

Pinellas County Board of County Commissioners

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Virtual Regular Meeting Agenda

Tuesday, October 6, 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. [20-1736A](#) Case No. CW 20-13 - Pinellas County (Residential Rural)
Countywide Plan Map amendment from Residential Very Low to Residential Rural, regarding 2,919.5 acres more or less, located in the East Lake Tarpon Community.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 20-13, a proposal by Pinellas County to amend the Countywide Plan Map from Residential Very Low to Residential Rural, regarding 2,919.5 acres more or less, located in the East Lake Tarpon Community.

* The East Lake Tarpon Community Overlay was established in the Pinellas County Comprehensive Plan in April 2012 as a means to maintain the community's low-density residential character and expansive open space.

* Much of the East Lake Tarpon area is designated as Residential Rural on the unincorporated Pinellas County future land use map, with a maximum density of 0.5 unit per acre.

* In 2015, an update to the Countywide Plan eliminated Residential Rural as a category on the Countywide Plan Map, allowing amendments from 0.5 unit per acre to 1 unit per acre to occur without approval of the Countywide Planning Authority.

* In February 2020, the Pinellas County Board of County Commissioners requested the restoration of the Residential Rural category in the Countywide Plan.

* Residential Rural was readopted into the Countywide Plan in August 2020 to allow local governments to apply the category in rural, low-density areas.

* The proposed amendment designates the Residential Rural category on the Countywide Plan Map for parcels in the amendment area, consistent with the current designation on the unincorporated Pinellas County future land use map.

* Forward Pinellas and the Planners Advisory Committee each voted to recommend approval of this proposal.

2. [20-1739A](#) Case No. CW 20-14 - Pinellas County (Downtown Palm Harbor)
Countywide Plan Map amendment from Activity Center, Employment, Office, Public/Semi-Public, Retail and Services, Residential Medium and Residential Low Medium to Activity Center, regarding 63.8 acres more or less, located in downtown Palm Harbor.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 20-14, a proposal by Pinellas County to amend the Countywide Plan Map from Activity Center, Employment, Office, Public/Semi-Public, Retail and Services, Residential Medium and Residential Low Medium to Activity Center, regarding 63.8 acres more or less, located in downtown Palm Harbor.

* The amendment area is comprised of properties in Downtown Palm Harbor, generally located east of 8th Street, south of Pennsylvania Avenue, west of Omaha Street and north of Wisconsin Avenue.

* The amendment area is included in the Downtown Palm Harbor Master Plan which was updated in 2018/2019 timeframe. A key recommendation included in the update of the Master Plan was the expansion of the existing Activity Center-Neighborhood designation, hence the proposed amendment.

* The amendment will also update the Downtown Palm Harbor Master Plan to allow for the establishment of a form based code to guide development and amend the maximum density/intensity standard to an all-inclusive 1.5 floor area ratio.

* The Master Plan update provides a more holistic, integrated approach to planning for the greater downtown area and the transition to surrounding residential neighborhoods.

* The proposed amendment establishes one contiguous planning area with consistent regulations and incorporates the entire Historic District.

* The proposed amendment creates a better-connected mixed-use area that enhances pedestrian safety, protects the historic character, and incentivizes economic development.

* Specific benefits to property owners that will become available:

- o Updated parking standards and administrative flexibility to encourage redevelopment on smaller sites

- o Updated allowable uses by zoning district to encourage residential, commercial, and mixed-use development supportive of the creation of a walkable historic neighborhood.

- o Increased maximum Floor Area Ratio, which allows for additional residential units and non-residential square footage.

- o Potential for additional building height

- o Process Improvements reducing the need for public hearings for new development/redevelopment.

* Forward Pinellas and the Planners Advisory Committee each voted unanimously to recommend approval of this proposal.

* The Board of County Commissioners, at its July 21, 2020 meeting, approved the transmittal of two ordinances to the Department of Economic Opportunity for state agency review.

3. [20-1740A](#) Case No. CW 20-15 - City of Largo
Countywide Plan Map amendment from Public/Semi-Public to Retail and Services, regarding 4.36 acres more or less, located at 4825 East Bay Drive.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 20-15, a proposal by the City of Largo to amend the Countywide Plan Map from Public/Semi-Public to Retail and Services, regarding 4.36 acres more or less, located at 4825 East Bay Drive.

- * The subject property is currently church owned.
- * The existing church and land use designation is considered anomalous and inconsistent with the majority of land uses on East Bay Drive.
- * The subject property is intended to be redeveloped with new retail commercial uses.
- * A Development Agreement will restrict the development to lower intensity than is allowed by the local land use designation in order to reduce impacts of the redevelopment to the adjacent neighborhood.
- * Forward Pinellas and the Planners Advisory Committee each voted unanimously to recommend approval of this proposal.

BOARD OF COUNTY COMMISSIONERS

4. [20-1675A](#) Resolution approving the use of the State Uniform Non-Ad Valorem Collection Method, pursuant to F.S. §§ 197.3632, 197.3635, for the dredging of the southern entrance to the Shell Key Grand Canal.

Recommendation: Adoption of a resolution approving the use of the State Uniform Non-Ad Valorem Collection Method, pursuant to F.S. §§ 197.3632, 197.3635, for the dredging of the southern entrance to the Shell Key Grand Canal. The resolution:

- * Directs staff to estimate project costs and develop assessment methodology.
- * Directs staff to petition property owners to confirm interest in the assessment.
- * Directs the County Attorney to prepare interlocal agreements with the Tax Collector and Property Appraiser for assessment administrative costs.
- * Provides for mailing of the resolution to the Tax Collector, Property Appraiser, and State Department of Revenue.

CITIZENS TO BE HEARD

5. [20-1649A](#) Public Comment.

CONSENT AGENDA - Items 6 through 15

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

6. [20-1849A](#) Minutes of the virtual regular meetings held August 11 and August 20, 2020.
7. [20-1851A](#) Vouchers and bills paid from August 23 through September 12, 2020.

Reports received for filing:

8. [20-1852A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-16 dated September 11, 2020 - Follow-Up Audit of the Pinellas County Purchasing Card Program.
9. [20-1853A](#) Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2020-17 dated September 18, 2020 - Inspector General's Observation of the William E. Dunn Water Reclamation Facility's Annual Physical Inventory of Fixed Assets.

COUNTY ADMINISTRATOR DEPARTMENTS

Administrative Services

10. [20-642A](#) Ranking of firms and agreements for requirements of continuing construction engineering and inspection consultant services.

Recommendation: Approval of the ranking of firms and agreements with each of the three highest ranked firms, as listed below, for requirements of construction engineering and inspection consulting services:

- 1.) AECOM Technical Services, Inc.
- 2.) Curtoom Companies, Inc.
- 3.) KCI Technologies, Inc.

* The purpose of this continuing Consultant Competitive Negotiation Act (CCNA) contract is to have available professional engineering and inspection services for the delivery of various projects programmed in the County's Capital Improvement Program.

* This contract will primarily be utilized by the Facilities and Real Property Division of the Department of Administrative Services for construction oversight and inspection of vertical construction projects.

* Award recommendation is for agreements with three firms per CCNA requirements; the upset limit over the five-year term is \$1,666,666.67 for each firm for a total of \$5,000,000.00.

* The award and agreement do not guarantee work to the firm(s).

* Curtoom is a certified Small Business Enterprise (SBE); AECOM and KCI have committed to utilizing multiple certified SBE's for engagements resulting from this contract. Percentage goals are not established for CCNA continuing contracts. When the County utilizes a firm for an engagement, the requesting department, working with Economic Development will ensure SBE's are utilized.

Contract No. 190-0376-CN (JJ); the upset limit over the five-year term is \$1,666,666.67 for each firm, for a five-year total of \$5,000,000.00. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Economic Development

11. [19-2278A](#) Ranking of firms and agreement with Beck Architecture, LLC for professional architectural services pertaining to the Tampa Bay Innovation Center Incubator project.

Recommendation: Approval of the ranking of firms and agreement for professional architectural services for the Tampa Bay Innovation Center Incubator project with the top ranked firm, Beck Architecture, LLC (Beck).

* This contract is for professional architectural services consisting of conceptual and schematic design, design development, construction documents, and construction administration services for the Tampa Bay Innovation Center Incubator project.

* Award recommendation to Beck is per the Consultant Competitive Negotiation Act in the amount of \$1,071,816.00.

* The funding for professional architectural services is derived from General Fund and/or Penny for Pinellas Infrastructure Sales Surtax (38%) and from a U.S. Economic Development Administration (EDA) grant (62%).

* Small Business Enterprise requirements were not included in this solicitation due to local preference restrictions per EDA grant requirements.

Contract No. 190-0140-NC (SS); in the amount of \$1,071,816.00, to be completed no later than October 29, 2023, through construction completion. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

12. [20-1723A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Judy Palmer v. Pinellas County, et al.; Circuit Civil Case No. 20-004061-CI-15 - 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 Judy Palmer v. Pinellas County, et al.

13. [20-1774A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Nicole Davis v. Pinellas County; Circuit Civil Case No. 20-002246-CI-15 - 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 Nicole Davis v. Pinellas County.

14. [20-1775A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Carlos Raul Bello Noguera a/k/a Karla Bello v. Pinellas County, et al.; US District Court, Middle District Case No. 8:20-cv-02005-TPB-AEP - allegation of constitutional violations.

Recommendation: Receive and file notice of new lawsuit and defense of the same by the County Attorney in the case of Carlos Raul Bello Noguera a/k/a Karla Bello v. Pinellas County, et al.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

15. [20-1741A](#) Countywide Plan Map adjustment submitted by the City of Safety Harbor.

Recommendation: Sitting as the Countywide Planning Authority, accept the Countywide Plan Map adjustment submitted by the City of Safety Harbor.

* The City of Safety Harbor is requesting a map adjustment to a property located at 2200 Marshall Street.

* The subject property includes 30.03 acres, of which 25.06 upland acres are designated Public/Semi-Public, and the remaining 4.97 acres are designated Preservation, of which 0.104 acres located on the east of the property have been identified as upland upon review.

* The City has received an Environmental Resource Permit from the Southwest Florida Water Management District, confirming 0.104 acres as upland, resulting in a change of designation from Preservation to Public/Semi-Public.

* The request meets the requirements of the map adjustment process and is submitted for official acceptance.

* Forward Pinellas and the Planners Advisory Committee each unanimously recommended approval of this map adjustment.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

16. [20-1874A](#) Local State of Emergency.

County Administrator

17. [20-1731A](#) Resolution designating job titles of potential Code Enforcement Officers or Inspectors.

Recommendation: Approval of the resolution designating job titles of potential Code Enforcement Officers or Inspectors.

* Florida law authorizes designation of code enforcement officers for enforcement of county code violations.

* Pinellas County has historically designated employees in code enforcement officer and inspector positions by resolution. The last update to the designated list was in 2010 and with the passage of time, an update is warranted.

* Designated code enforcement officer employees are eligible under Florida law to be assigned a protected class designation for purposes of protecting their home addresses, telephone numbers, places of employment, dates of birth, photographs and those of their spouses and children, including day care facility address, from public record.

* The resolution also directs Human Resources to assign these employees to a protected class designation.

Safety and Emergency Services

18. [20-1454A](#) Extension of the Pinellas County Technical Rescue Team Agreement with the Cities of Clearwater, Largo, Pinellas Park and St. Petersburg.

Recommendation: Approval of the extension of the Pinellas County Technical Rescue Team (TRT) Agreement between the County and the Cities of Clearwater, Largo, Pinellas Park and St. Petersburg.

* The current TRT Agreement was executed on September 27, 2016 and is due to expire on September 30, 2020 with an option for a five-year renewal.

* Article IX, Section 903 provides that the Parties may modify the Agreement by written agreement duly executed by the Parties with the same formality and it is the desire of the Parties to modify the terms of the TRT Agreement to allow for a one year extension with a new expiration date of September 30, 2021 and hereby agree to waive the provision of the TRT Agreement which provides for a five year renewal term.

* The Contractors and the County have mutually agreed to evaluate the training program and funding levels to meet the various technical rescue training components including trench rescue, structure collapse, urban search and rescue, high angle / rope rescue, swift water rescue, machinery and industrial extrication, and technical rescue medical specialist during the next fiscal year.

* The Contractors and the County agree that, except as provided herein, upon approval of this Extension, all terms of the TRT Agreement will remain in force and effect as if the original term extended to September 30, 2021.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

19. [20-1673A](#) Purchase authorization with Level 3 Telecom Holdings, LLC for information technology equipment, software, and services.

Recommendation: Approval of the purchase authorization with Level 3 Telecom Holdings, LLC, as requested by the Business Technology Services (BTS) Department, for information technology equipment, software, and services.

- * This purchase authorization consolidates and replaces two prior contracts into one, bringing trunking services and enterprise wide internet services onto the same schedule, with the same terms, and providing administration of contract services under one agreement for a 5-year term.
- * Annual expenditures are not anticipated to increase with this agreement for existing services.
- * This purchase authorization is not an extension request, rather a replacement of the current agreement.
- * This purchase authorization provides Internet access and data connectivity services to more than sixty County locations in support of the Board of County Commissioners, all independent agencies and Constitutional Officers throughout the BTS Enterprise Network Services.
- * It also enables BTS to maintain continuous support to County service locations which include planned changes, implementation of existing services, location modifications and throttle backup services to the Spectrum/Bright House Network providing for redundant internet and data services critical to County operations in the event of a Spectrum service outage.
- * Pricing, terms and conditions of this purchase authorization request are per General Services Administration Contract No. GS-35F-0426R.

Contract No. 190-0330-G(SB) in an amount not to exceed \$4,579,000 through March 17, 2025. Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

Emergency Medical Services Authority

20. [20-1615A](#) Amendment to the Emergency Medical Services Advanced Life Support First Responder Agreement with the City of St. Petersburg.

Recommendation: Sitting as the Pinellas County Emergency Medical Services (EMS) Authority, approve Amendment 1 to the Advanced Life Support (ALS) First Responder Agreement with the City of St. Petersburg (Contractor).

* Section 709(a) of the agreement provides for the approval of Authority funded units. The Contractor is converting two existing 12-hour ALS Units (Medic 1 and Medic 3) to civilian Paramedic staffing. Through the resultant cost savings, the Contractor is able to add an additional 12-hour ALS Unit, Medic 7, at no additional cost to the Authority. The Contractor will provide the response vehicle for Medic 7 utilizing Contractor held EMS funds.

* Section 701(c) of the agreement provides for reimbursement caps for rescue units. Authority and Contractor are transitioning from standard rescue units to rescue units with a lifetime warranty for the utility compartment which may be remounted at the end of the useful life of the chassis. Re-mountable rescue units are anticipated to save significantly more over time than the additional upfront cost. Contractor and Authority agree the Fiscal Year (FY) 2020-2021 re-mountable rescue unit amount is capped at \$230,000.00. Contractor and Authority further agree that the reimbursement amount for Rescue 5 and Rescue 10 procured in FY19-20 and scheduled for delivery in FY20-21 and vehicles procured in FY20-21 are subject to the reimbursement cap of \$230,000.00 to begin the transition to re-mountable rescue units.

Authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

COUNTY ATTORNEY

21. [20-1727A](#) Proposed settlement in the case of Dino Hadzihusic v. Pinellas County; Circuit Civil Case No. 19-005534-CI-20.

Recommendation: Consideration of the proposed settlement in the case of Dino Hadzihusic v. Pinellas County.

22. [20-1783A](#) Proposed settlement in the case of Corey Gourdine and Sakria Gourdine v. Pinellas County; Circuit Civil Case No. 14-006708-CI-13.

Recommendation: Consideration of the proposed settlement in the case of Corey Gourdine and Sakria Gourdine v. Pinellas County.

23. [20-1650A](#) County Attorney Reports.

COUNTY ADMINISTRATOR REPORTS

24. [20-1651A](#) County Administrator Reports.

COUNTY COMMISSION

25. [20-1620A](#) Appointment to the Pinellas County Construction Licensing Board (Board of County Commissioners as a whole).

Recommendation: Approve one appointment to the Pinellas County Construction Licensing Board (PCCLB) for the remainder of the existing term ending September 30, 2021.

- * One appointment of a South County Building Official to the PCCLB
- * Donald L. Tyre
- * Chair has the ballots

26. [20-1652A](#) County Commission New Business Items:
- Annual Performance Review of the County Administrator

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.