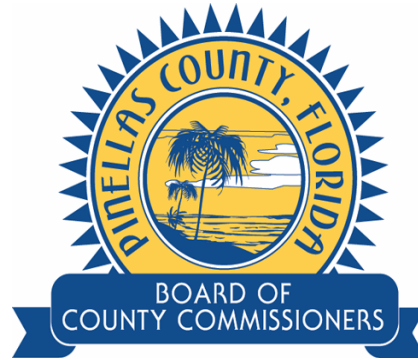


Pinellas County

315 Court Street
Clearwater, Florida 33756



Minutes - Final

Thursday, February 22, 2018

9:30 AM

Joint BCC/Federal Delegation Meeting
Clerk's Conference Room, 4th Floor

Board of County Commissioners - Work Session

Kenneth T. Welch, Chairman
Karen Williams Seel, Vice-Chairman
Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Morroni

ROLL CALL - 9:39 A.M.

Members Present:

Board of County Commissioners – Chairman Kenneth T. Welch, Vice-Chairman Karen Williams Seel, Dave Eggers, Pat Gerard, Charlie Justice, Janet C. Long, and John Morroni.

Federal Legislative Delegation – Representative Gus Bilirakis (arrived at 9:55 A.M.), Representative Charlie Crist, Regional Director Shahra Anderson representing Senator Bill Nelson, and Regional Director Jonathan Torres representing Senator Marco Rubio (arrived at 9:55 A.M.).

Not Present: Senator Bill Nelson and Senator Marco Rubio.

Others Present: Jewel White, County Attorney; Mark S. Woodard, County Administrator; Charles W. Thomas, Tax Collector; Mike Twitty, Property Appraiser; Brian Lowack, Intergovernmental Liaison; other interested individuals; and Jenny Masinovsky, Board Reporter, Deputy Clerk.

1. Welcome

- Kenneth T. Welch, Chairman, Board of County Commissioners
- Representative Gus Bilirakis, District 12
- Representative Charlie Crist, District 13
- Shahra Anderson, Regional Director, Senator Bill Nelson
- Jonathan Torres, Regional Director, Senator Marco Rubio

Chairman Welch opened the joint meeting of the BCC and the Pinellas County Federal Legislative Delegation and thanked everyone for attending, noting that Representative Bilirakis and Mr. Torres would be arriving shortly; whereupon, at his request, those in attendance introduced themselves.

At the Chairman's request for opening comments, Representative Crist remarked on the recent school shooting in Parkland, Florida, expressing grief for the victims and hope that it is a breakthrough moment in the nation's history for common sense solutions to be implemented by federal and state lawmakers to stop the continuing tragedies of mass shootings. Chairman Welch indicated that while the Board does not yet have an official position on the matter, which will be discussed under the *Emerging Issues* agenda item, it shares the Representative's concerns; whereupon, he thanked Senators Nelson and Rubio for offering solutions regarding the matter during yesterday's CNN town hall meeting, noting that Pinellas County is no different from other places where mass shootings have occurred; and that loopholes associated with gun laws seem illogical to the majority of people. Commissioner Long expressed her desire to wait until Representative Bilirakis arrives to further discuss the matter and stated that she is troubled that Senators Nelson and Rubio have not attended any of the joint meetings of the BCC and Federal Legislative Delegation.

In response to query by Chairman Welch, Mr. Woodard recommended that the meeting begin with an overview of the Federal Legislative Program while the members await the arrival of Representative Bilirakis and Mr. Torres.

2. Overview of County's Federal Legislative Program
 - National Outer Continental Shelf Oil and Gas Leasing Program
 - National Flood Insurance Program
 - National Infrastructure Plan

National Infrastructure Plan

Mr. Lowack stated that while pursuing public-private partnerships in the areas of infrastructure and transportation is a priority for the County, the proposed national infrastructure plan may put local governments at a disadvantage; whereupon, he indicated that the Commission requests that federal funding for infrastructure incentive initiative projects be increased; and that local governments not be penalized for already having their existing local revenue sources in place for the funding of projects.

Chairman Welch voiced concerns regarding the plan in which 80 percent of the national infrastructure funding comes from local and state governments, noting that local funds are limited; that Penny for Pinellas money, shared between the County and the cities, is intended only for local capital needs; and that the County is facing a \$17 million reduction in revenue this year if the additional homestead exemption passes in November.

During discussion and responding to queries and comments by the members, Representative Crist indicated that he strongly agrees that the federal government should bear the lion's share of infrastructure costs, as it traditionally has; and that funds previously proposed for infrastructure were used to fund the federal tax cut that was passed last year. Chairman Welch and Commissioner Long discussed the damaging effect of continual federal and state funding cuts on basic services provided by the County and its municipalities; whereupon, Commissioner Eggers stressed the fundamental importance of local and national infrastructure and lack of commitment to its improvement during the recent federal administrations, Republican and Democrat alike.

Representative Bilirakis indicated that infrastructure improvement is one of the President's and his own priorities; that it is a bipartisan issue that needs to be debated; and that other priorities include school safety, the Deferred Action for Childhood Arrivals program (DACA), and transportation; whereupon, he discussed the following initiatives he championed or co-sponsored last year:

- The Children's Health Insurance Program (CHIP) was reauthorized for another ten years. The buy-in program offers health insurance at a discounted rate for families whose income is too high to qualify for benefits.
- The Community Health Centers Program, which includes mental, dental, and substance abuse services, was reauthorized in the amount of \$4 billion.
- The \$2,000 per year Medicare cap on physical therapy services has been lifted.
- Penalties for Medicare and Medicaid fraud have been increased.

In addition, Representative Bilirakis indicated that he will continue working on the opioid crisis as a member of the Energy and Commerce Committee, where it is a priority.

National Outer Continental Shelf Oil and Gas Leasing Program

Mr. Lowack referred to a document titled *Pinellas County Board of County Commissioners 2018 Federal Legislative Program* and related that the Commission is opposed to oil and gas drilling in the eastern Gulf of Mexico; and that it submitted comments and a resolution stating its opposition and supporting the extension of the current moratorium on drilling to the Bureau of Ocean Energy Management (BOEM); whereupon, Mr. Lowack and Chairman Welch thanked the Delegation for its unanimous support on the issue.

Echoing the importance of opposing the drilling, Representative Crist recalled the damages caused by the Deepwater Horizon Oil Spill in the Gulf of Mexico several years ago and emphasized the dependency of the economy on the environment. Representative Bilirakis noted that it is a bipartisan effort; and that he signed the bills to extend the moratorium on drilling in the eastern Gulf of Mexico, as well as along the Atlantic Ocean side of the state.

National Flood Insurance Program (NFIP)

Mr. Lowack indicated that the Commission has concerns regarding the 21st Century Flood Reform Act; and that it will continue to advocate for the SAFE (Sustainable, Affordable, Fair, and Efficient) NFIP legislation in the Senate that Senators Nelson and Rubio are co-sponsoring.

During discussion and in response to queries and comments by the Commissioners, the delegation members and representatives indicated their positions as follows:

- *Representative Crist:* The Senate's SAFE NFIP bill is more consumer friendly than the legislation proposed in the House of Representatives.
- *Representative Bilirakis:* The Senate should act on the SAFE NFIP bill to move it to conference. He is supportive of the program and will not let it expire on March 23; it will probably be extended through the end of the fiscal year. He is also in favor of national catastrophic insurance and has co-sponsored legislation to promote it in the past; however, it has been blocked by the House Financial Services Committee Chairman for years.
- *Mr. Torres:* As a member of the Senate Committee on Appropriations, Senator Rubio is heavily focused on ensuring the allocation of federal money to the state in order to address the flooding problem, as the flood insurance issue would be lessened as a result. Mr. Torres and Representative Bilirakis agreed that addressing flooding in general is also part of the proposed infrastructure plan.

- *Ms. Anderson:* Sea level rise is an important factor to be considered with regard to flood insurance value. Florida is a donor state that pays five times more than its average neighboring states toward the NFIP, which needs to be changed. Senator Nelson has advocated for national catastrophic insurance in the past.

Commissioner Seel stressed the importance of having national catastrophic insurance, and Mr. Twitty noted that a lot of flooding occurs outside of the special flood hazard areas and emphasized the importance of a grant program to help the smaller municipalities not receiving Community Rating System discounts. He referred to a document summarizing the latest County NFIP data at the municipal level, including policy counts, coverage, premiums, median home values, and an update on parcel count breakdown by zones Pre- and Post- Flood Insurance Rate Map and indicated that the current House of Representatives NFIP legislation would increase the average monthly housing cost by approximately 15 to 30 percent; that while base flood elevations along the western side of the peninsula are going down by one to three feet, those elevations are increasing minimally in the Tampa Bay Estuary; and that preliminary FEMA maps will be distributed to the public in April.

Representative Bilirakis stated that he was advised that Pinellas County has met its mitigation requirements and would not be penalized with higher policy rates; whereupon, he requested that Harry Glenn, Van Scoyoc Associates, review the matter based on the information shared by Mr. Twitty.

During discussion, Representative Crist reiterated his concern regarding the national infrastructure funding proposal, pointing out that because Florida is a donor state on many programs, it should benefit more from them. Responding to query by Commissioner Long, Representative Bilirakis indicated that a two-year federal budget was passed and is a blueprint; and that he will obtain the information relating to the Pinellas Suncoast Transit Authority's funding request for a transportation initiative discussed during the Commissioner's last trip to Washington, DC, noting that a member of the House Committee on Appropriations, Florida Representative Mario Diaz-Balart, is transportation friendly.

3. Beach Nourishment Update - Laurel Reichold, US Army Corps of Engineers, Jacksonville District

U.S. Army Corps of Engineers Project Manager Laurel Reichold thanked the members for the meeting invitation. She conveyed that Colonel Jason Kirk, Commander and District Engineer, USACE, Jacksonville District, extends his regrets for being unable to attend, but that he is manning power restoration efforts in Puerto Rico; whereupon, the members praised Colonel Kirk for his collaborative efforts and sent their regards.

Ms. Reichold provided an overview of the beach nourishment project, indicating that the contractor, Norfolk Dredging, is scheduled to begin on April 15 at Treasure Island, then move northward to Sand Key, completing the work by a September timeframe; that almost

70 percent of the \$50 million contract is being contributed by the federal government; and that \$12 million and \$10 million was allocated following Hurricanes Hermine and Irma, respectively; whereupon, she noted that the condition of the beaches is dire and discussed the importance of the beach nourishment project to the county, and Representative Crist pointed out that Representative Bilirakis and he recently voted to add \$89 billion in disaster aid relief to the federal budget.

Responding to queries by Commissioners Long and Seel, Ms. Reichold discussed the background and strategy relating to the selection of areas for nourishment, noting that the project scope has not changed since the contract was awarded in September of last year; that it is up to the County to secure additional easements; that skipping areas is not beneficial for the beach; and that the Corps continues to be flexible, given the challenges associated with easement acquisition. She indicated that the project will take place mostly on public property; that remaining stretches of less than 1,500 feet would be reserved for future acquisition as necessary; that a survey reassessing the damages following the recent hurricanes would show if additional areas need nourishment; and that the survey results will be discussed with the County in the near future.

In response to query by Commissioner Morroni, Ms. Reichold indicated that based on the \$89 billion in supplemental funding, the \$700 million reduction in funding that the Corps proposed in the 2019 budget should not affect the state, and especially Pinellas County; whereupon, Commissioner Morroni thanked past and current Pinellas federal legislators for their support of beach nourishment, noting that it is a non-partisan issue; and that the beaches are vital to one quarter of the local workforce. Ms. Reichold indicated that the project will progress in 500-foot zones; that while beach closures will occur, they will last one to two days, and access to surrounding areas will be provided; that safety is a priority; and that a public meeting informing area residents of the upcoming project will be held on March 28 at Indian Shores Beach.

Ms. Reichold pointed out that one segment of the County beaches, Upham Beach, was not included in the contract; that it does not qualify for funding under the supplemental funding; and that the Corps is awaiting information regarding the prospects of \$2 million in federal and \$1 million in non-federal funding needed to add it to the work plan, noting that the beach would be nourished following groin construction that is underway.

Ms. Reichold provided information regarding dredging of John's Pass, Clearwater Pass, and the Anclote River, and how the spoil material would be used for nourishment projects, relating that the Corps is actively pursuing reauthorization of the Treasure Island Beach Nourishment Project through the ongoing Section 1037 Study, which would allow for a 15-year extension on Treasure Island's federal participation set to expire in April of 2025; and that the study will take two years and cost \$800,000, with an estimated \$400,000 County contribution; whereupon, she indicated that the next round of nourishment for County beaches is projected for the 2023-2024 timeframe.

Ms. Reichold related that although the Corps has been authorized to conduct the South Atlantic Coastal Comprehensive Study, \$16 million will need to be allocated through the

supplemental funding bill to pay for it. She related that the South Atlantic division includes Florida, Puerto Rico, and the Virgin Islands; and that the study will analyze risks to those areas due to varying levels of hazards, such as nuisance flooding, 100-year storm events, or Category 5 hurricane direct hits, and provide guidance as to implementing risk-reducing measures.

Representative Bilirakis discussed the importance of the Anclote River dredging, indicating that he was assured by Colonel Kirk and Chairman of the House Committee on Appropriations Rodney Frelinghuysen regarding funding for dredging to pre-hurricane status being included in the \$89 billion of supplemental funding; and that he is working with the Governor in an effort to obtain funding to dredge the entire river. Responding to queries and comments by Representative Bilirakis and Commissioner Eggers, Ms. Reichold indicated that the Corps has expressed the capability to execute dredging if funds are provided, and discussed the process of project review and funding approval; whereupon, she explained that while dredging to "pre-hurricane" standards is intended to address hurricane damage only, in practice, it would potentially restore the area to better than pre-hurricane condition, and Commissioner Justice noted that funds for dredging the Anclote River were included in the British Petroleum Oil Spill settlement allocations; and that it would be unforgivable to fragment the dredging over several years.

In response to query by Mr. Twitty, Coastal Resources Manager Andy Squires provided a brief update regarding the possibility of opening the closed passage at Shell Key Pass, indicating that a study of the pass and review by the Technical Advisory Committee have been completed; and that a final report by University of South Florida professors should be finished next month.

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Representative Crist left the meeting at 10:48 A.M.

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- 4. Emerging Issues
 - Public Safety
 - Open Discussion

Public Safety

Noting that the issue of public safety has been extensively discussed in the last few days following the Parkland school shooting, Chairman Welch stated that the Commission, as a local government, is precluded by the state legislature from taking any action with regard to gun control under the penalty of being removed from office and a \$5,000 fine; that the solution needs to occur at the state and federal levels; and that the Commission is supportive of common sense legislation that would bring changes.

Representative Bilirakis and Mr. Torres emphasized the need for change and welcomed suggestions by the Commissioners, noting that the legislators will be moving quickly on the issue. Mr. Torres underscored the complexity of the problem and indicated that Senator Rubio's offices across the state have been inundated with phone calls from concerned citizens all over the country; that the Senator has proposed some immediate measures; and that besides additional school safety resources, it is important to address issues such as accessibility to guns, appropriate mental health care for individuals prone to violence, and how public safety threats are handled by the authorities.

During discussion, the Commissioners voiced serious concerns regarding the matter and stressed the critical need for immediate and comprehensive reforms, including banning assault weapons for civilians, tightening gun control legislation, and providing for school safety. They reiterated the significance of the matter, noting that it concerns the future of all children. Chairman Welch indicated that official statements and recommendations by the County will be issued and forwarded to the Delegation members.

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Representative Bilirakis left the meeting at 11:02 A.M.

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Open Discussion

Noting their appreciation for the Senators' representatives attending the joint BCC and Federal Legislative Delegation meetings, the Commissioners emphasized the value of the Senators' attendance in person, and Chairman Welch related that the Commission will make an effort to be more flexible in terms of the Senators' schedules and plan the meetings further in advance; whereupon, Ms. Anderson indicated that while the County collaborated with Senator Nelson's office to find a feasible meeting date during the congressional recess, he had an out-of-state scheduling priority that was changed due to the Parkland event; and that he is currently traveling from Parkland to Tallahassee to continue discussions pertaining to the matter.

Ms. Anderson noted that the Senator's Chief of Staff, Susie Perez Quinn, had attended the joint meeting last year; and that the Commission can always count on her own presence; whereupon, she stressed that every issue and concern brought forward by the members has been heeded by the Senator; and that he is in agreement with the Commission on projects, programs, and related legislation, including matters regarding national flood insurance, infrastructure, and transportation, and Chairman Welch conveyed the Commission's gratitude for the Senator's support.

Commissioner Eggers indicated that it would be valuable to hear the Senators' view on the country's financial situation and how local demands can be funded under the cloud of growing national budget and trade deficits incurred during both Republican and Democratic administrations; and that spending on present day needs is likely being funded on the backs of future generations.

Commissioner Long expressed concerns regarding inaccurate references to Social Security and Medicare as "entitlements" and the likelihood of using those funds to pay for tax cuts by the federal government, and Ms. Anderson assured her that Senator Nelson would oppose that.

At the request of Mr. Woodard and in response to comment by Mr. Twitty regarding the issue of subsidized flood insurance, Assistant County Administrator Rahim Harji indicated that since the early 1980s when Pinellas County joined the NFIP, the annual amounts paid for flood insurance premiums in the unincorporated areas have been equal to the annual amounts of claims; and that the premiums paid would be more than the claims if the rates were to be raised; whereupon, Mr. Twitty pointed out that a total of \$102 million was paid in premiums toward NFIP by the unincorporated areas and municipalities in 2017, and Mr. Woodard noted that the unincorporated area statistic would likely be analogous with respect to the 24 municipalities.

5. Public Comment

Indian Rocks Beach Mayor R.B. Johnson thanked local, state, and federal representatives for their actions in ensuring beach nourishment, but expressed concerns with respect to future nourishment projects because of potential gaps on those portions of the beach where coastal homeowners are unwilling to sign easement agreements. He remarked on the potential negative effect of the problem on the economy of the county and the cities and indicated that local officials will continue to work with legislators toward finding a solution; whereupon, Commissioner Morroni noted that Mayor Johnson is leaving office and thanked him for his years of service to the community.

ADJOURNMENT - 11:16 A.M.