

Pinellas County Board of County Commissioners

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Hybrid In-Person and Virtual Regular Meeting Agenda

Tuesday, August 11, 2020

9:30 A.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**PUBLIC HEARINGS****AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS**Countywide Planning Authority

1. [20-1074A](#) Ordinance amending the Countywide Rules (second public hearing).

Recommendation: Sitting as the Countywide Planning Authority, hold the second of two public hearings to consider proposed amendments to Countywide Rules, to include:

- * Restoring the Residential Rural future land use category (.5 unit per acre) to the Countywide Rules.
- * Clarifying the process to be used for designation of the Residential Rural category.
- * Updating traffic generation characteristics associated with the Residential Rural and Residential Very Low categories.
- * Updating section numbering and references.

BOARD OF COUNTY COMMISSIONERS

2. [20-269A](#) Ordinance establishing Chapter 42, Article XV County Code relating to an Infectious Disease Elimination program including syringe exchange, providing program definitions, requirements, and operational guidelines.

Recommendation: Hold a public hearing and adopt the proposed ordinance establishing Chapter 42, Article XV County Code for an Infectious Disease Elimination (IDEA) Program including syringe exchange, providing program definitions, requirements, and operational guidelines.

- * The Florida Legislature approved IDEA, Section 381.0038(4), Florida Statutes, effective July 1, 2019 authorizing counties to establish programs for sterile syringe exchange in order to prevent and eliminate infectious disease.
- * Complicated by the current opioid crisis, areas in Florida have seen outbreaks in hepatitis and a growing concern on the spread of human immunodeficiency virus (HIV).
- * Across Florida, reported hepatitis A cases increased from 548 cases in 2018 to 3,408 cases in 2019. Additionally, a review by the Centers of Disease Control in June 2019 showed Pinellas County on a list of 48 counties across the United States that made up more than 50% of new HIV cases (data analyzed from 2016 and 2017).
- * Syringe exchanges, coupled with counseling, engagement, and service referrals, have been found to be highly effective at combatting the spread of infectious diseases.
- * IDEA requires local authorization for a syringe exchange by county ordinance.
- * In addition to establishing the ordinance, Pinellas County must then enter into a letter of agreement with the Florida Department of Health, engage the local health department for advice and recommendations, and procure a designated entity for its operation.
- * No state, county, or municipal funds may be used to operate the exchange.

CITIZENS TO BE HEARD

3. [20-1342A](#) Public Comment.

CONSENT AGENDA - Items 4 through 19

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

4. [20-1407A](#) Minutes of the virtual regular meetings held June 23 and June 30, 2020.
5. [20-1408A](#) Vouchers and bills paid from July 5 through July 18, 2020.

Reports received for filing:

6. [20-1409A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-13 dated July 13, 2020 - Follow-Up Audit of the Pinellas Public Library Cooperative Operations and Internal Controls.
7. [20-1410A](#) Dock Fee Report for the month of July 2020.
8. [20-1411A](#) Juvenile Welfare Board Quarterly Financial Statements for the period ended June 30, 2020.

Miscellaneous items received for filing:

9. [20-1412A](#) Affidavit of Publication of Legal Notice published in La Glaceta regarding Notice of Forfeiture of Unclaimed Money pursuant to Section 116.21, Florida Statutes (Circuit/County Court of the 6th Judicial Circuit, Criminal, Civil, and Finance Divisions).
10. [20-1413A](#) Tax Collector's certification of the Recapitulation for the 2019 Tax Roll.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

11. [20-1288A](#) Award of bid to Tamco Electric, Inc. for light-duty electrical repairs.

Recommendation: Approval of the award of bid to Tamco Electric, Inc. (Tamco) for light-duty electrical repairs.

* This sixty-month contract provides the Facilities and Real Property Division of Administrative Services (other departments may utilize as well) with repair services for light duty electric equipment at County-owned or leased facilities on an as needed basis.

* This contract is designed to repair/replace light duty electrical components such as lighting ballasts, receptacles, small electric motors and switches.

* Three bids were received with Tamco recommended for award as the lowest responsive, responsible bidder at \$1,653,075.00. The total award price includes provision for unspecified work up to \$100,000.00 and performance bond expense of \$54,500.00 for a total award of \$1,807,575.00.

* The estimated average annual amount is \$361,515.00, but will vary depending on light duty electrical repairs needed in any given year.

* Tamco is certified as a County Small Business Enterprise.

Bid No. 190-0299-B(AR) in an average annual amount of \$361,515.00 for a sixty-month total of \$1,807,575.00, based on being the lowest responsive, responsible bid received meeting specifications. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

12. [20-1209A](#) Declare surplus and authorize the sale or donation of miscellaneous County-owned equipment.

Recommendation: Declare surplus and authorize the sale or donation of items on the attached lists of miscellaneous surplus items and various equipment. Approval of the distribution of proceeds from the sale of such items to the fund that owned the item.

* This action declares the listed items as surplus and authorizes their donation to partner agencies or sale to the highest bidder.

* The usefulness of the identified surplus items (miscellaneous equipment) has been exhausted.

* All surplus items are listed and sent to various agencies and non-profits such as Social Action Funding designees, Suwanee County Board of County Commissioners, Pinellas County School Board, Board Dependent Districts and other agencies such as the Florida Dream Center, Vincent House, Seminole Junior Warhawks and others to determine if this equipment can be utilized before sending for sale at auction.

13. [20-1261A](#) Quarterly report of claim settlements for the period of April 1, 2020 through June 30, 2020.

Recommendation: Acceptance of the receipt and file quarterly report of claim settlements for the period of April 1, 2020 through June 30, 2020.

County Administrator

14. [20-1173A](#) Receipt and file report of non-procurement items delegated to the County Administrator for the period ending July 31, 2020.

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

Utilities

15. [19-710A](#) Ranking of firms and Agreement with Mason Blau & Associates, Inc. for professional architectural services for the Logan Lab improvements project.

Recommendation: Approval of the ranking of firms for professional architectural services pertaining to the Logan Lab Improvements Project and Agreement with the top ranked firm, Mason Blau & Associates, Inc. (Mason Blau).

* This contract is for professional architectural services consisting of preliminary architectural, design development, and construction administration services for the Logan Lab Improvements Project.

* This project is a follow-on to previous campus planning work assigned to, and completed in 2018 with, Mason Blau, as the county's architect. Further improvements are needed to address maintenance and occupancy needs of additional campus structures.

* Award recommendation is to Mason Blau, per the Consultant Competitive Negotiation Act (CCNA) in the amount of \$886,711.00.

* The project and funding for the professional architectural services is derived from the Utilities Water and Sewer Enterprise Funds.

* Mason Blau and one of their subconsultant's are Small Business Enterprise (SBE) certified for architectural, mechanical, plumbing, electrical and fire protection services for combined SBE fees of \$511,730.00, or approximately 58% of the total award.

Contract No. 189-0325-NC (SS); in the amount of \$886,711.00, to be completed within 1,295 consecutive calendar days. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

16. [20-1369A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Signe Schmit v. Pinellas County; Circuit Civil Case No. 20-003166-CI-8 - 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 Signe Schmit v. Pinellas County.

17. [20-1304A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Raymond Mireles v. Pinellas County; Circuit Civil Case No. 20-003080-CI-19 - allegations of negligence resulting in damages.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of Raymond Mireles v. Pinellas County.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

18. [20-1328A](#) Receipt and file report of Sheriff's Office grants received and service contracts for the quarter ending June 30, 2020.

Recommendation: Accept the receipt and file report of Sheriff's Office grants received and service contracts - payments to the Sheriff for April 1, 2020 through June 30, 2020 for Fiscal Year 2020.

19. [20-1329A](#) Receipt and file report on the Law Enforcement Trust Fund for the quarter ending June 30, 2020.

Recommendation: Accept the receipt and file report on the Law Enforcement Trust Fund from April 1, 2020 to June 30, 2020.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

20. [20-1279A](#) Local State of Emergency.

Human Services

21. [20-1114A](#) Addendums to the agreements with the Florida Department of Health and Operation PAR Inc. for the Health Care for the Homeless program.

Recommendation: Approval of the addendums to the agreements with the Florida Department of Health (DOH) and Operation Par Inc. (PAR) for the Health Care for the Homeless (HCH) program.

* These two addendums provide supplemental COVID-19 funding to enhance services and capacity of the HCH Program. This is the first addendum to the DOH agreement and first addendum to the PAR agreement.

* Funding will provide DOH with staff, equipment, and supplies to maintain regular clinic services, support HCH COVID-19 testing, and support additional sanitation and quarantine. Funding will also increase capacity for contracted mental health services through Directions For Living and substance use services through Operation PAR.

* Additional funding in the amount of \$667,539.00 has been awarded through HRSA Grant #s H8CCS35074, H8DCS36100, and H8ECS38958. The addendum with DOH is for an amount not to exceed \$492,539.00. The addendum with PAR is for an amount not to exceed \$175,000.00.

* The original agreement with DOH was approved by the Board of County Commissioners (Board) on September 25, 2018. The original agreement with PAR was approved by the Board on May 31, 2016, and amended November 28, 2017, January 22, 2019, and June 15, 2020.

Public Works

22. [20-1235A](#) Construction agreement and addendum between the County and Florida Department of Transportation to install fiber optic cable in new and existing Advanced Traffic Management System/Intelligent Transportation System conduit on State roadways.

Recommendation: Approval of the construction agreement and addendum between the County and Florida Department of Transportation (FDOT) to install fiber optic cable in new and existing Advanced Traffic Management System/Intelligent Transportation System conduit (ATMS/ITS) on State roadways.

- * Currently the county ATMS/ITS conduit system located within FDOT right of ways is reserved for fiber optic cable solely for transportation related purposes.
- * The agreement and addendum authorize installation or usage of fiber within the conduit system for non-transportation public use purposes.
- * County must obtain a FDOT utility permit prior to each installation or use of fiber.

FDOT Construction Agreement No. 2020-C-799-00012; Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

23. [20-1137A](#) Federally funded subaward and grant agreement from the Florida Division of Emergency Management for Federal Emergency Management Agency Region IV Hazard Mitigation Grant program funding for the replacement of span-wire-supported traffic signals with mast arm traffic signals.

Recommendation: Approval of the federally funded subaward and grant agreement with the Florida Division of Emergency Management for Federal Emergency Management Agency Region IV (FEMA) Hazard Mitigation Grant program funding for the replacement of span-wire-supported traffic signals with mast arm traffic signals.

- * This grant supports the hardening of traffic signals at sixteen intersections in the County by replacing span wire traffic signals with mast arm traffic signals. These intersections are identified as key evacuation routes.
- * Project begins upon full execution of the agreement and will remain in effect through July 31, 2023.
- * Total project cost is \$5,996,592.00 for design, construction and inspection phase services. Federal funding is 65% (\$3,906,317.00). County match is 35% (\$2,090,275.00). The local match is funded by the Infrastructure Sales Tax (Penny for Pinellas).

PID 004183A. FEMA Agreement No. H0394 / Project No. 4337-303-R; Project cost is \$5,996,592.00 with grant funding amount received being \$3,906,317.00; Agreement ends July 31, 2023. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Solid Waste

24. [19-2196A](#) Agreement with Keep Pinellas Beautiful, Inc. for Adopt-A-Program management services for a 36-month base contract and option for one 24-month term extension.

Recommendation: Approval of the agreement with Keep Pinellas Beautiful, Inc. for Adopt-A-Program management services.

- * The Agreement is for Adopt-A-Program management services to operate the County's volunteer cleanup programs and litter control.
- * Keep America Beautiful provides services to manage and coordinate debris cleanup programs countywide through volunteerism.
- * The agreement includes projects for Parks and Conservation Resources (Adopt-A-Trail), Public Works (Adopt-A-Mile/Adopt-A-Pond) and Solid Waste (Litter Control/SeeClickFix program).
- * The estimated annual expenditure, countywide, is \$325,484.92
- * This agreement follows the existing agreement with Keep Pinellas Beautiful that was extended to and will expire on August 20, 2020.
- * As verified by staff, Keep Pinellas Beautiful, Inc. is still the only affiliate approved by Keep America Beautiful to operate within Pinellas County.
- * The agreement effective date is expected to be August 11, 2020, which is the date of the Board of County Commissioners approval meeting.

Contract No. 190-0060-SS(AJM) in the annual amount of \$325,484.92 for a thirty-six month contract value of \$976,454.76. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

25. [20-1247A](#) Annual certificate of the Lealman Solid Waste Collection and Disposal District Non-Ad Valorem Assessment Roll.

Recommendation: Approval of the annual certificate of the Lealman Solid Waste Collection and Disposal District Non-Ad Valorem Assessment Roll.

- * Approval provides the Tax Collector authority to collect a non-ad valorem assessment from Lealman Community residential property owners for solid waste collection.
- * The Lealman Solid Waste Collection and Disposal District was created in 2006.
- * The current assessment fee is \$16.00 per month per unit through December 31, 2021.
- * County Recycling, Inc. is the current contracted service provider and is providing satisfactory service.

Authorize the Chairman to certify the Non-Ad Valorem Assessment Roll to the Tax Collector prior to September 15, 2020.

COUNTY ATTORNEY

26. [20-1301A](#) Initiation of litigation in the case of Pinellas County v. Kristine Wilder - action for protection of an animal.

Recommendation: Approval and ratification of authorization for the County Attorney to initiate litigation against Kristine Wilder.

27. [20-1352A](#) Proposed initiation of litigation in the case of Anthony Knaver v. Bruce A. Mills; HUD Case No. 04-20-9950-8; PC Case No. 20-007 - alleged housing discrimination.

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

28. **20-1376A** Resolution regarding the Pinellas County School Board's proposed referendum question to continue an additional one-half mill levy.

Recommendation: Adoption of a superseding resolution placing the Pinellas County School Board's proposed referendum question to continue an additional one-half mill levy on the November 3, 2020 General Election ballot.

29. [20-1171A](#) County Attorney Reports.

COUNTY ADMINISTRATOR REPORTS

30. [20-1170A](#) County Administrator Reports:
- Hurricane Update

COUNTY COMMISSION

31. [20-1088A](#) Appointment/reappointment to the Pinellas County Housing Finance Authority (Board of County Commissioners as a whole).

Recommendation: Approve one appointment/reappointment to the Pinellas County Housing Finance Authority for a four-year term.

* Names can be viewed on the attached list.

* The Chair has ballots.

32. [20-1172A](#) 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 person – 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. Virtual participants 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. 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 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.