

Pinellas County Board of County Commissioners

www.pinellascounty.org



Virtual Regular Meeting Agenda

Tuesday, May 19, 2020

2:00 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**MOMENT OF SILENCE****PUBLIC HEARINGS****BOARD OF COUNTY COMMISSIONERS**

1. [20-845A](#) Proposed ordinance to amend the Pinellas County Code relating to Vessel Exclusion Zones.

Recommendation:

Conduct a public hearing regarding a proposed ordinance (Attachment A) amending Section 130-107 to modify the location and size of the previously established Vessel Exclusion Zones.

* The ordinance will amend the previously established swim zones along the North Beach of Fort De Soto Park.

* The existing swim zone will be expanded to the north to include the lagoon between Outback Key and the park shoreline.

* A new Vessel Exclusion Zone will be added to the lagoon area to prevent swimmer and boater interaction.

* An area to the south, previously established as North Beach East, will be repealed.

CONSENT AGENDA - Items 2 through 11**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

2. [20-829A](#) Minutes of the emergency meeting held April 13 and the regular meetings held April 16 and April 21, 2020.
3. [20-830A](#) Vouchers and bills paid from April 12 through April 25, 2020.

Reports received for filing:

4. [20-747A](#) Dock Fee Report for the month of April 2020.
5. [20-831A](#) Juvenile Welfare Board Quarterly Financial Statements for the periods ended December 31, 2019 and March 31, 2020.

Miscellaneous items received for filing:

6. [20-832A](#) Notice of St. Petersburg City Council Public Hearings to be held on May 7, 2020 regarding proposed amendments to the Intown Redevelopment Plan, the Intown West Redevelopment Plan, and the South St. Petersburg Redevelopment Plan.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

7. [20-663A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending April 30, 2020.

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

Public Works

8. [19-2147A](#) Award of bid to RJP Enterprises, Inc. for the Roosevelt Stormwater Facility Improvements project.

Recommendation: Approval of the award of bid to RJP Enterprises, Inc. (RJP) for the Roosevelt Stormwater Improvements project.

* The work consists of excavation and earthwork along with fencing, hydro-seeding and installation of biodegradable erosion control blanket, and modifications to existing stormwater infrastructure at Roosevelt Creek.

* Two responsive bids were received with award recommendation to the lowest responsive responsible bid RJP in the amount of \$2,187,566.50.

* Funding for this project is derived from the Local Infrastructure Sales Tax (Penny for Pinellas) and partially funded by a Cooperative Funding grant from the Southwest Florida Water Management District in the amount of \$350,510.00.

* All work is expected to be completed within 300 consecutive calendar days from issuance of notice to proceed.

* The Small Business Enterprise participation is 11% for this contract.

Bid No. 190-0130-CP(PLU); PID 003130A; in the amount of \$2,187,566.50 based on being the lowest responsive responsible bid received meeting specifications; all work is expected to be completed within 300 consecutive calendar days.

Utilities

9. [20-356A](#) Joint Project Agreement with the City of Madeira Beach for construction services for relocation and replacement of County water mains, sewer gravity mains, force mains and reclaimed water mains including, appurtenances, in conjunction with the proposed City of Madeira roadway, sidewalk and drainage construction improvements for Crystal Island along Crystal Drive, Lillian Drive, Flamingo Drive and John Pass Avenue.

Recommendation: Approval of the Joint Project Agreement with the City of Madeira Beach (City) for construction services for replacement of County water mains, sewer gravity mains, force mains and reclaimed water mains including, appurtenances, in conjunction with City proposed roadway, sidewalk and drainage system construction improvements for Crystal Island along Crystal Drive, Lillian Drive, Flamingo Drive and John Pass Avenue (Project).

* Existing County water mains, sewer gravity mains, force mains, and reclaimed water mains including appurtenances, must be replaced or realigned to accommodate the proposed Project improvements made by the City.

* The City's construction contractor will provide construction services to include County's utility relocation and replacement and any miscellaneous incidental construction, as part of the City's Project.

* Use of the City's construction contractor is cost effective, time efficient and provides the least disruption for residents.

* Utilities will actively inspect the construction project and ensure our standards are fully met before accepting the work.

* The agreement will be in place until the City provides to the County mutually agreeable documentation with substantiates the Agreement has been fully performed.

City Project No. 2013-80; County PID No. 004463A; Estimated total cost to County for utility work is \$2,453,000.00. Authorize the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

10. [20-683A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Colin Ashton v. Pinellas County; Circuit Civil Case No. 19-008560-CI-11- 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 Colin Ashton v. Pinellas County.

11. [20-744A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of BWW 19.009 ST PETE, LLC v. Barry A. Burton; Circuit Civil Case No. 20-001788-CI-8 - temporary injunction.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of BWW 19.009 ST PETE, LLC v. Barry A. Burton.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

12. [20-836A](#) Local State of Emergency.

Human Services

13. [20-643A](#) Notice of grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Care for the Homeless program to support coronavirus disease 2019 responses.

Recommendation: Approval of the notice of grant award from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) for coronavirus disease 2019 (COVID19) funding for the Health Care for the Homeless program.

* Grant award from HRSA provides one-time funding to support preventing, preparing for, and responding to COVID19.

* Funding in the amount of \$58,607.00 is for a one-year period starting March 15, 2020 through March 14, 2021.

* The County is working with the Florida Department of Health to determine the best use of funds to prepare for and respond to the coronavirus disease amongst the homeless population in Pinellas County.

14. [20-716A](#) Notice of grant award from the U.S. Department of Health and Human Services, Health Resources Services Administration for the Health Center Coronavirus Aid, Relief, and Economic Security Act Funding.

Recommendation: Approval of the notice of grant award from the U.S. Department of Health and Human Services, Health Resources and Services Administration for the coronavirus disease 2019 funding for the Health Care for the Homeless (HCH) program.

* This award provides one-time funding to support the detection and/or prevention, diagnosis, and treatment of COVID-19, including maintaining or increasing health center capacity and staffing levels during a coronavirus-related public health emergency, as outlined in the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116136).

* Funding in the amount of \$626,255.00 is for a one-year period starting April 1, 2020 through March 31, 2021.

* The County is working with the Florida Department of Health to determine the best use of funds to prepare for and respond to the coronavirus disease amongst the homeless population in Pinellas County.

* The HCH co-applicant Board approved the receipt of funding and notice of award at the April 14, 2020 meeting.

15. [20-633A](#) Interlocal Agreement and Memorandum of Understanding with the Sixth Judicial Circuit Court of Florida for County-Funded Court Employees.

Recommendation: Approval of the Interlocal Agreement and Memorandum of Understanding with the Sixth Judicial Circuit Court of Florida (Court) for County-Funded Court Employees.

* The Interlocal Agreement outlines the County and the Court respective responsibilities for additional court personnel to assist in the operation of the Sixth Judicial Circuit.

* The current Interlocal Agreement for County Funded Court employees was ratified by the Board of County Commissioners (Board) on June 16, 2009 and extended through June 30, 2020.

* The Memorandum of Understanding provides for court personnel funded through grant awards to Pinellas County for the operation of Court programs.

* The Board approves the annual budget for the Court that includes request for additional court personnel.

* County grant awards that provide funding for Court personnel are formally accepted and budgeted by the County.

* The agreements are effective July 1, 2020 through June 30, 2024.

Planning

16. 20-848A Resolution approving a substantial amendment to the Fiscal Year 2019-2020 Annual Action Plan and an amendment to the Citizen Participation Plan for the purpose of receiving Community Development Block Grant and Emergency Solutions Grant Coronavirus Response funds.

Recommendation: Adopt a resolution approving a substantial amendment to the Fiscal Year (FY) 2019-2020 Annual Action Plan and an amendment to the Citizen Participation Plan for the purpose of receiving Community Development Block Grant and Emergency Solutions Grant Coronavirus Response funds and authorize submittal to the U.S. Department of Housing and Urban Development (HUD).

*The Substantial Amendment to the FY 2019-2020 Action Plan contains the application for CDBG Coronavirus Response funds (CDBG-CV) and ESG Corona Virus Response funds (ESG-CV).

* The County will receive \$1,481,969.00 in CDBG-CV funds to be used to fund activities that mitigate the impacts of the Coronavirus pandemic (COVID-19) on low- and moderate-income residents.

*The County may use up to 20% of the CDBG-CV allocation for planning and administration costs.

*The County will receive \$739,117.00 in ESG-CV funds to be used to fund activities that mitigate the impacts of COVID-19 on individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities.

*The County may use up to 10% of the ESG-CV CV allocation for planning and administration costs.

*The Substantial Amendment to the FY 2019-2020 Annual Action Plan allows the County to receive CDBG-CV and ESG-CV funds and identifies the types of activities the County will undertake to respond to COVID-19.

*Notice of funding availability was published on May 11, 2020 with an applications submittal deadline of 5:00 p.m. on May 22, 2020.

*Eligible applicants are non-profit organizations implementing public service programs in Pinellas County that benefit low and moderate income residents consistent with the objectives of the CARES Act. Applicants must document an increase in services directly related to the COVID-19 crisis or have a new project for directly addressing increased community need related to the COVID-19 crisis.

*Projects that provide food assistance and distribution or healthcare and testing are prioritized.

*Eligible CDBG-CV activities include, but are not limited to:

- *Job training to expand the pool of health care workers and technicians that are available to treat disease within a community.
- *Provide testing, diagnosis or other services at a fixed or mobile location.
- *Increase the capacity and availability of targeted health services for infectious disease response within existing health facilities.
- *Provide equipment, supplies, and materials necessary to carry-out a public service.
- *Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.
- *Provide another public service that assists persons directly affected by COVID-19.

*Eligible ESG-CV activities include the following homeless assistance activities:

- *Street outreach
- *Emergency shelter provision
- *Homelessness prevention
- *Rapid re-housing

*The Amendment to the Citizen Participation Plan allows the County to use expedited citizen participation processes related to disasters and emergency declarations, including COVID-19.

Public Works

17. [20-776A](#) Supplemental No. 1 to the County Incentive Grant Program Agreement with the Florida Department of Transportation for the Phase 3 Advanced Traffic Management System/Intelligent Transportation System project.

Recommendation: Approval of Supplemental No. 1 to the County Incentive Grant Program Agreement with the Florida Department of Transportation (FDOT) for the Phase 3 Advanced Traffic Management System/Intelligent Transportation System project.

* Construction costs for this grant were estimated at \$4,000,000.00, however, the project was rescoped to remove a large portion of work that was completed through other projects after grant application submission.

* Revised construction costs necessitate a decrease in funding by FDOT from \$2,000,000.00 to \$806,624.00, and thus Supplemental No. 1 to the Agreement.

* County costs are reduced accordingly to \$806,624.00 as each agency is responsible for fifty percent funding.

* Agreement provides funding for enhanced traffic management, including circuit television (CCTV) cameras, Dynamic Message Signs (DMS) and connection to the county's main fiber network.

FDOT FPN 437046 and Contract No. G1995; County PID No.002601A; Agreement expires October 1, 2021. Authorize the Chairman to sign and the Clerk of Circuit Court to attest.

Solid Waste

18. [20-687A](#) Second Amendment to the Agreement with Covanta Projects, LLC for Waste to Energy Facility Operator Technical Recovery Plan projects.

Recommendation: Approval of the Second Amendment to the Agreement with Covanta Projects, LLC for Waste to Energy Facility Operator Technical Recovery Plan (TRP) projects.

- * This Second Amendment adds nine new boiler tube projects into the TRP, using \$11,332,487.00 of the \$12,016,108.00 remaining unobligated funds. Additional funding is required to complete the TRP.
- * This Amendment provides for the use of remaining unobligated funds to complete other project(s) identified during the remaining course and scope of the TRP, up to November 2, 2024.
- * The total TRP budget, per Amendment No. 1 was capped at \$243,357,899.00. The current TRP project expenditure and remaining obligation is \$231,341,791.00, leaving an unobligated balance of \$12,016,108.00. The inclusion of the nine new projects will not exceed the TRP expenditure cap.
- * TRP unobligated funds are a result of other TRP projects being completed under budget.
- * The use of available TRP funds provides an alternative to creating nine new Solid Waste Capital Improvement Plan projects.
- * The Board of County Commissioners awarded this contract on November 3, 2014 and the First Amendment on March 21, 2017.

Contract No. 134-0171-P (LN); no increase to the contract amount of \$566,327,899.00 through November 2, 2024. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Emergency Medical Services Authority

19. [20-394A](#) Renewal of Certificates of Public Convenience and Necessity for non-medical wheelchair transport and stretcher van providers.

Recommendation: Sitting as the Emergency Medical Services Authority, issue a renewal Certificate of Public Convenience and Necessity for each wheelchair/stretcher van transport provider on the attached listing.

- * The current certificates expire on June 30, 2020.
- * The 15 firms on the attached list have completed a renewal application and meet the Authority's requirement to operate as a non-medical wheelchair/stretcher van transport business.
- * 9 of the 15 firms have applied to render both wheelchair and stretcher van services.

Authorize the Chairman to sign the certificates.

COUNTY ATTORNEY

20. [20-742A](#) Proposed initiation of litigation in the case of Pinellas County v. L. Scott Shoemaker - action for injunctive relief.

Recommendation: Approval and authorization for the County Attorney to initiate litigation against L. Scott Shoemaker.

21. [20-684A](#) County Attorney Reports.

COUNTY ADMINISTRATOR REPORTS

22. [20-685A](#) County Administrator Reports.

COUNTY COMMISSION

23. [20-686A](#) County Commission New Business Items.

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 both pvalenti@co.pinellas.fl.us and to jlorick@co.pinellas.fl.us 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 advance in accordance with the instructions in the notice of this meeting, or on the virtual platform or phone will be instructed before each vote during the virtual meeting how to do so. At the scheduled section of the meeting when the item is before the Board of County Commissioners (Board), the Chairman 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.

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 after virtually raising their hand as directed during the meeting.

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.