

Pinellas County Board of County Commissioners

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



Regular Meeting Agenda

Tuesday, February 25, 2020
2:00 P.M.

Public Hearings at 6:00 P.M.

Pat Gerard, Chair
Dave Eggers, Vice-Chair
Charlie Justice
Janet C. Long
Kathleen Peters
Karen Williams Seel
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 Pastor Bill Losasso, New Path Community Church, Lealman.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [20-083A](#) Newspaper in Education Week Proclamation:
 - Sue Bedry, Newspaper in Education Specialist, Tampa Bay Times
 - Jodi Pushkin, Manager, Tampa Bay Times
2. [20-084A](#) Partner Presentation:
 - Angeline Scotten, Biological Scientist IV, Division of Habitat and Species Conservation, Florida Fish and Wildlife Conservation Commission

CITIZENS TO BE HEARD

3. [20-087A](#) Public Comment.

CONSENT AGENDA - Items 4 through 11**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

4. [20-232A](#) Minutes of the regular meeting held January 28, 2020.
5. [20-233A](#) Vouchers and bills paid from January 12 through January 18, 2020.

COUNTY ADMINISTRATOR DEPARTMENTSAdministrative Services

6. [20-223A](#) Quarterly report of claim settlements for the period of October 1, 2019 through December 31, 2019.

 Recommendation: Acceptance of the receipt and file quarterly report of claim settlements for the period of October 1, 2019 through December 31, 2019.

7. [19-1835A](#) Ranking of firms and agreement with Stantec Consulting Services, Inc. for conceptual facility planning and real estate financial consulting services.

Recommendation: Approval of the ranking of firms and agreement with Stantec Consulting Services, Inc. for conceptual facility planning and real estate financial consulting services. This is the first comprehensive Space and Campus Planning Study since 2005 and will:

- * Evaluate 31 entities, including 15 County Administrator departments; Constitutional Officers; Appointing Authorities and Agencies.
- * Exclude Parks and Conservation Resources.
- * Encompass 1.4 million square feet of existing County owned and leased space.
- * Not exceed \$1.25 million.
- * Be completed December 31, 2020.

Contract No. 190-0055-P(JJ) in a not to exceed amount of \$1,251,174.00 for a sixty-month term. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

County Administrator

8. [20-088A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending January 31, 2020.

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

Public Works

9. [19-797A](#) Award of bid to Kamminga and Roodvoets, Inc. for the 62nd Avenue North sidewalk and intersection improvement project.

Recommendation: Approval of the award of bid to Kamminga and Roodvoets, Inc. for the 62nd Avenue North sidewalk and intersection improvement project.

- * The project consists of constructing Americans with Disabilities Act compliant sidewalks, curb ramps, driveways, widened travel lanes, designated left turn lanes, paved shoulders/bike lanes, new drainage, mast arms, signals, crosswalks and ramps.
- * Four bids were received with award recommendation to the lowest responsive responsible bid Kamminga and Roodvoets, Inc. in the amount of \$1,810,662.00.
- * All work is expected to be completed within 365 consecutive calendar days.

Bid No. 189-0381-CP(PLU); PID Nos. 003306A and 000957A in the amount of \$1,810,662.00 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.

COUNTY ATTORNEY

10. [20-199A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Margaret Burris v. Pinellas County; Circuit Civil Case No. 19-007335-CI-13 - allegations of negligence resulting in personal injuries.
Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of Margaret Burris v. Pinellas County.
11. [20-201A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of James B. Wilson v. Pinellas County; Middle District of Florida Case No. 8:20-cv-00135-TPB-SP - allegations of violations of the Fair Labor Standards Act.
Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of James B. Wilson v. Pinellas County.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

12. [19-1727A](#) Second Amendment to the Maintenance and Management Agreement with Palm Harbor Community Services Agency, Inc. for Pop Stansell Park, located at 797 Florida Avenue, Palm Harbor.
Recommendation: Approval of the Second Amendment to the Maintenance and Management Agreement with Palm Harbor Community Services Agency, Inc. for Pop Stansell Park, located at 797 Florida Avenue, Palm Harbor.
- * Based on direction from the Board of County Commissioners.
 - * Assigns responsibility for future capital improvement replacements to the County.
 - * Funding availability will be determined as individual projects are identified.

Human Services

13. [20-149A](#) Grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Care for the Homeless program.

Recommendation: Approval of the Notice of Award from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) for continued funding of the Health Care for the Homeless (HCH) program.

It is also recommended that the County Administrator be given delegated authority for adjustments and supplemental awards given by HRSA for this program during the period of March 1, 2020 through February 28, 2021.

* Grant award from HRSA provides continued support for the Pinellas HCH program for the second year of a three-year project period from March 1, 2019 through February 28, 2022.

* Funding in the amount of \$1,527,190.00 is for the second budget year starting March 1, 2020 through February 28, 2021.

* The County anticipates applying non-federal funds to the program totaling approximately \$2,771,270.00.

* In 2019, the program provided health care services through the Mobile Medical Unit and the Bayside Clinic for 2,951 homeless clients. Examples of services include primary care, mental health and substance abuse treatment, dental services, prescription maintenance, and specialty care services.

Planning

14. [19-2395A](#) Resolution reaffirming the policies of the Pinellas County Comprehensive Plan, including the East Lake Overlay, that restrict density in the north portion of Planning Sector Two to .5 unit per acre and formally requesting that the Pinellas Planning Council add a Residential Rural (.5 unit per acre) land use map category to the Countywide Plan Rules.

Recommendation: Approval of the resolution reaffirming the policies of the Pinellas County Comprehensive Plan, including the East Lake Overlay, that restrict density in the north portion of Planning Sector Two to .5 unit per acre and formally requesting that the Pinellas Planning Council add a Residential Rural (.5 unit per acre) land use map category to the Countywide Plan Rules.

* In 1989, the Countywide Plan Rules and associated plan categories were established.

* The land use category for most of the northern portion of the East Lake Tarpon area was Residential Rural (.5 unit per acre).

* In 2015, the Countywide Plan Rules were amended, and many map categories were aggregated to reduce the number of unique land use categories.

* As part of that aggregation, the existing .5 unit per acre designation and 1 unit per acre designation were combined into one land use map category with a maximum density of 1 unit per acre.

* As a result, the parcels identified in Attachment A of the Resolution were increased in density from .5 unit per acre to 1 unit per acre on the Countywide Plan Map.

* This action formally requests that parcels identified in Attachment A to the Resolution, consisting of 2,523 parcels containing approximately 3,285 acres of land be amended on the Countywide Plan Map from the current designation of RVL, Residential Very Low (1 unit per acre) to the new designation of Residential Rural (.5 unit per acre).

* This will align the Countywide Plan Map and the Pinellas County Comprehensive Plan to restrict density in the East Lake Tarpon area to .5 unit per acre for those parcels identified in Attachment A of the Resolution.

Public Works

15. [20-048A](#) County Incentive Grant Program Agreement with the Florida Department of Transportation for the construction of an Advanced Traffic Management System/Intelligent Transportation System project on 49th Street North/County Road 611 from 46th Avenue North to Gulf to Bay Boulevard/State Road 60.

Recommendation: Approval of the County Incentive Grant Program Agreement with the Florida Department of Transportation for construction of an Advanced Traffic Management System/Intelligent Transportation System project on 49th Street North/County Road (CR) 611 from 46th Avenue North to Gulf to Bay Boulevard / State Road 60.

* Department agrees to fund a maximum amount of \$1,548,300.00 (50% of the estimated construction cost).

* Construction anticipated to commence in May 2020 with completion expected in December 2021.

* Project includes installation of 4.11 miles of conduit and fiber optic cable along CR 611.

FDOT FPN No. 437047 1 54 01; County PID No. 002600A; for grant funding not to exceed \$1,548,300.00. Term expiration is May 2, 2022. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest and record the accompanying resolution in the public records of Pinellas County.

16. [20-136A](#) Florida Department of Environmental Protection Grant Subrecipient Agreement between the County and the City of Dunedin for funding of the Lofty Pines Septic to Sewer project in unincorporated Pinellas County near the City of Dunedin.

Recommendation: Approval of the Florida Department of Environmental Protection (FDEP) Grant Subrecipient Agreement between the County and the City of Dunedin (City) for funding of the Lofty Pines Septic to Sewer project in unincorporated Pinellas County near the City of Dunedin.

* Grant funding from FDEP is in the amount of \$500,000.00 with no County match required.

* The County will act as pass through for FDEP grant to City to fund conversion from septic to a sanitary sewer collection system for 120 residences.

* The City will contribute \$1,614,210.00 towards the project cost.

FDEP contract number LPA0036 in the amount of \$500,000.00; completion date no later than December 31, 2023. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

17. [19-1312A](#) Grant Agreement with the Florida Department of Environmental Protection for septic to sanitary sewer collection system conversion in the Lofty Pines area of unincorporated Pinellas County near the City of Dunedin.

Recommendation: Approval of the Grant Agreement with the Florida Department of Environmental Protection (FDEP) for septic to sanitary sewer collection system conversion in the Lofty Pines area of unincorporated Pinellas County near the City of Dunedin.

- * Grant funding is in the amount of \$500,000.00 with no County match required.
- * Funding is for conversion from septic to a sanitary sewer collection system for 120 residences.
- * The project completion date per this grant agreement is December 31, 2022.

FDEP contract number LPA0036 in the amount of \$500,000.00; completion date no later than December 31, 2022.

Utilities

18. [20-079A](#) First Amendment to the Agreement with Garney Companies, Inc. d/b/a Garney Construction for design-build services for the New Headworks and Grit Removal Facility, located at the South Cross Bayou Water Reclamation Facility.

Recommendation: Approval of the First Amendment to the project scope and lump sum price (LSP) Amendment with Garney Companies, Inc. d/b/a Garney Construction, for professional design build services pertaining to the New Headworks and Grit Removal Facility, located at South Cross Bayou Water Reclamation Facility.

- * This Amendment will initiate Phase 2 of the project for a LSP of \$24,710,828.00.
- * The Board of County Commissioners approved the original award, Phase 1 - Design on November 28, 2018 for \$2,449,325.00.
- * Phase I and II total contract value is \$27,160,153.00.
- * This project consists of two phases - Phase One included the design development which is inclusive of design and fifty percent construction documents and LSP. Phase Two will initiate the construction phase providing the New Headworks and Grit Removal Facility. Actual construction will commence on April 1, 2020, or sooner, after design documents and permits are complete.

Contract No. 178-0001-NC (SS), Phase II in the amount of \$24,710,828.00 from the construction notice to proceed date for seven hundred twenty consecutive calendar days to substantial completion. Phase I and II total contract value is \$27,160,153.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

19. [20-263A](#) Proposed settlement in the case of Valerie Craig and Brian Craig, her husband v. Pinellas County, et al.; Circuit Civil Case No. 19-003731-CI-7.

Recommendation: Consideration of the proposed settlement in the case of Valerie Craig and Brian Craig, her husband v. Pinellas County, et al.

20. [20-215A](#) Proposed initiation of litigation in the case of Jeannie Vargas v. Jeffery Sojack; HUD Case No. 04-19-8272-8; PC Case No. 19-067 - alleged housing discrimination.

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

21. [20-203A](#) Proposed initiation of litigation in the case of Pinellas County v. Eric Scott Lloyd - action for injunctive relief.

Recommendation: Approval and authorization for the County Attorney to initiate litigation against Eric Scott Lloyd.

22. [20-089A](#) County Attorney Reports.

COUNTY ADMINISTRATOR REPORTS

23. [20-090A](#) County Administrator Reports.

COUNTY COMMISSION

24. [20-143A](#) Appointment to the Tourist Development Council (Board of County Commissioners as a whole).

Recommendation: Approve one appointment to the Tourist Development Council to fulfill the balance of a vacated term set to end on October 31, 2020.

- * Approve one appointment to the Tourist Development Council.
- * The list of applicants can be viewed on the ballots.
- * The Chair has the ballots.

25. [20-091A](#) County Commission New Business Items.

6:00 P.M.

PUBLIC HEARINGS

BOARD OF COUNTY COMMISSIONERS

26. [20-080A](#) Case No. Q ZON-20-1 (Gateway MHP, Ltd)
A request for a zoning change from R-4, One, Two and Three Family Residential (1.4 acres) and C-2, General Commercial and Services (4.2 acres) to RMH, Residential Mobile/Manufactured Home on approximately 5.6 acres located at 10100 Gandy Boulevard in unincorporated St. Petersburg.

Recommendation: Based upon evidence and findings contained in the staff report and attachments, Case No. ZON-20-1 is recommended for approval:

A Resolution approving the application of Gateway MHP, Ltd for a change in zoning from R-4, One, Two and Three Family Residential (1.4 acres) and C-2, General Commercial and Services (4.2 acres) to RMH, Residential Mobile/Manufactured Home.

* The applicant is seeking a zoning change on 5.6 acres of land that consists of two separate areas of the Gateway Mobile Home Park.

* The zoning change will provide for a consistent RMH zoning on the entire 39.4-acre property. No use changes are proposed on the property.

* The Local Planning Agency unanimously recommended approval of the request (vote 4-0). No one appeared in favor or in opposition.

* No correspondence in favor or in opposition has been received.

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 five 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 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.