

Pinellas County Board of County Commissioners

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



Regular Meeting Agenda

Tuesday, February 5, 2019
9:30 AM

Karen Williams Seel, Chair
Pat Gerard, Vice-Chair
Dave Eggers
Charlie Justice
Janet C. Long
Kathleen Peters
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 Reverend J.C. Pritchett, Faith Church, St. Petersburg.****PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. [19-075A](#) National 211 Day Proclamation:
- Micki Thompson, President/CEO, 211 Tampa Bay Cares, Inc.
2. [19-076A](#) Doing Things! Employee Recognition Award:
- Scott Rintz, Safety Specialist, Risk Management
3. [19-083A](#) Partner Presentation:
- Elliott Steele, Founder, Vincent House
- Bob Dillinger, Board Member, Vincent House

PUBLIC HEARINGS**BOARD OF COUNTY COMMISSIONERS**

4. [18-2114A](#) Resolution supplementing the Fiscal Year (FY) 2019 Budget for unanticipated fund balances in the Surface Water Utility, Capital Projects, Airport Revenue and Operating, and Solid Waste Renewal and Replacement Funds.

Recommendation: Conduct a public hearing and adopt the attached resolution recognizing and appropriating unanticipated fund balance in Surface Water Utility, Capital Projects, Airport Revenue and Operating, and Solid Waste Renewal and Replacement Funds in the FY19 budget as outlined in the staff report.

* The resolution carries forward unanticipated lapsed appropriation into the FY19 Budget for projects that did not progress as anticipated in FY18 as follows: Surface Water Utility Fund \$700,000.00; Capital Projects Fund \$12,907,620.00; Airport Revenue and Operating Fund \$4,928,890.00; Solid Waste Renewal and Replacement Fund \$15,969,420.00.

* Generally, unanticipated fund balances result when actual expenditures are less than those estimated during the budget development process and/or revenues exceed those anticipated. The FY19 actual beginning fund balances have exceeded the budget in the funds identified due principally to changes in project scheduling not anticipated during budget development.

* The resolution also reduces the FY19 Capital Budget for projects which progressed ahead of schedule in FY18.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Countywide Planning Authority

5. [19-066A](#) Case No. CW 19-01 - Pinellas County
Countywide Plan Map amendment from Residential Low Medium to Public/Semi-Public, regarding 2.9 acres more or less, located at 2897 Belcher Road, Dunedin.

Recommendation: Sitting as the Countywide Planning Authority, adopt an ordinance approving Case No. CW 19-01, a proposal by Pinellas County to amend the Countywide Plan map from Residential Low Medium to Public/Semi-Public, regarding 2.9 acres more or less, located at 2897 Belcher Road, Dunedin.

* The subject property is part of a larger 9.59-acre parcel that is home to the Clearwater Community Church.

* The northern 6.69 acres of the church property have an existing future land use designation of Public/Semi-Public but the southern 2.9 acres have an existing future land use designation of Residential Low Medium.

* The purpose of the amendment is to provide for a consistent land use designation across the entirety of the church property.

* The amendment area contains four small buildings that are used for church-related functions (i.e., offices, single family home, etc.) and there are no plans to further develop the property at this time.

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

CONSENT AGENDA

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

6. [19-158A](#) Minutes of the regular meeting held January 8, 2019.
7. [19-160A](#) Vouchers and bills paid from December 30, 2018 through January 19, 2019.

Reports received for filing:

8. [19-161A](#) Juvenile Welfare Board Quarterly Financial Statements for the period ended December 31, 2018.

COUNTY ADMINISTRATOR DEPARTMENTS

Planning

9. [18-517A](#) Ranking of firms and Agreement with 11 firms for requirements of Planning Department support services.

Recommendation: Approval of the ranking of firms and execution of Agreements with eleven (11) firms for requirements of Planning Department support services. The expenditure associated with each firm is based on a five (5) year total per Planning Department estimates based on discipline:

1. HCP Associates, Inc. \$200,000.00
2. HDR Engineering, Inc. \$875,000.00
3. Kimley-Horn and Associates, Inc. \$750,000.00
4. Redevelopment Management Associates, LLC \$500,000.00
5. Renaissance Planning Group, Inc. \$625,000.00
6. S.B. Friedman & Company \$200,000.00
7. Stantec Consulting Services, Inc. \$500,000.00
8. The Corradino Group, Inc. \$250,000.00
9. Tindale-Oliver & Associates, Inc. \$250,000.00
10. Wade Trim, Inc. \$500,000.00
11. Wantman Group, Inc. \$1,000,000.00

* Contract with 11 firms for Planning function support services with a five year estimated expenditure of \$5,650,000.00.

* The contract provides the Planning Department with as-needed consultant services for nine major disciplines as outlined in the staff report below.

* It will greatly assist the Planning Department to meet activity goals over the next 2-3 years including updates to the Comprehensive Plan and Lealman CRA activities.

Public Works

10. [18-2140A](#) Cooperative Funding Agreement with the Southwest Florida Water Management District for construction of the Roosevelt Creek Channel 5 improvements.

Recommendation: Approval of the Cooperative Funding Agreement (Agreement) with the Southwest Florida Water Management District (SWFWMD) for construction of the Roosevelt Creek Channel 5 Improvements.

* SWFWMD to contribute up to \$357,571.00 toward the total construction cost of this project.

* The primary goal of this project is to create a more natural hydrological connection between Roosevelt Creek Channel 5 and Old Tampa Bay.

* The goal will be accomplished by lowering an existing salinity weir and the clearing of exotic and invasive vegetation.

SWFWMD Agreement No. 19CF0001790, County PID No. 002123A, SWFWMD construction funding amount \$357,571.00. Authorize the Chairman to sign and the Clerk of the Court to attest.

Risk Management

11. [19-034A](#) Quarterly report of claim settlements for the period of October 1 through December 31, 2018.

Recommendation: Acceptance of the receipt and file of the quarterly report of claim settlements for the period of October 1 through December 31, 2018.

COUNTY ATTORNEY

12. [19-057A](#) Notice of new lawsuit and defense of the same by the County Attorney in the case of Linda Jones v. Pinellas County; Circuit Civil Case No. 18-008205-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 Linda Jones v. Pinellas County; Circuit Civil Case No. 18-008205-CI-13.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

13. [19-060A](#) Ratification of the County Administrator's approval and authorization of the submission of applications authorizing continuation of a \$4.50 Passenger Facility Charge at the St. Pete-Clearwater International Airport.

Recommendation: Ratification of the County Administrator's approval authorizing St. Pete-Clearwater International Airport (PIE) to submit Passenger Facility Charge (PFC) applications #4, #5, and #6 to the Federal Aviation Administration (FAA) to allow continued collection of the PFC fees to fund FAA approved projects.

Due to exigent circumstances, the County Administrator signed these applications in order to expedite processing. This item is now before the Board of County Commissioners (Board) for ratification of the County Administrator's approval of these applications.

* On December 11, 2018, the Board approved Resolution 18-102 which authorized PIE to submit a Passenger Facility Charge (PFC) application to allow the imposition and collection of a new PFC in the amount of \$13,574,684.00 (Legistar #18-1778A).

* Each passenger flying into and out of PIE gets charged a \$4.50 PFC on their airline ticket that funds FAA-approved capital projects.

* FAA requested that we phase the single application into three separate applications that add up to the \$13,574,684.00. This action requires three separate application forms be executed.

* Application #4 is in the amount of \$11,390,230.00; Application #5 will be in the amount of \$1,434,454.00; and Application #6 will be in the amount of \$750,000.00.

* The County Administrator needed to sign the application to expedite processing.

* Requesting the Board ratify the County Administrator's approval of these applications.

Management and Budget

14. [19-022A](#) FY19 Board Budget Amendment No. 2 to realign appropriation from Reserves within the General Fund, Emergency Medical Services Fund, Emergency Communications E-911 System Fund, and Sewer Renewal and Replacement Fund to various departments and agencies.

Recommendation: Approval of the FY19 Board Budget Amendment No. 2 realigning appropriation from Reserves to various departments and agencies within the General Fund, Emergency Medical Services Fund, Emergency Communications E-911 System Fund, and Sewer Renewal and Replacement Fund.

* The amendment realigns Reserves for Contingencies from the General Fund (\$1,172,080.00), Emergency Medical Services Fund (\$324,530.00), Emergency Communications E-911 System Fund (\$43,000.00), and Sewer Renewal and Replacement Fund (\$241,750.00) and increases department budgets.

* Realignments are necessary to complete acquisition of vehicles and equipment that were ordered, but not received, prior to FY18 year end and to continue projects and grants with unexpended funds received in prior year(s).

* As requested by the Sheriff, realignment of funds from the Reserve for Contingencies in the General Fund that were earmarked for the Electronic Medication Administration Record (EMAR) system and for the continuation and completion of grant projects.

Office of Technology and Innovation

15. [19-030A](#) First Amendment to the purchase authorization with Woolpert, Inc. for the implementation of Cityworks as an Enterprise Asset Management technology solution.

Recommendation: Approval of the First Amendment to the purchase authorization with Woolpert, Inc. (Woolpert) for the implementation of Cityworks as an Enterprise Asset Management (EAM) technology solution.

* The original purchase authorization for a comprehensive EAM program was approved by the Board of County Commissioners (Board) on June 21, 2016 in the amount of \$6,547,551.94.

* The First Amendment increases the purchase authorization to \$11,102,525.00, an increase of \$4,554,973.06.

* As a result of discovery conducted in Phase 1 of the original purchase authorization, this amendment is an alternate approach to best implement software and train all users.

* This amendment includes \$1,047,057 for GIS readiness support, which was in the County's responsibility and was not included in the original contract.

* Original contract billed to date is \$3,292,422.20.

* Pricing is per General Services Administration (GSA) contract GS-35F-0425P. Project completion is anticipated for December 31, 2021.

* EAM Project Funding budgeted over multiple years and is derived from a combination of General, Special Revenue and Enterprise Funds.

Parks and Conservation Resources

16. [18-2085A](#) Air Quality Consent Order A18-037 with Stephen P. Rivera, owner of a 10-unit apartment building located at 306 129th Avenue East, Madeira Beach.

Recommendation: Approval to execute a Consent Order to resolve an asbestos case with Stephen P. Rivera (Respondent).

* Multiple violations of asbestos regulations had occurred related to handling and the controlling of emissions of asbestos during the renovation activities at the referenced 10 unit apartment building.

* The Respondent took steps to bring the facility back into compliance once made aware of the violations. The exterior of the facility has been cleaned up, the Consent Order requires the owner to submit a required notification for interior clean up in the future.

* The financial benefit component (\$26,000.00) has been removed from the penalty calculation as the costs of remediation will exceed any possible benefit.

* The Consent Order includes a penalty of \$33,500.00. The Respondent agrees to pay the penalty in three installments.

Real Estate Management

17. [18-2133A](#) Electric Vehicle Site Host Agreement with Duke Energy Florida, LLC.

Recommendation: Approval of the Electric Vehicle Site Host Agreement (Agreement) with Duke Energy Florida, LLC (Duke).

* The Agreement is necessary for the County to participate in Duke's Park and Plug Program (Program).

* Nine potential County locations have been identified to participate in the Program.

* Duke will install, own, operate, maintain, and support electric vehicle supply equipment within their Florida service area.

* Duke will record system data to evaluate charging behavior and provide Program evaluations to the Florida Public Service Commission on an annual basis.

* There will be no cost for County vehicles to charge at the stations.

Utilities

18. [19-088A](#) Waiver of 30-day notice and decline of arbitration related to the Eldridge-Wilde Wellfield Pumps and Motors replacement project with Tampa Bay Water.

Recommendation: Waive the 30-day notice and decline arbitration of the Environmental Resource Permit (ERP) application for the Eldridge-Wilde Wellfield Pumps and Motors Replacement Project with Tampa Bay Water (TBW).

* Staff has no concerns over the proposed project or ERP application by TBW.

* Proposed project is for the replacement of pumps, motors, some well houses, and improvements to some roads and impervious surface areas around the well houses.

* The ERP permitting process protects the County's interests and allows an arbitration period for impacted stakeholders if requested.

19. [19-038A](#) Utility Work by Highway Contractor Agreement and Three Party Escrow Agreement with the Florida Department of Transportation for the State Road 699/Gulf Boulevard project, from Park Boulevard to Walsingham Road.

Recommendation: Approval of the Utility Work by Highway Contractor Agreement and Three Party Escrow Agreement with the Florida Department of Transportation (FDOT) for the State Road 699/Gulf Boulevard Project, from Park Boulevard to Walsingham Road.

- * Work is for relocation of underground water, sewer, and reclaimed water infrastructure to accommodate drainage and roadway improvements by FDOT within their right-of-way.
- * All work is expected to be completed within 430 consecutive calendar days.
- * The Agreement includes 2% FDOT administrative fee for mobilization and maintenance of traffic, plus 10% contingency to address any unforeseen circumstances during construction activities.

County PID No. 003748A and FDOT Financial Project ID No. 436697-1-56-01 for an amount not to exceed \$8,564,547.57. Authorize the Chairman to sign and the Clerk of the Court to attest.

COUNTY ADMINISTRATOR

20. [19-078A](#) County Administrator Miscellaneous.

COUNTY ATTORNEY

21. [19-079A](#) County Attorney Miscellaneous.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Human Resources

22. [19-006A](#) Restated §457 Deferred Compensation Plan administered by the Hartford Life Insurance Company (now MassMutual).

Recommendation: Approval of the restated Deferred Compensation Plan (Plan) document, as requested by the Human Resources (HR) Department, to allow a separated participant to roll funds into the Plan after separation.

- * The restated Plan Document allows a Plan participant who has separated from service, and has an account balance, to roll funds from another eligible retirement plan into the County's Plan administered by Hartford (now MassMutual).
- * According to HR, the County's other 457 Deferred Compensation Plans (ICMA, Nationwide, and VALIC) already allow a separated plan participant with a balance to roll funds into their plans.
- * According to HR, there are no impacts to employee costs and no cost to the County for this change.

COUNTY ADMINISTRATOR REPORTS

23. [19-077A](#) County Administrator Reports:
- Small Business Enterprise (SBE) Program
- PLANPinellas Status Update
- Young-Rainey STAR Center

CITIZENS TO BE HEARD

24. [19-082A](#) Public Comment.

COUNTY COMMISSION

25. [19-109A](#) Appointment to the Pinellas County Historical Commission (Individual Appointment by Commissioner Long).
Recommendation: Approval of one appointment for Tina Bucuvalas to the Pinellas County Historical Commission for a term which is concurrent with that of Commissioner Long.
26. [19-080A](#) County Commission New Business Items.
27. [19-081A](#) County Commission Board Reports and Miscellaneous.

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 5 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 proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings 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.