility customers.
- \* The AMI Project involves conversion of all Pinellas County Utilities analog meters (manually read) to an AMI-based, electronic meter reading network for the County's water and reclaimed water utilities.
- \* The AMI Project is programmed in the Fiscal Year 2022 - 2027 Approved Capital Improvement Program.
- \* In addition to seeking this SWFWMD funding, the AMI Project is proposed for funding with \$35 million from the County's ARPA allocation.
- \* The recommendation of an overall award for the AMI Project, including the software program, will be brought to the board at a future meeting.
- \* This was not a planned revenue for the project, but SWFWMD submitted a request for agreement for our project, which must be executed within ninety days of their requesting date requiring approval no later than March 7, 2022.

SWFWMD Agreement No. 22CF0003711; County PID Numbers 001601A and 003769A. Agreement total is \$278,828.00 and County match is \$139,414.00. Agreement term is October 1, 2021 through February 1, 2029; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

## COUNTY ATTORNEY

14. [22-0083A](#) 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

Tax Collector

15.     [22-0110A](#)     Award of quote to Gulf Coast Review, Inc. d/b/a Business Observer for the advertisement of delinquent real estate tax lists.

**Recommendation:**     Approval of the award of quote to Gulf Coast Review, Inc. d/b/a Business Observer (Gulf Coast) 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." In order to satisfy this statutory requirement, the Office of County Attorney has advised that this quotation be submitted to the Board for consideration and approval.

\* An invitation to quote was released to certified small business vendors. There was only one quote submission received from Gulf Coast. Other vendors contacted stated they were unable to handle this work at this time.

\* This contract replaces the current contract, also with Gulf Coast; they are a certified small business enterprise vendor with the County.

Contract No. 22-0128-Q(SCB) in the annual amount of \$13,000.00 for a twenty-four-month term total of \$26,000.00 based on the lowest responsive, responsible quote received meeting specifications.

**REGULAR AGENDA**

## ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

## COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

16. [21-1548A](#) Ranking of firms and agreement with Creative Contractors, Inc. for construction manager at risk services (Phase One) pertaining to the Jail Security and Entry Center project. (Companion to Agenda Item No. 17)

**Recommendation:**

Approval of the ranking of firms and award of an agreement with the number one ranked firm, Creative Contractors, Inc. for construction manager at risk services pertaining to the Jail Security and Entry Center (SEC) project (Phase One).

\* Companion to Granicus item 21-833A for award of a design firm (Williams Dacar Associates) pertaining to the Jail Security and Entry Center project.

\* Due to complexities and security concerns, this project will be delivered via a construction manager at risk (CMAR) delivery process. The CMAR process involves hiring two firms, the CMAR and a design firm. Both firms report to the owner and both work together to program, design, price and build the project.

\* The project consists of the demolition of Mini Buildings 1 and 2 and A Barracks to prepare for the construction of the new SEC at the Detention Facility located on 49th Street in Clearwater.

\* The new SEC will be approximately 11,200 square feet and will consolidate and replace existing programmatic functions on the site. The goal of the SEC is to enhance security operations by ensuring all visitors enter through one site and to redesign the flow of traffic through the facility to ensure all visitors are screened appropriately. Such visitors include attorneys, clergy, bonding agencies, and the public.

\* The new SEC will contain relocated and streamlined prisoner release facilities, including dress out spaces, holding and release processing areas.

\* The Board of County Commissioners will review two distinct phases of this project for consideration. The First Phase (currently) contains pricing and services to program, design, and price the project. The Second Phase involves the development of a guaranteed maximum price to construct the project and will be presented to the BCC for consideration later.

\* Award recommendation to Creative in the amount of \$45,000.00 for Phase One services in accordance with the Consultants Competitive Negotiation Act, per Florida Statute 287.055.

\* Small Business Enterprise participation will be negotiated and finalized for Phase 2 consideration.

Contract No. 21-0704-NC(PLU), in the amount of \$45,000.00 for Phase One services for a term of seven hundred thirty consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

17.     [21-833A](#)     Ranking of firms and agreement with Williamson Dacar Associates, Inc. for design services pertaining to the Jail Security Entry Center project. (Companion to Agenda Item No. 16)

**Recommendation:**     Approval of the ranking of firms and agreement with Williamson Dacar Associates, Inc. d/b/a Williamson Design Associates (Williamson) for design services pertaining to the Jail Security Entry Center (SEC) project.

\* Companion to Granicus item 21-1548A for award of a contract to Creative Contracting pertaining to construction manager at risk services (CMAR) for the SEC project.

\* Due to complexities and security concerns, this project will be delivered via a CMAR delivery process. The CMAR process involves hiring two firms, the CMAR and a design firm. Both firms report to the owner and both work together to program, design, price and build the project.

\* The new SEC will contain relocated and streamlined prisoner release facilities, including dress out spaces, holding and release processing areas.

\* The purpose of this agreement with Williamson is to provide programming/design services and working with CMAR Creative Contracting, establish a guaranteed maximum price (GMP) for construction services for the new SEC and associated infrastructure at the County Detention Center on 49th Street in Clearwater.

\* The Board of County Commissioners (BCC) will review two distinct phases of this project for consideration. The First Phase (currently) contains pricing and services to program, design, and price the project. The Second Phase involves the development of a GMP to construct the project and will be presented to the BCC for consideration later.

\* Award recommendation is in accordance with the Consultants Competitive Negotiation Act, per Florida Statute 287.055; the upset limit over the seven hundred thirty-day term is \$796,308.00.

\* Williamson is a Certified Small Business Enterprise (SBE) with Pinellas County, and they are using Master Consulting Engineers as a subconsultant who is also a Certified SBE with Pinellas County.

Contract No. 21-0489-NC(PLU); upset limit over the seven hundred thirty-day term is \$796,308.00; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.



Economic Development

18. [22-0069A](#) Resolution expressing support of Project C1110944724 as a qualified applicant for an Economic Development Ad Valorem Tax Exemption.

**Recommendation:** Adopt a resolution expressing support of Project C1110944724 (Company) as a qualified applicant for an Economic Development Ad Valorem Tax Exemption (EDAVTE) pursuant to Section 196.1995, Florida Statutes, and authorizing Project C1110944724 to make improvements before an EDAVTE Ordinance is adopted.

- \* The Company is a supplement manufacturer currently headquartered in the United Kingdom with a production facility in unincorporated Pinellas County.
- \* The Company is considering expanding their current 150,000+ square foot Pinellas facility which is located in a Brownfield Area.
- \* The Company will invest \$5,000,000.00 in real property improvements at and \$6,500,000.00 in tangible property for the expanded facility, totaling \$11.5 million in capital investment. The economic impact of this capital investment is \$7.8 million.
- \* The Company will create at least 20 new jobs in Pinellas County at an average wage of \$38,000.00 per year, which meets the wage threshold for a facility located in a Brownfield Redevelopment Area.
- \* The economic impact of 20 new jobs with an average wage of \$38,000.00 a year is \$1.1 million. The economic impacts were calculated using the U.S. Bureau of Economic Analysis Regional Input Modeling System (RIMS II) Model for Pinellas County.
- \* Based on the County's current millage rate of 5.2092, and assuming that 80% of the investment would contribute to taxable value, the maximum annual impact of the real property portion could be approximately in the range of \$10,000.00 to \$20,800.00
- \* The maximum initial, annual impact of the tangible portion could be approximately in the range of \$15,000.00 to \$33,900.00. The tangible value would be subject to depreciation in future years.

Housing & Community Development

19. [21-2517A](#) Advantage Pinellas Housing Compact to create a coordinated approach to addressing affordable housing in Pinellas County.

**Recommendation:** Approval of the Advantage Pinellas Housing Compact, an agreement between the County, Forward Pinellas, St. Petersburg, Clearwater, Largo, and Pinellas Park providing for a common framework for collaboration on housing related initiatives for the next 10 years (through 2031).

The Housing Compact includes a commitment for partners to work together on a number of affordable housing related initiatives including:

- \* Development of a housing action plan and regulatory toolkit including best practices to facilitate housing production/preservation.
- \* Creating corridor planning strategies to locate housing, jobs, and educational opportunities in proximity.
- \* Addressing housing inequality and the impacts of affordable housing and health.
- \* Providing a diversity of housing types to provide for different needs.
- \* Joint education and communication initiatives.

Parks and Conservation Resources

20.     [22-0182A](#)     2022 Weedon Island Preserve Management Plan Update as required by two Lease Agreements with the State of Florida Board of Trustees of the Internal Improvement Trust Fund.

**Recommendation:**     Approval of the 2022 Weedon Island Management Plan Update (Plan) as required by the lease agreements with the Florida Department of Environmental Protection's (FDEP) State of Florida Board of Trustees of the Internal Improvement Trust Fund.

\* Lease agreements require the Weedon Island properties be managed: "only for the conservation and protection of natural and historical resources and for resource-based public outdoor recreation with is compatible with the conservation and protection of these public lands."

\* FDEP requires the Plan be updated every 10 years.

\* The previous Plan was updated and approved in June 2012.

\* FDEP requires public input of the draft Plan at an advertised public meeting.

\* The Weedon Island Preserve Advisory Group held the required public meeting on January 14, 2022 and has approved the Plan for submittal to FDEP.

\* The Plan will be reviewed by FDEP's Acquisition and Restoration Council for approval on June 10, 2022.

Public Works

21.     [22-0225A](#)     Declare a portion of fee owned County property as surplus and grant the authorization to exchange it for property owned by Kenneth M. McAlpin Trustee of the Huey Kenneth McAlpin Revocable Trust Agreement.

**Recommendation:**     Recommend the adoption of the attached resolution to declare a portion of fee owned County property as surplus and grant the authorization to exchange it for property owned by Kenneth M. McAlpin Trustee of the Huey Kenneth McAlpin Revocable Trust Agreement (McAlpin).

\* McAlpin and the County mutually desire to exchange portions of McAlpin-owned and county-owned parcels.

\* The property exchange will resolve inconsistencies of record and clearly define right of way of North Highland Avenue.

\* The new right-of-way alignment is necessary to proceed with roadway and drainage improvements to mitigate roadway flooding.

\* The exchange of the property is in accordance with Section 125.37, Florida Statutes.

Authorize the Chairman to sign the resolution and the County Deed, and the Clerk of the Circuit Court to attest and record the resolution in the public records of Pinellas County.

22. [21-1033A](#) Road Transfer Interlocal Agreement with the City of Clearwater for the transfer and acceptance of specific roadway segments and easements.

**Recommendation:** Approval of the Road Transfer Interlocal Agreement with the City of Clearwater for the transfer and acceptance of specific roadway segments and easements.

\* The County is partnering with municipalities to transfer right-of-way and maintenance responsibility for streets within, or partially within, municipal limits.

\* Agreement transfers operation and maintenance responsibilities of various road segments to the City (17.01 centerline miles).

\* Transfers include maintenance responsibilities for stormwater facilities.

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, B and C, record separately Exhibit C, and the corresponding right-of-way maps (Mylars) in the official records of the County.

### Utilities

23. [21-2305A](#) Third Amendment to the Agreement with The Forestry Company for Ecosystem Management pertaining to the Al-Bar and Cross Bar Ranches.

**Recommendation:** Approval of the Third Amendment to the Agreement with The Forestry Company for Ecosystem Management pertaining to the Al-Bar and Cross Bar Ranches.

\* This contract provides for ecosystem management at the County owned property in Pasco County known as Al-Bar and Cross Bar Ranches. A map of the property location is attached to the agenda item.

\* The Third Amendment increases the contract in the amount of \$940,000.00 for contract services through the remaining of the contract term expiration on March 19, 2023.

\* The Third Amendment replenishes funds which have been utilized by additional operation and maintenance activities and revenue generating pursuits. Additional operation and maintenance expenditures include road improvements, staff gauge replacements, and on-site housing repairs. Revenue generating pursuits include additional fertilization of planted pines and wildlife habitat restoration.

\* There are sufficient funds budgeted in the Utilities Operating Budget to cover the contract increase.

\* The Board of County Commissioners approved the 5-year contract on March 20, 2018 in the amount of \$3,479,518.00.

a.) The County Administrator approved the First Amendment on October 11, 2019 in the amount of \$260,000.00 for potential revenue; and

b.) The Second Amendment on May 4, 2021 adding a \$300.00 monthly credit on land management services related to allowing the Forestry Company to place a mobile home near the northern property boundary.

Contract No. 167-0365-P(LN); increase in the amount of \$940,000.00 for a revised total contract value of \$4,419,518.00 effective through March 19, 2023; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

## COUNTY ATTORNEY

24. [22-0165A](#) Proposed initiation of litigation in the case of Lina Lindberg v. Lakeview of Largo South Condominium Association, Inc. et al; HUD Case No. 04-21-7231-8; PC Case No. 21-041 - alleged housing discrimination.

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

25. [22-0188A](#) Proposed initiation of litigation in the case of Patricia Lang v. Rosetree Village Association, Inc./Real Manage, LLC; HUD Case No. 04-20-2631-8; PC Case No. 20-035 - alleged housing discrimination.

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

26. [22-0164A](#) Resolution approving the delegation of the Board of County Commissioner's duties to make the delinquent tax advertisements.

**Recommendation:** Adopt a resolution approving any duty the Board of County Commissioners has to make delinquent tax notices pursuant to Section 197.402, Florida Statutes, directing the Tax Collector to take all required actions to effectuate delinquent tax advertisements, and directing the Clerk to deliver the resolution to the Tax Collector.

27. [22-0033A](#) County Attorney Reports.

## COUNTY ADMINISTRATOR

28. [22-0034A](#) County Administrator Reports.

## COUNTY COMMISSION

29. [22-0215A](#) Appointment to the Feather Sound Community Services District, Inc. (Individual appointment by Commissioner Eggers).

**Recommendation:** Approve one appointment to the Feather Sound Community Services District, Inc. to fill the remainder of a current term, ending December 31, 2022.

\* Nick Pfeifer nominated for appointment by Commissioner Eggers.

30. [22-0035A](#) County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business.

6:00 PM

**PUBLIC HEARINGS**

**AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS**

Educational Facilities Authority

31.     [22-0002A](#)     Tax Equity Fiscal Responsibility Act Resolution for issuance by the Pinellas County Educational Facilities Authority of its Revenue Bonds in an aggregate principal amount not to exceed \$7,000,000.00 on behalf of Learning Independence for Tomorrow, Inc. d/b/a LiFT Academy.

**Recommendation:**     Conduct a public hearing to adopt a Tax Equity Fiscal Responsibility Act (TEFRA) Resolution granting TEFRA approval of the Pinellas County Educational Facilities Authority Revenue Bonds in an aggregate principal amount not to exceed \$7,000,000.00 on behalf of Learning Independence for Tomorrow, Inc. d/b/a LiFT Academy (Borrower).

\* Borrower is requesting issuance of bonds for the acquisition, construction, and renovation of existing facilities located at 1005 South Highland Avenue, Clearwater, Florida 33756.

\* Borrower is responsible for payments of all fees and expenses.

\* Issuance of these bonds will have no fiscal impact on the County.

## BOARD OF COUNTY COMMISSIONERS

32.     [22-0111A](#)     Q ZON-21-08 (Pinellas County)  
A request for a change of Zoning from RMH, Residential Mobile/Manufactured Home to R-5-CO, Urban Residential-Conditional Overlay with the Conditional Overlay limiting the maximum building height to 35 feet and requiring a minimum 20-foot setback from 46th Avenue North, excluding front porches, decks, and covered entryways, which will require a minimum of 15 feet from 46th Avenue North, on approximately 1.55 acres located at 3901 46th Avenue North in Lealman.  
(Quasi-Judicial)

**Recommendation:**     Based upon evidence and findings contained in the staff report and attachments, Case No. ZON-21-08 is recommended for approval:

A Resolution approving the application of the County for a change in zoning from, Residential Mobile/Manufactured Home to Urban Residential-Conditional Overlay (R-5-CO), with the Conditional Overlay limiting the maximum building height to 35 feet and requiring a minimum 20-foot setback from 46th Avenue North, excluding front porches, decks, and covered entryways, which will require a minimum of 15 feet from 46th Avenue North.

- \* The applicant is seeking a zoning change on a vacant 1.55-acre site.
- \* The proposed use is residential affordable housing.
- \* At the October 14, 2021 public hearing, the Local Planning Agency continued the case to provide the applicant an option to pursue a Conditional Overlay to address concerns with setbacks and height. (The vote was 4-0, in favor)
- \* At the January 13, 2022 public hearing, the Local Planning Agency finds the proposed Zoning Atlas amendment with a Conditional Overlay, is consistent with the Pinellas County Comprehensive Plan and recommends approval with an amendment to the conditional overlay as follows:
  - A Conditional Overlay limiting the maximum building height to 35 feet and requiring a minimum 20-foot setback from 46th Avenue North, excluding front porches, decks, and covered entryways, which will require a minimum of 15 feet from 46th Avenue North. (The vote was 4-0, in favor)
- \* One person appeared in favor of the request.
- \* One letter of objection was received.

33.     [22-0112A](#)     Q ZON-21-12 (First Capital Trusts, LLC)  
A request for a change of Zoning from R-A, Residential Agriculture to R-5, Urban Residential on approximately 2.3 acres located on the west side of Starkey Road, approximately 483 feet north of 94th Avenue North in unincorporated Seminole. (Quasi-Judicial)

**Recommendation:**     Based upon the evidence and findings contained in the staff report and attachments, Case No. ZON-21-12 is recommended for approval:

A Resolution approving the application of First Capital Trusts, LLC for a change in zoning from Residential Agriculture (R-A) to Urban Residential (R-5).

- \* The applicant is seeking a zoning change on a vacant 2.3-acre site.
- \* The proposed use is a 29-unit townhome development.
- \* The subject property is located along a four-lane divided arterial roadway with similar uses in the immediate vicinity.
- \* The Local Planning Agency unanimously recommended approval of the request (vote 4-0). Five-people appeared in opposition citing increased density, ecological impacts, light pollution, setbacks, and traffic.
- \* Two letters of objection have been received.
  - a.) The maximum density is based on the land use category, which is not changing. Ecological impacts, light pollution, and setbacks will be addressed during site plan review per Code requirements and other regulations. Traffic impacts will not affect the carrying capacity of area roadways.
  - b.) The applicant has spoken with neighbors within the townhome community to the north to discuss their concerns. They reported positive results and have indicated plans to meet further.

34.     [21-2576A](#)     Ordinance amending the Pinellas County Code by adding Article VII to Chapter 126 that provides regulation pertaining to private sewer laterals and provides permitting and regulation of private sanitary sewer collection systems. (Companion to Agenda Item No. 35)

**Recommendation:**     Adopt the Ordinance amending the Pinellas County Code by adding Article VII to Chapter 126 that provides regulation pertaining to private sewer laterals and provides permitting and regulation of private sanitary sewer collection systems.

- \* Ordinance further defines requirements for defective sewer laterals, and ensures the County has legal authority to implement new regulations to reduce inflow and infiltration and sanitary sewer overflows.
- \* Ordinance adds Article VII to the Code, providing regulation pertaining to private sewer laterals and provides permitting and regulation of private sanitary sewer collection systems.
- \* The Ordinance requires a public hearing.
- \* The Ordinance is effective when filed with the Department of State.
- \* Companion to Legistar file # 21-2613A - Resolution.

35.     [21-2613A](#)     Resolution authorizing the County Administrator to establish and implement programs to address the conditions of private sewer laterals and collection systems and reduce related impacts to the County sewer system. (Regular Agenda Item that is Companion to Item No. 34)

**Recommendation:**     Approval of a Resolution authorizing the County Administrator to establish and implement programs to address the conditions of private sewer laterals and collection systems and reduce related impacts to the County sewer system.

These programs should be adopted only after the:

- \* Adoption of the Ordinance amending the Pinellas County Code by adding Article VII to Chapter 126 that provides regulation pertaining to private sewer laterals and provides permitting and regulation of private sanitary sewer collection systems.
- \* Adoption of the Resolution to implement programs to address the conditions of private sewer laterals and collection systems.
- \* Resolution includes four policies authorizing the County to implement programs (attached to this item) including Find and Fix Policy, Permitting Policy, Rebate Policy, and Private Sewer Collection Systems Policy.
- \* The Resolution becomes effective once companion item, Ordinance 22, is filed with the State of Florida.



36. [22-0168A](#) Petition of Mikhail A. Fokin, Zilya Ruga, Hugo E. Gonzalez, Rosemary Craig Gonzalez, Kimble McNeal, and Mary McNeal to vacate the 50-foot-wide right-of-way of Palmetto Avenue lying east of Elm Street and west of Church Street. (Legislative Hearing)

**Recommendation:**

Continuation of the request to grant the petition to vacate of the petition to vacate a 50-foot-wide right-of-way of Palmetto Avenue to a future meeting date. If a specific meeting date is chosen no additional advertising will be required.

However, if the Palmetto Avenue vacation is granted, adopt the attached resolution pursuant to §336, Florida State Statutes.

- \* The petitioners are requesting to vacate a 50-foot-wide right-of-way of Palmetto Avenue
- \* The petitioners are requesting the vacation to a.) allow for an increase in property size, b.) avoid the need to improve Palmetto Avenue, and c.) remain within unincorporated Pinellas County (i.e., not annex into Safety Harbor).
- \* County staff initially recommend denial of the vacation request for Palmetto Avenue because the right-of-way provides the ability to improve stormwater drainage for the surrounding area, provides connectivity to Church Street, and maintains the opportunity for future infrastructure improvements. The current recommendation is to continue this matter to a future date to allow the applicant the opportunity to provide the necessary water quality testing for the proposed well water, which will support the fire prevention and utilities requirements for the new single-family residence.
- \* The County and City's position is the petitioner's property can be developed without the need to vacate Palmetto Avenue.
- \* The 50-foot-wide right-of-way of Palmetto Avenue are being evaluated for transfer from Pinellas County to the City of Safety Harbor for municipal purposes.
- \* The Board of County Commission, at its January 11, 2022 meeting granted the vacation request for the alley.
- \* A follow up meeting was held on January 18, 2022 with the City of Safety Harbor, the petitioner, and County staff to discuss the permitting process for the single-family home and associated driveway.
- \* The permitting review has been completed and permits are ready to be issued pending several outstanding items:
  - o Verification of the water quality testing
  - o Request for a habitat inspection
  - o Authorization to cross the City of St. Petersburg's water main
  - o Authorization from the City of Safety Harbor to connect to Elm Street
- \* A letter has been issued to applicant communicating this information to provide confirmation that BDRS is ready to issue the permit once those items are addressed.

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

**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](mailto: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](http://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](http://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](http://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.*