

Pinellas County Board of County Commissioners

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



Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, May 10, 2022
9:30 A.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 by Pastor Randy Morris, Gulf Coast Church, Largo.

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND AWARDS

1. [22-0459A](#) Mental Health Month Proclamation:
 NAMI Pinellas County
 - Denise Bjurholm, Executive Director
 - Dr. Brittany Peters, Board President
2. [22-0460A](#) Emergency Medical Services Week Proclamation:
 - Lt. Ashley White, Palm Harbor Fire Rescue
 - Chief Scott Sanford, Palm Harbor Fire Rescue
3. [22-0702A](#) Partner Presentation:
 2021 Audit Results
 - Ken Burke, Clerk of the Circuit Court and Comptroller
 - John Weber, Partner, Crowe LLP

PUBLIC HEARINGS

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

4. [22-0576A](#) Case No. CW 22-05 - Pinellas County
Countywide Plan Map amendment from Residential Low Medium to Residential Medium, regarding 0.71 acres more or less, located at 5173 28th Street North and 2786 and 2782 52nd Avenue North.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 22-05, a proposal by Pinellas County to amend the Countywide Plan Map from Residential Low Medium to Residential Medium regarding 0.71 acres more or less, located at 5173 28th Street North and 2786 and 2782 52nd Avenue North.

* The amendment area is located near the southeast corner of the intersection of 52nd Avenue North and 28th Street North in the Lealman Community Redevelopment Area and consists of three currently vacant parcels.

* The amendment area is adjacent to a variety of residential uses, including an 18-unit apartment complex to the east, mobile home parks to the south and west, and single-family homes to the north across 52nd Avenue North.

* The applicant intends to develop the site for residential use at a higher density than allowed by the current land use designation, hence the proposed amendment to Residential Medium.

* The current Residential Low Medium category would allow up to 8 units. If approved, this amendment to Residential Medium would allow up to 11 dwelling units on the property, or up to 16 dwelling units if an affordable housing density bonus is pursued.

* The Lealman Community Redevelopment Area Advisory Committee was briefed on the proposal at their December 15, 2021 meeting.

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

5. [22-0577A](#) Case No. CW 22-06 - Pinellas County
Countywide Plan Map amendment from Residential Low Medium and Scenic/Non Commercial Corridor to Office and Scenic/Non Commercial Corridor, regarding 2.25 acres more or less, located at 1961 East Lake Road.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 22-06, a proposal by Pinellas County to amend the Countywide Plan Map from Residential Low Medium and Scenic/Non Commercial Corridor to Office and Scenic/Non Commercial Corridor, regarding 2.25 acres more or less, located at 1961 East Lake Road.

- * The amendment area is located approximately 100 feet north of Woodlands Boulevard and is the former location of a private school.
- * The area surrounding the subject property is comprised of lower-density residential uses and open space, with enclaves of supporting nonresidential uses located near major road intersections.
- * The applicant intends to utilize the amendment area for professional office uses, hence the proposed amendment to Office.
- * The proposed category would allow up to 11 residential units on the property based on its acreage, and a maximum floor area ratio (FAR) of 0.2. Furthermore, at the local government level, the applicant is pursuing a separate zoning amendment that would limit the site to professional office uses and prohibit residential uses.
- * Forward Pinellas and the Planners Advisory Committee each unanimously recommended approval of the proposal.

6. [22-0578A](#) Case No. CW 22-07 - Pinellas County
Countywide Plan Map amendment from Residential Low Medium to Retail and Services, regarding 0.33 acres more or less, located at 90 20th Terrace Southwest.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 22-07, a proposal by Pinellas County to amend the Countywide Plan Map from Residential Low Medium to Retail and Services regarding 0.33 acres more or less, located at 90 20th Terrace Southwest.

- * The amendment area is located approximately 200 feet west of Seminole Boulevard and consists of one vacant parcel
- * The applicant intends to change the land use of the amendment area to create consistency with the underlying local zoning district.
- * The applicant proposes an amendment to the Retail and Services category, which would allow a wider range of non-residential uses that are compatible with the local zoning category.
- * Forward Pinellas and the Planners Advisory Committee each unanimously recommended approval of this proposal.

7. [22-0583A](#) Case No. CW 22-08 - Pinellas County
Countywide Plan Map amendment from Recreation/Open Space and
Residential Rural to Residential Rural and Recreation/Open Space,
regarding 2.86 acres more or less, located at 2669 St. Andrews
Boulevard.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 22-08, a proposal by Pinellas County to amend the Countywide Plan Map from Recreation/Open Space and Residential Rural to Residential Rural and Recreation/Open Space, regarding 2.86 acres more or less, located at 2669 St. Andrews Boulevard.

* The amendment area consists of two parcels located within the Cypress Run master-planned community, specifically located west of East Lake Road and north of Keystone Road.

* The two parcels, each approximately 1.43 acres in size, are also part of a larger golf course located within the community, with the northern parcel designated Residential Rural and the southern parcel designated Recreation/Open Space.

* It is the intent of the applicant intends to build two units as single-family detached dwellings within the southern parcel, which is designated Recreation/Open Space.

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

CITIZENS TO BE HEARD

8. [22-0455A](#) Citizens To Be Heard - Public Comment

CONSENT AGENDA - Items 9 through 17

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

9. [22-0736A](#) Minutes of the regular meeting held February 22, 2022.
10. [22-0737A](#) Vouchers and bills paid from March 27 through April 9, 2022.

Miscellaneous items received for filing:

11. [22-0738A](#) Pinellas County, Florida, Community Redevelopment Agency Financial Statements for the year ended September 30, 2021.
12. [22-0739A](#) Eastlake Oaks Community Development District minutes and corresponding attachments of the meeting held February 10, 2022.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

13. [22-0589A](#) Quarterly report of claim settlements for the period of January 1, through March 31, 2022.

Recommendation: Accept the receipt and file quarterly report of claim settlements for the period of January 1, 2022 through March 31, 2022.

Economic Development

14. [21-2176A](#) Award of bid to Gibson Air Conditioning and Refrigeration, LLC for the STAR Center Air Handler Replacement project 138, 154, and 189.

Recommendation: Approval of the award of bid to Gibson Air Conditioning and Refrigeration, LLC for the STAR Center Air Handler Replacement project 138, 154, and 189.

* This project consists of supplying and installing and replacing three current air handler units at the STAR Center which are beyond their useful life.

* Two responsive bids were received with award recommendation to the lowest responsive, responsible bidder, Gibson Air Conditioning, and Refrigeration, LLC in the amount of \$875,000.00.

* All work will be completed within two hundred fifty consecutive calendar days.

* The Small Business Enterprise commitment for this project is 3% which will be fulfilled by Gibson.

* Funding is derived from the STAR Center CIP Fund.

Contract No. 22-0090-CP-MJ PID No. 004564A; in the amount of \$875,000.00, all work will be completed with two hundred fifty consecutive calendar days; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Public Works

15. [21-1689A](#) Joint Project Agreement with the Town of Belleair to address utility conflicts associated with County proposed sidewalk improvements on Mehlenbacher Road from Gulf View Drive to Belleair Forest Drive.

Recommendation: Approval of the Joint Project Agreement (JPA) with the Town of Belleair (Town) to address utility conflicts associated with County proposed sidewalk improvements on Mehlenbacher Road from Gulf View Drive to Belleair Forest Drive.

* Existing Town water distribution main, including appurtenances, must be replaced, and realigned to accommodate the proposed sidewalk project located within the County's right of way.

* Anticipated work will benefit the general public and provide economic advantage to both County and Town through this JPA.

* Estimated cost of utility improvements to be funded by Town is \$357,761.25.

County PID 001976A; estimated cost to Town of \$357,761.25; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Utilities

16. [21-428A](#) Award of bid to Insituform Technologies, LLC for the sanitary sewer infrastructure rehabilitation in the vicinity of three areas: Bee Pond Road, Hamlin Boulevard, and 46th Avenue North.

Recommendation: Approval of the award of bid to Insituform Technologies, LLC for the sanitary sewer interceptor rehabilitation in three locations: Bee Pond Road, Hamlin Boulevard, and 46th Avenue North.

* This project is for sanitary sewer interceptor rehabilitation in three locations: Bee Pond Road, Hamlin Boulevard, and 46th Avenue North.

* This project will extend the useful life of approximately 7,500 linear feet of sanitary sewer gravity mains and 60 manholes.

* One responsive submittal was received with award recommendation to Insituform Technologies, LLC as the lowest responsive, responsible bidder in the not to exceed amount of \$1,253,773.40.

* Insituform Technologies, LLC will meet the Small Business Enterprise commitment of 10% for this project.

* Work will be completed within 365 consecutive calendar days.

* Funding is derived from the Sewer Renewal and Replacement Fund. Funding amount for this award is consistent with the Fiscal Year 2022 Approved Budget.

Contract No. 21-0366-CP(MJ) (PID 002747F&J) in the amount of \$1,253,773.40 on the basis of being the lowest responsive, responsible bid received meeting specifications; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

17. [19-2285A](#) Ranking of firms and agreement with CDM Smith, Inc. for professional engineering services for the Regional Resource Recovery Facility project.

Recommendation: Approval of the ranking of firms and execution of the agreement with the top ranked firm CDM Smith, Inc. for professional engineering services related to the Regional Resource Recovery Facility (RRRF) project.

* Award recommendation is for CDM Smith, Inc. per the Consultant Competitive Negotiation Act, Florida Statute 287.055, for an amount not to exceed \$2,343,755.50

* The project will be performed in three phases. The professional engineering services will be performed in Phases 1 (preliminary engineering report) and 2 (design). The construction of the facility will occur in Phase 3. This contract is for Phase 1 of the project.

* The tasks for Phase 1 are expected to be completed within seven hundred thirty consecutive calendar days, or two years.

* Funding for this project is derived from the Sewer Enterprise Funds and Solid Waste Enterprise Funds.

* Earthshine Environmental, Inc. and The Valerin Group, Inc. both Small Business Enterprise firms will be utilized as sub-consultants in this contract.

Contract No. 190-0157-NC (SS) in the amount of \$2,343,755.50; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

18. [22-0412A](#) Declare 15 County-owned parcels as surplus and grant authorization to advertise and dispose of the parcels.

Recommendation: Recommend the adoption of the attached resolution to declare 15 County-owned parcels (Parcels) as surplus and grant authorization to advertise and dispose of the Parcels in accordance with Section 125.35 Florida Statutes and County Real Estate Policy and Procedures.

- * Colliers International is engaged to provide advisory services to identify and recommend County-owned Parcels for disposition.
- * County departments reviewed recommendations made by Colliers to either support disposition or to retain Parcels for departmental use.
- * Out of approximately 1200 Parcels owned by the County approximately 110 are potential surplus. The remainder are either park lands, properties containing County buildings providing services and properties required for future projects.
- * Staff will continue to submit Parcels to the Board of County Commissioners until all potential surplus Parcels are disposed.
- * Declaring the Parcels surplus and proceeding with sale, donation or transfer will provide income to the for County for Parcels no longer required for public use and potentially transfer the property back on to tax rolls.
- * Once declared surplus, Facilities & Real Property staff will work with Housing & Community Development staff to assess suitability for affordable housing projects, and with Economic Development staff to assess suitability for industrial uses, before listing properties for sale.

It is further recommended that the Board of County Commissioners authorize the Clerk of the Circuit Court to record the resolution in the public records of Pinellas County.

Airport

19. [22-0375A](#) Award of bid to Kloote Contracting, Inc. for the St. Pete-Clearwater International Airport cell lot restrooms.

Recommendation: Approval of the award of bid and execution of agreement with Kloote Contracting, Inc. for the St. Pete-Clearwater International Airport (Airport) cell lot restrooms.

- * This project involves installing prefabricated restrooms in the Airport cell phone parking lot.
- * Restrooms are required by the public while waiting in the cell phone parking lot for flights to arrive and depart.
- * Two bids were received with award recommendation to Kloote Contracting Inc. in the amount of \$409,025.00 as the lowest, responsive, responsible bidder with a 180-day consecutive calendar term from date of notice to proceed.
- * Kloote Contracting, Inc will meet or exceed the Small Business Enterprise commitment of 16% for this project.

Housing & Community Development

20. [22-0449A](#) Affordable Housing Program loan to Homes for Independence d/b/a ServiceSource for a multifamily rental housing project known as the Homes for Independence 6 Homes Renovation project.

Recommendation: Approval of the recommendation to fund an Affordable Housing Program loan to Homes for Independence d/b/a ServiceSource for a multifamily rental housing project known as the Homes for Independence 6 Homes Renovation Project.

It is further recommended that the Board of County Commissioners (Board) delegate authority to the County Administrator to execute loan documents, restrictive covenants, and any other such agreements and documentation associated with the loan in the amount authorized by the Board.

- * The recommended loan amount is \$386,198.00 utilizing State Housing Initiatives Partnership funds for renovations.
- * The proposed project is the renovation of six units in multiple buildings within multifamily residential properties for persons with special needs. Three of the units will be restricted to households with an income not to exceed 50.0% of Area Median Income (AMI) and three of the units will be restricted to households with an income not to exceed 60.0% AMI.
- * Execution of a Land Use Restriction Agreement will be required and will impose a 30-year affordability period.
- * The total project cost is estimated to be \$390,000.00, consisting of the \$386,198.00 loan plus estimated recording costs for the loan documents
- * Funding will be in the form of a forgivable loan.
- * The units are located at 3890 7th Avenue North, St. Petersburg, Florida, 1000 79th Avenue North, St. Petersburg, Florida and 8211 12th Way North, St. Petersburg, Florida.

21. [22-0487A](#) Affordable Housing Program project funding recommendation for Fairfield Avenue Apartments by Fairfield Avenue LLC.

Recommendation: Recommend conditional approval of affordable housing funding for Fairfield Avenue Apartments by Fairfield Avenue Apartments LLC.

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

* Fairfield Avenue Apartments is a planned new housing construction project with a total of 264 multi-family affordable apartment units. The affordable unit set asides are: 53 units for households earning less than 50.0% of Area Median Income (AMI), 67 units for households below 80.0% of AMI and the remaining 144 units for households below 120.0% of AMI.

* The County funding recommendation for Fairfield Avenue Apartments is \$5.6M of which \$3M will be used for land acquisition and \$2.6M for construction costs.

* The total development cost is estimated to be \$51,426,942.00. Other sources of funding include a HUD 211 (d) (4) loan of (\$43,826,942.00), and St. Petersburg CRA funds (\$2M).

* The project location is 3300 Fairfield Avenue South in St. Petersburg.

* Next steps: 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.

Management and Budget

22. [22-0543A](#) Fiscal Year 2022 Board Budget Amendment No. 22-02 to realign appropriation from Reserve for Contingencies in the General Fund and Risk Financing Fund for unanticipated Fiscal Year 2022 expenditures.

Recommendation: Approval of the Fiscal Year 2022 Board Budget Amendment No. 22-02 pursuant to section 129.06(2)(b) realigning:

* \$6,179,880.00 from Reserves for Contingencies in the General Fund for the Sheriff's Office to purchase a new helicopter to replace their current helicopter, which is 31 years old.

* \$1,125,210.00 from Reserves for Contingencies in the Risk Financing Fund to Risk Management to pay for insurance premiums associated with highly protected properties owned by the Utilities Department, as well as a change in policy carriers for the Sheriff to cover their doctors as the department switches to contracted employees.

Public Works

23. [22-0592A](#) Request for a public hearing to appeal the denial of County Dock Permit Application No. WND-21-01528 for 618 Sunset Drive South in St. Petersburg.

Recommendation: Recommend consideration of Mr. James Arnold's (property owner) request for a public hearing to appeal the denial of County Dock Permit Application No. WND-21-01528 for 618 Sunset Drive South in St. Petersburg.

* Property owner applied for a private permit to construct a new single-family dock at 618 Sunset Drive South in St. Petersburg.

* Proposed dock location would require removal of approximately 330 square feet of large mature mangroves.

* Section 58-530(b) - affirmative answers to Findings of Fact require denial or modification of the application.

* County staff proposed an alternate location on the southern edge of the property, which is currently devoid of mangroves, but property owner declined to modify application.

County Dock Permit Application No. WND-21-01528.

COUNTY ATTORNEY

24. [22-0457A](#) County Attorney Reports.

COUNTY ADMINISTRATOR

25. [22-0458A](#) County Administrator Reports.

COUNTY COMMISSION

26. [22-0627A](#) 2022 Federal Legislative Program.

Recommendation: Approval of the 2022 Federal Legislative Program.

- * The 2022 Federal Legislative Program outlines the Board's federal legislative priorities for the upcoming year.

- * National Flood Insurance Program

- o SUPPORT a long-term extension to the program (set to expire September 30, 2022) that ensures financial sustainability, while not pricing out policy holders. This includes providing premium discounts for private and community-based mitigation efforts.

- o CORRECT the issues with the approach and algorithm for Risk Rating 2.0 (went into full effect April 1, 2022).

- * Beach Nourishment

- o REQUEST the Army Corps of Engineers reevaluate its Perpetual Storm Damage Reduction Easement policy, which requires 100% of beachfront property owner easements in perpetuity for areas landward of the Erosion Control Line within the limits of the planned Sand Key nourishment project.

- o REQUEST that Congress include in the 2022 Water Resources Development Act a 50-year reauthorization of the Treasure Island and Long Key sections of the Pinellas County beach construction program.

- * Transportation and Infrastructure

- o SUPPORT strategies that address the Federal Highway Trust Fund's declining revenues in order to adequately fund future transportation needs.

- o IDENTIFY federal funding opportunities for Pinellas County as a result of the enactment of the Infrastructure Investment and Jobs Act.

- * Offshore Oil Drilling

- o SUPPORT legislation to permanently ban oil drilling in the Eastern Gulf of Mexico within 125 miles of Florida. Legislation providing for a temporary moratorium expires in 2022 and a Presidential Executive Order expires in 2032.

27. [22-0456A](#) County Commission New Business: Pertinent and Timely Committee/Board Updates, Policy Considerations, Administrative/Procedural Considerations, and other New Business:
- Skyway Lighting Resolutions (Commissioner Justice)

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.