

# **Pinellas County**

*315 Court Street, 5th Floor Assembly Room  
Clearwater, Florida 33756*



## **Minutes - Final**

**Wednesday, September 14, 2016**

**2:00 PM**

**BCC Assembly Room**

### **Board of County Commissioners**

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

**ROLL CALL - 2:03 P.M.**

**Present:** 6 - Charlie Justice, Janet C. Long, Dave Eggers, Pat Gerard, Karen Williams Seel, and Kenneth T. Welch  
**Absent:** 1 - John Morroni

**Others Present:** James L. Bennett, County Attorney; Jewel White, Chief Assistant County Attorney (6:00 P.M.); Mark S. Woodard, County Administrator; Ken Burke, Clerk of the Circuit Court and Comptroller; Lynn Abbott, Board Reporter, Deputy Clerk; and Tony Fabrizio, Board Reporter.

**INVOCATION by Father Tom Morgan with St. Jerome Catholic Church in Largo**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS AND AWARDS**

1. Presentations and awards:

Doing Things Employee Recognition - Roberto Quijada, Real Estate Management

Patriot Day Proclamation

Oldsmar Centennial Proclamation

Hispanic Heritage Month Proclamation

**Doing Things Employee Recognition - Roberto Quijada, Real Estate Management**

Chairman Justice recognized Real Estate Management Craftworker Roberto Quijada for his dedication and can-do attitude and for building strong relationships with internal and external customers. He noted that Mr. Quijada is a 14-year employee who works at the County Justice Center maintaining its hundreds of doors and locks; whereupon, a video was shown highlighting the services Mr. Quijada provides.

**Patriot Day Proclamation**

Chairman Justice called forward Sunstar Paramedic and Assistant Supervisor Jared Sorenson, Pinellas County Sheriff's Deputy Anthony Helstern, Treasure Island Fire Department Paramedic Joseph Manning, and Sheriff Bob Gualtieri.

Chairman Justice gave background information on each of the first responders and read a proclamation honoring veterans, soldiers, first responders, law enforcement personnel, and volunteers, and recognizing Patriot Day and the National Day of Service and Remembrance (September 11).

**Oldsmar Centennial Proclamation**

Calling forward Mayor Doug Bevis, City Council members Gabby McGee and Jerry Beverland, City Manager Bruce Haddock, and marketing specialist Debb Pauley, Chairman Justice read a proclamation recognizing 2016 as the City of Oldsmar's Centennial Celebration.

Mayor Bevis thanked the Chairman and presented each of the Commissioners with "goodie bags" containing an "official Centennial Blanket."

**Hispanic Heritage Month Proclamation**

Chairman Justice called forward Ramon Carrion, President of the Intercultural Advocacy Institute Board of Directors, and read a proclamation recognizing September 15 through October 15 as Hispanic Heritage Month. He gave an overview of the Hispanic Outreach Center, noting that it was founded in 2000 as a partnership with the Clearwater Police Department; that it soon expanded far beyond its initial mission of providing interpretive services for Spanish-speaking victims of crime; and that in 2009, it incorporated as the Intercultural Advocacy Institute.

Mr. Carrion thanked the Board members for being sensitive to the cultural dynamics of a diverse community and for the passage of the wage theft ordinance last year; whereupon, Hispanic Outreach Center Executive Director Sandra Lyth updated the board on a case that was resolved successfully for a restaurant worker under the Wage Theft Recovery Program.

**CITIZENS TO BE HEARD****2. Public comment.**

Greg Pound, Largo, re Pinellas corruption  
James McLynas, Indian Shores, re Sheriff's lawsuit

**CONSENT AGENDA ( Items 1 through 17)**

**A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the Consent Agenda items be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

3. Minutes of the regular meeting held August 9, 2016.
4. Vouchers and bills paid from July 3 through August 13, 2016.

Period: July 3 through July 9, 2016

Payroll - None

Accounts Payable - \$30,140,627.38

Period: July 10 through July 16, 2016

Payroll - \$3,187,560.61

Accounts Payable - \$15,454,825.49

Period: July 17 through July 23, 2016

Payroll - None

Accounts Payable - \$9,325,718.45

Period: July 24 through July 30, 2016

Payroll - \$3,179,939.37

Accounts Payable - \$24,491,830.94

Period: July 31 through August 6, 2016

Payroll - None

Accounts Payable - \$29,550,048.88

Period: August 7 through August 13, 2016

Payroll - \$3,189,292.10

Accounts Payable - \$8,230,516.87

Reports received for filing:

5. Division of Inspector General, Clerk of the Circuit Court and Comptroller, Report No. 2016-17 dated August 18, 2016 - Follow-Up Audit of Real Estate Management Warehouse Inventory Controls.
6. Quarterly Donation Listings of \$500 or more for the quarters ended March 31 and June 30, 2016.
7. City of Dunedin Community Redevelopment Agency Annual Report for Fiscal Year (FY) 2014-2015.

Miscellaneous items received for filing:

8. Correspondence from the Association of Inspectors General dated August 15, 2016, regarding results of the Peer Review of the Clerk of the Circuit Court and Comptroller,

Division of Inspector General.

9. City of Safety Harbor Ordinance No. 2016-21 adopted August 15, 2016, annexing certain property.
10. Eastlake Oaks Community Development District minutes of the meeting held April 14, 2016.

#### COUNTY ADMINISTRATOR DEPARTMENTS

##### Airport

11. Award of bid for rental car concession services at St. Pete-Clearwater International Airport.  
  
Contract No. 156-0383-B approved for a total estimated revenue amount not to exceed \$8,160,821.00. Contract is effective for 36 months commencing October 1, 2016 and provides for two 12-month term extensions. Chairman authorized to sign and the Clerk to attest.

##### Public Works

12. Award of bid to All American Concrete, Inc. for the Belleair Causeway Dock Facility Reconstruction Project.  
  
Bid No. 156-0412-CP (PID No. 000058A) in the amount of \$309,750.00 awarded on the basis of being the lowest responsive, responsible bid meeting specifications. All work is expected to be completed within 180 consecutive calendar days. Chairman authorized to sign and the Clerk to attest.
13. Plat of Villas at Date Palm, private street sign installation guarantee, and sidewalk guarantee for recording.  
  
Plat and guarantees from CCI Property Development, LLC accepted and approved for recording.
14. Plat of Highwood Estates, private street sign installation guarantee, and sidewalk guarantee for recording.  
  
Plat and guarantees from Gulfwind Contracting, LLC accepted and approved for recording.

##### Utilities

15. Award of bid to Polydyne, Inc. for reclaimed methanol and Florida Chemical Supply, Inc. for virgin methanol annual requirements related to wastewater treatment - a Tampa Bay Area Purchasing Cooperative contract.

Bid No. 156-0392-B in the amount of \$1,304,200.00 awarded to Polydyne, Inc. and Florida Chemical Supply, Inc. on the basis of being the lowest responsive, responsible bids received meeting specifications. Total estimated five-year expenditure not to exceed \$1,304,200.00; County estimated expenditure not to exceed \$1,240,500.00. Contract provides for price adjustments at six-month intervals as set forth in the Staff Report.

Bids from Environmental Operating Solutions, Inc. and Florida Chemical Supply, Inc. for Glycerin 70 percent rejected for not meeting bid specifications.

#### COUNTY ATTORNEY

16. Notice of new lawsuit and defense of the same by the County Attorney in the case of James McCarthy v. Pinellas County - Circuit Civil Case No. 16-002497-CI-13 - allegations of negligence resulting in personal injuries.

#### AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

##### Human Resources

17. Acceptance of donation and transfer of ownership of fitness equipment from Phenomenal Services, Inc.

Resolution No. 16-58 adopted, allowing equipment to be added to the Human Resources fixed asset inventory for use in a remote fitness facility for employees.

#### REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

#### COUNTY ADMINISTRATOR DEPARTMENTS

##### Airport

18. Ranking of firms and execution of agreement with Michael Baker International, Inc., for professional consulting services for design and construction administration of a new In-Line Checked Baggage Inspection System in the Ticketing-A area at the St. Pete-Clearwater International Airport (companion to item no. 19).

Contract No. 156-0141-NC approved for a total expenditures not to exceed \$570,301.70; work is expected to be completed within 1,480 consecutive calendar days from the notice to proceed date. Chairman authorized to sign and the Clerk to attest.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

- 19.** Other Transaction Agreement with the U.S. Department of Homeland Security, Transportation Security Administration regarding the new In-line Checked Baggage Inspection System at St. Pete-Clearwater International Airport (companion to item no. 18).

Resolution No. 16-59 adopted, approving the agreement to fund up to \$753,979.00 in design costs for the project.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

### Emergency Management

- 20.** Memorandum of Understanding with the Pinellas County School Board for East Lake Middle School enhancements and retrofits to increase shelter capacity and capability.

Memorandum of Understanding approved, providing \$370,808.00 toward enhancements and retrofits, and adding approximately 50 new shelter spaces for use in the event of an emergency.

Clint Herbic, Associate Superintendent for Operational Services, Pinellas County Schools, related that his office is working closely with Emergency Management staff to ensure that new and remodeled school buildings are maximized for their secondary use as storm and flood shelters for the general public.

Responding to query by Chairman Justice, Mr. Herbic related that new features include generators for electric power, fresh water availability, and enclosing some areas to allow the public to move about without going out into the elements.

Mr. Woodard acknowledged the partnership with the School District and School Board, noting that the agreements approved today will go a long way toward addressing the longstanding deficiency in shelter capacity.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

21. Memorandum of Understanding with Palm Harbor University High School for enhancements and retrofits to increase shelter capacity and capability.

Memorandum of Understanding approved, providing \$461,842.00 toward enhancements and retrofits, and adding more than 1,739 shelter spaces for use in the event of an emergency.

**A motion was made by Commissioner Seel, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

### Human Services

22. First Option of Renewal of the Hospital Provider Agreement with BayCare Health System, Inc. for services provided to clients of the County Health Program.

Agreement approved extending the contract for 12 months effective October 1, 2016. Funding in the amount of \$2,400,000.00 provides partial reimbursement for ambulatory and inpatient hospital care related services.

**A motion was made by Commissioner Welch, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

23. First Option of Renewal and Amendment No. 2 to the Community Home Care Medical Services Agreement with BayCare Home Care, Inc.

Agreement approved extending the contract for 12 months effective October 1, 2016 and amending the internal contact. Funding in the amount of \$550,000.00 provides equipment, supplies, and services at agreed-upon discounted rates for residents enrolled in the Pinellas County Health Plan.

**A motion was made by Commissioner Seel, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**



**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**24.** First Option of Renewal of the Interlocal Agreement with the Florida Department of Health for the County Health Program.

Agreement approved extending the contract for 12 months effective October 1, 2016. Funding in an amount not to exceed \$11,540,788.00 provides primary care, preventive health, behavioral health, dental, prescription assistance, and specialty care services.

**A motion was made by Commissioner Seel, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**25.** Interlocal agreements with the Public Defender for the Jail Diversion Programs, SOAR Program, and Information Technology Position.

Agreements in the total amount of \$907,210.00 approved, providing funding as follows:

\$794,480.00 for the Jail Diversion Recovery Program services

\$ 63,580.00 for the SOAR Program

\$ 49,150.00 for the Information Technology Position

Each agreement is effective October 1, 2016 to September 30, 2017.

**A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**26.** Funding Recommendations for the Edward Byrne Memorial Justice Assistance Grant - Countywide.

Recommendations submitted by the Substance Abuse Advisory Board approved for distribution of \$289,266.00 among eight projects, as set forth in the Staff Report.

Commissioner Gerard indicated that she would abstain from discussing and voting on Item 26 due to a conflict of interest, and in accordance with the provisions of the

Standards of Conduct Law, submitted a Memorandum of Voting Conflict form, a copy of which has been filed and made a part of the record.

**A motion was made by Commissioner Seel, seconded by Vice-Chairman Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 5 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**Abstain:** 1 - Commissioner Gerard

**27. Program recommendation for the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant submission.**

Public Safety Coordinating Council's recommendation approved for the submission titled "A Turning Point: Expansion of the Office of the Public Defender's Pinellas County Jail Diversion Program." Grant application is for \$400,000.00 per year for up to three years.

**A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

Commissioner Eggers requested a summary of the six items approved under the Human Services category; whereupon, Mr. Woodard related that some of the agreements enable the Pinellas County Health Program to provide medical and other services to the indigent population, while others are annual agreements with partners for jail diversion and other programs.

Human Services Director Lourdes Benedict provided input, indicating that the agreements with BayCare fill a gap in services needed; that the County is doing more to integrate physical and behavioral health; that a funding increase for the Department of Health is funded primarily by grants; that the Public Defender's Jail Diversion program has had a high success rate; and that the SOAR program helps indigent clients apply for Social Security Disability payments.

Responding to query by Commissioner Long, Ms. Benedict related that the County and Pinellas Suncoast Transit Authority are in negotiations to continue the U-Pass program.

Following discussion, Commissioner Welch thanked Mr. Woodard and Ms. Benedict for rebuilding relationships with the hospitals; and Commissioner Seel added that relationships with the not-for-profit providers also have been improved; whereupon, Mr. Woodard cited the value of partnerships and praised the work of Ms. Benedict and her staff.

Management and Budget

28. FY 2016 Board Budget Amendment No. 8 realigning appropriation within the Feather Sound Community Services District Budget.

Budget Amendment approved realigning \$130.00 from the District's Reserves Program to the Transfers Program due to higher than anticipated fees from the Pinellas County Tax Collector.

Responding to query by Commissioner Long, Mr. Woodard confirmed the amount of the amendment.

**A motion was made by Commissioner Seel, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

29. FY 2016 Board Budget Amendment No. 9 realigning appropriation from the General Government (Reserve for Contingencies) cost center to the County Attorney's cost center within the General Fund.

Budget amendment approved realigning \$175,000.00 to the County Attorney's Outside Legal Counsel program for payment of unanticipated outside legal counsel expenses arising from litigation and appeals.

**A motion was made by Commissioner Welch, seconded by Vice-Chairman Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

Planning

30. Authority to advertise a public hearing to be held on October 11, 2016, regarding a proposed Foreclosed/Abandoned Property Registration ordinance.

Responding to query by Commissioner Eggers as to whether the proposed ordinance would impact current as well as new foreclosures, Mr. Woodard indicated that it would cover both; that it would provide the County with additional authority with regard to properties that are in default but have not yet gone into foreclosure; and that staff will provide details in a presentation at the October 11 meeting.

A motion was made by Commissioner Seel, seconded by Vice-Chairman Long, that authority be granted. The motion carried by the following vote:

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

### Public Works

31. Ranking of firms and agreement with Hardesty & Hanover, LLC for professional engineering services for the Beckett Bridge Replacement Project.

Contract No. 145-0317-NC approved for a total expenditure not to exceed \$2,769,453.00 (includes optional and contingency services not to exceed \$118,622.00 and \$250,000.00, respectively); contract term is 1,825 consecutive calendar days from the notice to proceed date. Chairman authorized to sign and the Clerk to attest.

A motion was made by Commissioner Welch, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:

**Aye:** 5 - Chairman Justice, Vice-Chairman Long, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 2 - Commissioner Eggers, and Commissioner Morroni

### COUNTY ADMINISTRATOR

32. County Administrator miscellaneous.

Mr. Woodard commented on the quality of the new sound system in the Assembly Room.

### COUNTY ATTORNEY

33. County Attorney miscellaneous - None.

### AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

#### Emergency Medical Services Authority

34. Appointments to the Emergency Medical Services Advisory Council.

Sitting as the Emergency Medical Services Authority, the Board approved the

appointments of Madeira Beach Mayor Travis Palladeno and South Pasadena Mayor Max Elson as Mayors' Council representatives; Gayle Guidash and Ashley Hoskins as the Pinellas County Health Department representative and alternate representative, respectively; and the reappointment of Anne Scofield for a two-year term as a Citizen Representative.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**35. Appointments to the Emergency Medical Services Medical Control Board.**

Sitting as the Emergency Medical Services Authority, the Board approved the reappointment of Sharon Hayes as Hospital Administrator Representative and the appointment of Roger Haney as Hospital Administrator Alternate Representative for two-year terms ending in September 2018.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

Tax Collector

**36. Resolution deferring the processing of 2016 tax deed applications on 2014 County-held tax certificates in conformance with Section 197.502(3), Florida Statutes.**

Resolution No. 16-60 adopted deferring the processing for properties assessed by the Property Appraiser at values less than \$5,000.

**A motion was made by Commissioner Welch, seconded by Commissioner Eggers, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**37. Resolution approving early extension of tax roll.**

Resolution No. 16-61 adopted directing the Property Appraiser to extend the 2016 tax

rolls and deliver the extended rolls to the Tax Collector on or before October 7, 2016, upon authority of Section 197.323, Florida Statutes; and directing the Clerk to deliver the resolution to the Property Appraiser.

**A motion was made by Commissioner Welch, seconded by Commissioner Eggers, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

## COUNTY ADMINISTRATOR REPORTS

### 38. County Administrator reports: Tropical Storm Hermine After-Action Report.

Assistant County Administrators John Bennett and Bill Breckinridge conducted a PowerPoint presentation titled *Doing Things! Tropical Storm Hermine, August 28-September 2, 2016*, a copy of which has been filed and made a part of the record, and provided an overview of the following:

- Timeline and Statistics
- Protective Actions
- Opportunities

Mr. Bennett related that County staff did a tremendous job laying out the preparations and following through after the storm with all necessary response actions. He noted that improving collaboration with other partners within the County, other municipalities, and private entities would enhance the overall collective response.

In response to query by Commissioner Long, Mr. Breckinridge pointed out that there is a need to augment Emergency Management's sandbag operation to increase the points of service and ensure an adequate supply, noting that Division Director Sally Bishop has been asked to reach out to municipal partners to achieve a better understanding of sandbag policies.

Responding to a request by Commissioner Eggers, Mr. Breckinridge discussed issues experienced regarding wastewater capacity and stormwater inflow and infiltration, noting that there are plans to conduct a comprehensive inflow and infiltration study to improve the County infrastructure and prevent catastrophic issues.

Director of Utilities Randi Kim provided an overview of the sewer system and stormwater management facilities and related that sanitary sewers are not designed to manage stormwater; that heavy rains produced inflow of stormwater into the manholes and infiltration of groundwater into the pipes; and that localized flooding contributed to inflow. She discussed a three-pronged approach for addressing inflow and infiltration issues:

(1) rehabilitation and repair of the County's infrastructure, (2) increasing capacity to respond to fluctuations, and (3) working in collaboration with Stormwater Management to keep sewer and stormwater systems separate.

Ms. Kim reviewed the stormwater issues experienced, noting that the William E. Dunn Reclamation Facility processed up to 14 million gallons of wastewater per day with no overflows; and that the South Cross Bayou Water Reclamation Facility handled up to almost 80 million gallons per day with no overflows of untreated sewage. She reported that the State was notified that approximately 7 million gallons did not go through the last step in the treatment process, chlorination, but did meet the limits of the fecal coliform bacteria test and was not considered a public health hazard.

In response to query by Commissioner Eggers, Ms. Kim related that the systems ran at capacity for at least five or six days and reported that the large underground stormwater vault at the South Cross Bayou plant collected discharge until it could flow back through the treatment process to be properly treated once the storm had passed. She noted that 2,800 tanker trucks had pumped over 15.5 million gallons of sewage from overflowing manholes and diverted a public health concern; whereupon, Commissioner Eggers thanked County staff for their hard work during the storm.

Responding to queries by Commissioner Welch, Mr. Woodard indicated that he met with the assistant county administrators; and that staff is working to prepare the items that required additional research as the Board directed; whereupon, Assistant County Administrator Jake Stowers added that the \$1 million BP funding request for infrastructure was tabled pending research.

Responding to comments by Commissioner Welch, Traffic Engineering Manager Ken Jacobs related that no major flooding on arterial roadways occurred relative to evacuation routes; that no roads needed to close for long periods of time due to damage; and that short-term water buildup issues are normal.

Ms. Kim discussed current Capital Improvement Program projects and related that conducting an inflow and infiltration study would identify the various system components that need to be addressed. She indicated that adding more flow meters would help to assess and target problem areas, noting that staff currently relies on run times at individual pump stations to get an indication of the amount of stormwater entering the system, and discussion ensued.

Commissioner Long related that she attended a meeting of the St. Petersburg Public Policy Council, and discussed an issue relating to homeowners having to replace deteriorating pipes from the house to the city hookup, noting that the pipes are aging and extremely expensive to replace; whereupon, Ms. Kim indicated that the problem is pervasive; that the lateral pipes connecting the houses to the meter connections are privately owned; and that public funds cannot be used to improve private properties. She related that a special program would be needed to address the private laterals; and that some municipalities around the country are starting to develop programs of that nature, pointing out that the inflow and infiltration study would help to identify the locations of

damaged pipes.

Commissioner Seel discussed updating the master plan to include a regional approach and suggested that educating citizens to limit water use during storms would be helpful in minimizing flow into the system. In response to queries by Commissioner Gerard, Ms. Kim related that the County owns four television trucks that are used to inspect about 500,000 feet of pipe yearly as part of an ongoing preventive maintenance program; and that the entire gravity sewer pipe system is inspected every ten years.

Discussion ensued regarding actions taken by municipal partners to address the situation; whereupon, Mr. Woodard pointed out that the County's system has many complexities; and that the multitude of providers will need to work together to solve the problems.

Referring to his memorandum sent to the Commissioners earlier today, Chairman Justice proposed the formation of a Countywide Sewer Task Force so that local utilities can share resources, provide better communication, coordinate response efforts, and mitigate emergency situations. He indicated that the proposal is preliminary, and time is needed to work out the membership details, and the Commissioners provided input; whereupon, Chairman Justice stated that he and Mr. Woodard are working together and will bring the matter back to the Commission for discussion at a later date.

In response to query by Commissioner Welch, Mr. Woodard indicated that the Florida Department of Environmental Protection (FDEP) is responsible for monitoring the environmental impact of a spill or overflow; and that the counties and wastewater treatment operators are required to file reports to the FDEP as events occur; whereupon, Ms. Kim provided an overview of the process for addressing a spillage, noting that the utility is responsible for taking samples of any affected water bodies until the threat of a hazard is no longer present, posting warning signs if a health hazard is posed, and submitting reports. She related that the State closely monitors the process, and discussion ensued.

## COUNTY COMMISSION

### 39. Appointments to the Youth Advisory Committee.

Commissioner Gerard stated that the list was not posted as part of the agenda packet because the applicants are juveniles, and reported that a record 44 applications were submitted, noting that the resolution sets a limit of 25 members. She recommended that the highlighted individuals be appointed as a group and discussed the application process, noting that there was an effort to represent a mix of geographic areas, schools, and grade levels.

During discussion and in response to queries and comments by Commissioner Eggers, Commissioner Gerard related that a notice is sent to every public and private school in the county at the beginning of each school year; and that students who were not selected will be encouraged to apply again next year.



A motion was made by Commissioner Seel, seconded by Commissioner Welch, that the item be approved. The motion carried by the following vote:

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**40.** Appointments to the Pinellas Public Library Cooperative, Inc.

In response to the Chairman's call for persons wishing to speak, Marcus Harrison, Palm Harbor, appeared and stated his concerns.

Following brief discussion, PPLC Executive Director Cheryl Morales related that the Cooperative Board recently voted to eliminate term limits for its members.

John Parent was appointed and Karen Roth reappointed for three year-terms following a ballot vote.

**41.** Appointments to the Parks and Conservation Resources Advisory Board.

John Gray and Manita Moultrie were appointed following a ballot vote.

**42.** County Commission miscellaneous.

Commissioner Gerard

- Attended the Dunedin Fire Rescue September 11 Memorial Dedication Ceremony with Commissioner Eggers and Chairman Justice.
- Announced that a Habitat for Humanity home dedication will be held next week; that the County contributed to a groundbreaking in Dansville; and that she will attend a Habitat for Humanity fundraising breakfast on September 29.
- Related that the Johns Hopkins All Children's Hospital Cure Walk will be held on September 16, and Chairman Justice related that he will participate in the walk and present a BCC proclamation on the same day.

Commissioner Eggers

- Expressed appreciation to the Canvassing Board and the Supervisor of Elections and her staff for their hard work, and Commissioners Gerard and Welch concurred.
- Thanked his assistant and BCC office staff for their support in keeping the office afloat during his absence last week.
- Commended Julie Peluso, Keenan Knopke, and others for their participation in the Curlew Hills September 11 ceremony.
- Recognized Tripp Barrs, Joe Kokolakis, Bill Coleman, and community members involved in fundraising for the Dunedin 9/11 memorial structure.

- Attended a ceremony recognizing Palm Harbor Senior Linebacker Jordon Litowchak for saving the life of Daniel Vinovich and presented a proclamation on behalf of the BCC.

#### Commissioner Welch

- Related that Sheriff Gaultieri gave a presentation regarding the Adult Pre-Arrest Diversion Program at the St. Petersburg City Council meeting and thanked the Sheriff for his leadership. Briefly discussed the protections that the program will provide and noted that the City of St. Petersburg is on board and will not draft its own ordinance.
- Reminded Chairman Justice that he (Welch) has reached his term limit on the Pinellas Suncoast Transit Authority Board, noting that his last meeting is September 30, and discussion ensued. Later in the meeting, Chairman Justice related that he is appointing himself to serve in the position for the remainder of the calendar year.

#### Commissioner Long

- Related that Enterprise Florida funding issues were discussed at yesterday's Clearwater Regional Chamber of Commerce Government Affairs Meeting.
- Indicated that the Chamber would like the Commission to consider a countywide policy related to the medical marijuana issue, and Chairman Justice provided input.
- Reported that the Pinellas County Legislative Delegation is convening on September 20 at the University of South Florida in St. Petersburg to discuss sewer and storm water issues.

#### Chairman Justice

- Commended Commissioner Eggers and his wife for their leadership in the September 11 ceremony in Dunedin.
- Announced that a Zika roundtable discussion will be held on September 20 at the Tarpon Springs Campus of St. Petersburg College and that Marketing and Communications staff will record the proceedings for rebroadcasting purposes. Discussion ensued, and Commissioner Welch requested that the Chairman compose a letter to the federal legislative delegation requesting expediency on the Zika funding issue.
- Discussed his memorandum regarding the Seminole Junior Warhawks Athletic Association request for Municipal Services Taxing Unit grant funding and requested an expenditure of up to \$10,000 each for lightning detection, soccer field safety nets, and baseball field fence repair. Related that the Seminole Youth and Cross Bayou Athletic Associations are preparing to submit urgent needs requests. Responding to query by Commissioner Gerard, confirmed that the funding relates to the current year's budget; and that any amount remaining will roll over to next year.

**A motion was made by Commissioner Eggers, seconded by Vice-Chairman Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**Meeting Recessed: 4:24 P.M.**

**Meeting Reconvened: 6:03 P.M.**

## **PUBLIC HEARINGS**

**All public hearing items have been properly advertised. Affidavits of Publication have been received and are on file in the Board Records Department.**

### **BOARD OF COUNTY COMMISSIONERS**

**43. Annual Surface Water Rate Resolution for the FY 2017 Surface Water Service Assessment.**

Resolution No. 16-62 adopted relating to the provision of Surface Water Management Services; confirming the Fiscal Year 2016-2017 Preliminary Surface Water Rate Resolution; imposing Surface Water Service Assessments and Surface Water Fees against certain real property in the unincorporated area of Pinellas County established as the Surface Water Service Area; approving the Surface Water Rolls; and providing an effective date (annual Surface Water Service Assessment rate for Fiscal Year 2017, \$117.74 per net equivalent residential unit [ERU]; estimated Fiscal Year 2017 revenue, \$19.6 million).

Clerk Burke announced that the public hearing was properly advertised, the affidavit of publication has been received for filing, one letter has been received in opposition to the proposed assessments and fees, and the matter is properly before the Board to be heard.

Responding to comment by Commissioner Gerard, Chief Assistant County Attorney Jewel White indicated that changes have been made to the program since its inception in 2013; that her office felt that sufficient changes have been made in each successive year to warrant a review by the Board; and that due to adoption of the three-tier rate schedule and changes to the mitigation credit policy, the matter may not have to come back to the Board next year.

Public Works Environmental Management Division Director Kelli H. Levy conducted a PowerPoint presentation titled *Doing Things! Public Works Surface Water Assessment Program*, a copy of which has been filed and made a part of the record, and reviewed the following:

- Surface Water Assessment
- What Does the Assessment Fund?
- Fiscal Year 2016 Program Highlights
- Mitigation Policy

In response to comments by Commissioner Eggers, Mr. Woodard indicated that a Water Assessment Task Force has been formed and noted that its work has resulted in many of the changes made to the program and a more liberal credit policy. Ms. Levy discussed the surface water assessment, noting that the three-tier system groups single family residences by size; and that a flat rate offers no additional benefit to the taxpayers. She related that the credit policy utilizes a sliding scale, whereby the property's volume of wastewater storage determines the amount of credit given.

Responding to queries by Commissioners Long and Eggers, Ms. Levy related that the five-tier model and flat-rate option were evaluated; that the tiered system is more equitable and revenue neutral; that the low tier has the highest number of people inventoried; and that additional tiers would push people into higher brackets and increase their fees; whereupon, Mr. Woodard added that the three-tier model is a best practice, noting that the County's system has been peer-reviewed.

Ms. Levy indicated that approximately 12 to 15 credit applications are received per year; that the application process has been streamlined, which has resulted in positive feedback; and that Development Review Services is reviewing a tool that helps property owners make informed decisions during the design process by allowing them to choose different scenarios to see how the assessment will change.

In response to the Chairman's call for persons wishing to be heard, the following individuals appeared, expressed their concerns, and answered questions by the members:

James Crumley, Dunedin

Dorothy Beach, Clearwater

Roger Wilson, Seminole

Jerry Zimmerman, St. Petersburg Kennel Club, Inc., St. Petersburg

"Joe", Pinellas County

Norm Atherton, Palm Harbor

In response to comments by Ms. Beach, Mr. Woodard indicated that arrangements will be made to provide the requested records; and that he will look into the stormwater system maintenance issue regarding Duke Energy, noting that public monies cannot be used to improve drainage structures on private properties.

Responding to comments by Mr. Zimmerman, Mr. Woodard discussed the process by which Derby Lane is assessed and related that the geology, location, and topography of the property make the assessment and mitigation process challenging; and that his office will continue to work to see what opportunities exist within the mitigation policy.

In response to queries by Commissioner Welch, Ms. Levy clarified that the mitigation credit application process is not retroactive; that the adopted ordinance sets the rules; and that the credit is applied the following year once compliance is met, indicating that approximately 40 percent of applicants are in compliance.

Ms. Levy further clarified that most properties were digitized during the first two years of the program; that 20 properties, including Mr. Crumley's parcel, should have been digitized in 2013 but were not; and that the issue was discovered this year and letters were sent advising of the estimated amount, the reasons for the increase, and the date of the final hearing for the adoption of the annual rate, noting that the assessments were posted to the website by August 8; whereupon, Assistant County Attorney Brendan Mackesey related that applicants need to apply for the credit every two years; that the initial rate resolution and any subsequent rate resolutions are incorporated into the ordinance; and that the ordinance could be modified to retroactively apply the mitigation credits.

Responding to query by Commissioner Gerard, Ms. Levy related that a copy of the Southwest Florida Water Management District certificate is required for recertification; and that property owners with ponds predating 1984 can utilize the County-created checklist to conduct their own inspection and sign and send it in, after which the County will perform the reevaluation.

Discussion ensued, and Commissioner Eggers indicated that he supports future discussion regarding retroactive credits for property owners who are compliant and the benefits of a five-tier system, and the members concurred. He suggested continuing the surface water rate discussion next year to fine-tune the process; whereupon, Attorney White indicated that the ordinance would need to be modified in order to accomplish the changes suggested.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

**44. Resolutions adopting tentative millage rates and budgets for FY 2017 (first public hearing).**

Public hearing was held regarding the proposed Fiscal Year 2017 tentative millage rates and budgets for Pinellas County; resolutions adopted approving tentative millage rates and budgets for Pinellas County General Fund and Pinellas County Health Department (Nos. 16-63 and 16-64); resolutions adopted approving tentative millage rates and budgets for Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area Municipal Services Taxing Unit (MSTU), Public Library Cooperative MSTU, Palm Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services District, East Lake Recreation Services District, Belleair Bluffs Fire Protection District, Clearwater Fire Protection District, Dunedin Fire

Protection District, Gandy Fire Protection District, High Point Fire Protection District, Largo Fire Protection District, Pinellas Park Fire Protection District, Safety Harbor Fire Protection District, Seminole Fire Protection District, South Pasadena Fire Protection District, Tarpon Springs Fire Protection District, and Tierra Verde Fire Protection District (Nos. 16-65 and 16-66).

Clerk Burke reported that no correspondence has been received regarding the tentative millages and budgets.

Chairman Justice indicated that representatives of the Property Appraiser's Office are available to respond to anyone having questions or concerns about the assessed value of their property; and that Public Works Environmental Management Division Director Kelli H. Levy is available to answer questions regarding the proposed Surface Water Service Assessment that appears on the Truth in Millage (TRIM) Notice.

At this time, Chairman Justice reviewed the sequence of events for tonight's proceedings, relating that even though Florida Statutes provide that a taxing authority may adopt tax levies and budgets of all its dependent special taxing districts and municipal service taxing units by a single unanimous vote, members of the general public can request that the Board discuss and adopt any of those items separately; whereupon, in response to his queries, no citizen requested that any item be separately reviewed.

Thereupon, Chairman Justice opened the first public hearing on the tentative millage rates and budgets for Fiscal Year 2017.

Clerk Burke reported that the public hearing is being held in accordance with Chapters 129 and 200 of the Florida Statutes; and that the meeting has been duly noticed by the Property Appraiser's mailing of the TRIM Notice.

Chairman Justice announced that the Board of County Commissioners (BCC), as taxing authority for the BCC Countywide, the Dependent Special Districts, and the Municipal Services Taxing Units, as listed above, will now proceed with the public hearings.

Mr. Woodard related that the percentage increase in the millage rate for all budgets, over the rolled-back rate, based on the maximum rates on the TRIM Notice, to fund the Fiscal Year 2017 Tentative Budget is a 5.3-percent increase over the aggregate rolled-back rate; whereupon, he indicated that the primary purposes for the increase in millage over the rolled-back rate are as follows:

- In the General Fund, including the Unincorporated Area MSTU, Health Department Fund, and the Emergency Medical Services Fund, revenue increases are required to support personnel and operating expenditure levels that are driven by inflationary factors.
- In the Public Library Cooperative MSTU, the Palm Harbor MSTU, the Feather Sound MSTU, the East Lake Library Services MSTU, the East Lake Recreation Services

MSTU, and the Special Fire Protection Districts, revenue increases are needed to support increased expenditures by the agencies providing services for those districts.

Mr. Woodard conducted a PowerPoint presentation titled *Doing Things! FY2017 Tentative Budget*, a copy of which has been filed and made a part of the record, and noted that a schedule of changes to the proposed budget was distributed to the Board on August 30, 2016; that modifications included both Board-directed changes approved at BCC meetings or work sessions and technical adjustments related to accounting presentation, updated information, corrections, and other minor changes.

Following the presentation, Mr. Woodard thanked Communications Director Barbara Hernandez and Office of Management and Budget Director Bill Berger and his staff for their contributions to the budget presentation, noting that it will be posted to the website on September 27.

Chairman Justice announced that the Board of County Commissioners will continue the hearing as the taxing authority for the BCC Countywide, Dependent Special Districts, and MSTU levies, as previously referenced, by taking public comment from citizens who wish to be heard regarding the Fiscal Year 2017 Budget.

No one appeared in response to the Chairman's call for persons wishing to speak.

Chairman Justice asked the members whether they wished to recommend any changes to the proposed millage rates or budgets, and none were noted.

Chairman Justice announced that resolutions will now be considered to set the tentative millage rates and budgets; and that the amounts will not be finalized until the public hearing on September 27, 2016; whereupon, Mr. Woodard announced each of the resolutions separately, which have been filed and made a part of the record.

Resolution No. 16-63 adopting the tentative millage rates for Fiscal Year 2017 for the Pinellas County General Fund and Health Department adopted.

**A motion was made by Commissioner Welch, seconded by Commissioner Seel, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

Resolution No. 16-64 adopting the tentative budgets for Fiscal Year 2017 for the Pinellas County General Fund and Health Department adopted.

**A motion was made by Commissioner Gerard, seconded by Vice-Chairman Long, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

Resolution No. 16-65 adopting the tentative millage rates for Fiscal Year 2017 for the Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area MSTU, Public Library Cooperative MSTU, Palm Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services District, East Lake Recreation Services District, Belleair Bluffs Fire Protection District, Clearwater Fire Protection District, Dunedin Fire Protection District, Gandy Fire Protection District, High Point Fire Protection District, Largo Fire Protection District, Pinellas Park Fire Protection District, Safety Harbor Fire Protection District, Seminole Fire Protection District, South Pasadena Fire Protection District, Tarpon Springs Fire Protection District, and Tierra Verde Fire Protection District adopted.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Eggers, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni

Resolution No. 16-66 adopting the tentative budgets for Fiscal Year 2017 for the Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area MSTU, Public Library Cooperative MSTU, Palm Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services District, East Lake Recreation Services District, Belleair Bluffs Fire Protection District, Clearwater Fire Protection District, Dunedin Fire Protection District, Gandy Fire Protection District, High Point Fire Protection District, Largo Fire Protection District, Pinellas Park Fire Protection District, Safety Harbor Fire Protection District, Seminole Fire Protection District, South Pasadena Fire Protection District, Tarpon Springs Fire Protection District, and Tierra Verde Fire Protection District adopted.

**A motion was made by Vice-Chairman Long, seconded by Commissioner Gerard, that the item be approved. The motion carried by the following vote:**

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

**Absent:** 1 - Commissioner Morroni



In response to query by Commissioner Eggers, Mr. Woodard related that the Board previously adopted a multi-year 4-percent utility rate increase and noted that the increased revenue will stay within the Water and Sewer enterprise funds for the exclusive benefit of those systems and Pinellas County Utilities customers.

Referring to an earlier comment by Mr. Woodard, Commissioner Eggers encouraged members of the public to review the budget on the County website and to contact the Commissioners regarding any questions or comments they may have.

At this time, Chairman Justice closed the first public hearing on the tentative millage rates and budgets for Fiscal Year 2017.

- 45. Authority to advertise the tentative millage rates and budgets, and the date, time, and place of the second public hearing, to be held on September 27, 2016, regarding the FY 2017 Budget (regular agenda item).

A motion was made by Vice-Chairman Long, seconded by Commissioner Gerard, that authority be granted. The motion carried by the following vote:

**Aye:** 6 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Seel, and Commissioner Welch

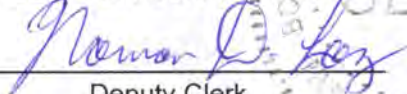
**Absent:** 1 - Commissioner Morroni

ADJOURNMENT - 7:26 P.M.



Chairman

ATTEST: KEN BURKE, CLERK

By  Deputy Clerk

