

# **Pinellas County**

*315 Court Street  
Clearwater, Florida 33756*



## **Minutes - Final**

**Thursday, February 21, 2019**

**9:30 AM**

**Public Works Clearwater Campus, 2nd Floor Training Room &  
BCC Assembly Room**

### **Board of County Commissioners**

*Karen Williams Seel, Chair*

*Pat Gerard, Vice-Chair*

*Dave Eggers*

*Charlie Justice*

*Janet C. Long*

*Kathleen Peters*

*Kenneth T. Welch*

**ROLL CALL - 9:30 A.M.**

Present:

Karen Williams Seel, Chair; Dave Eggers; Charlie Justice; Janet C. Long; Kathleen Peters; and Kenneth T. Welch

Federal Legislative Delegation: Representative Gus Bilirakis, Representative Charlie Crist, Legislative Director Lauren Reamy representing Senator Marco Rubio, and District Director Grace Albergo representing Senator Rick Scott

Absent: Pat Gerard, Vice-Chair

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; Deputy Supervisor of Elections Julie Marcus, representing Supervisor Deborah Clark; other interested individuals; and Jenny Masinovsky, Board Reporter, Deputy Clerk

**1. Welcome**

Chair Seel opened the joint meeting of the BCC and the Pinellas County Federal Legislative Delegation and welcomed the attendees. She noted that it is the first time the meeting is being held at the Public Works facility and invited everyone to tour the state-of-the-art Traffic Control Center with Transportation Manager Ken Jacobs after the meeting.

Chair Seel provided historical information regarding implementation of the Intelligent Transportation System in the county, indicating that a one-cent sales tax was dedicated to developing it in 2005; that it has been improved over time; and that the system is designed to optimize traffic on major roadways.

At the Chair's request, those in attendance introduced themselves.

**2. Overview of County's Federal Legislative Program**

- National Flood Insurance Program (NFIP)
- Beach Nourishment
- Offshore Oil Drilling
- Transportation

Intergovernmental Liaison Brian Lowack provided an overview of the preliminary federal legislative priorities, noting that following input received today, they will be presented for approval at the upcoming BCC meeting on February 26.

**National Flood Insurance Program (NFIP)**

Mr. Lowack indicated that the County is seeking a long-term extension of the current program, which is expiring on May 31, noting that it needs to be reformed in order to ensure

financial sustainability without pricing policy holders out of the market; and that the approach to the problem of repetitive loss properties should be addressed proactively to mitigate future loss. He urged the legislators to make the available federal funds easily accessible to local communities and stressed the importance of partnership; whereupon, he expressed appreciation to Representative Crist and his office for collaborating with the County on the issue.

### Beach Nourishment

Mr. Lowack related that the County Commission has made a commitment to beach nourishment and allocates Tourist Development Tax funds toward it; and that partnership with the U.S. Army Corps of Engineers has made the County's beach management program a poster for success, noting that the largest beach nourishment project in the state has recently been completed here.

Mr. Lowack indicated that the County is seeking federal funding in the amount of \$1 million for a feasibility study by the Corps, which is required for renourishment reauthorization of the Treasure Island and Long Key beach segments, relating that current authorizations are set to expire in 2025 and 2030, respectively; and that it is also seeking funding in the amount of \$3.2 million to renourish Pass-A-Grill beach, which is in an eroded state and is up for renourishment in 2021.

In addition, Mr. Lowack related that the County is asking for federal support in requesting the Corps to reevaluate its Perpetual Storm Damage Reduction Easement policy requiring easements from the beachfront property owners in the areas landward of the Erosion Control Line (ECL), where the Corps historically placed sand; whereupon, he described the efforts undertaken by the County to obtain the easements and indicated that excluding the requirement from at least the areas where properties contain large sand dunes would bring the number of required easements from 386 to 242.

Later in the meeting and responding to queries by Commissioner Welch and Ms. Reamy, Coastal Management Coordinator John Bishop and Environmental Management Division Director Kelli Hammer Levy referred to a drawing and provided details regarding the Corps policy shift concerning easement requirements, challenges associated with obtaining the easements, and precedents and similar situations in other places. They indicated that the Corps will not cost share in projects where easements have not been obtained; and that 30 percent of the areas in question have a sand dune buffer greater than 30 feet and do not require sand placement, while other areas may suffer beach erosion and loss of public access if not nourished, noting that those areas were constructed prior to the easement requirement.

During discussion, Ms. Reamy indicated that in 2016, Senator Rubio introduced pertinent legislation and subsequently secured authorization and funding to initiate the South Atlantic Coastal Study. She expressed hope that information that will be gathered from the study

will help support the County's request to reevaluate the Corps easement policy. Representative Bilirakis recommended communicating with the Corps first, and indicated that there may be an opportunity to join forces with other legislators around the country; and that filing legislation would be an option.

#### Offshore Oil Drilling

Mr. Lowack urged that the federal partners oppose expansion of the Eastern Gulf of Mexico lease agreements with the Bureau of Ocean Energy Management; and that they support a permanent moratorium on oil drilling in the Eastern Gulf of Mexico within 125 miles of Florida or, if that is not possible, extend the current moratorium expiring in 2022 for a prolonged period of time.

#### Transportation

Mr. Lowack remarked that, at last, the counties of Pinellas, Hillsborough, Pasco, Manatee, and Sarasota are speaking with one voice as a Tampa Bay Region, identifying the projects which are most important to the region as a whole; whereupon, he indicated that the County requests that federal resources be available for local needs, including transit initiatives, technology, smart cities, and intelligent transportation systems.

### 3. Open Discussion

Commissioner Long stressed the importance of transportation, noting that addressing the strained infrastructure, such as the roads and bridges which serve as evacuation routes during natural disasters, is becoming a public health and safety issue; whereupon, she requested funding for the Pinellas Suncoast Transit Authority and the Tampa Bay Area Regional Transit Authority's Transit Feasibility Plan, and remarked that transportation funding needs to become more nimble considering advances in technology.

Representatives Bilirakis and Crist agreed that the matter is of great importance to the area and a public safety concern, and indicated that it is a bipartisan effort; and that there is a good possibility that the Speaker of the U.S. House of Representatives will put it on the floor for consideration. Representative Bilirakis noted the success in expanding Ridge Road in Pasco County, and Representative Crist pointed out that he has joined the United States House Committee on Appropriations, expressing hope that a total of five Floridians serving on it should help obtain funding for the region.

Commissioners Seel, Welch, and Eggers provided input, additionally emphasizing the role of transportation for economic development and tourism, and briefly discussed priority projects for the area. They pointed out that there is a need for flexibility in federal funding provided for transportation; and that the County is doing its part by increasing the local commitment; whereupon, Chair Seel related that the I-4 corridor is an evacuation route; and that a regional project between MetroPlan Orlando and other Metropolitan Planning Organizations to develop Intelligent Transportation System technology may result in a request for funding.

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Chair Seel left the meeting at approximately 10:10 A.M. Commissioner Justice indicated that he would facilitate the meeting at her request.

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Commissioner Peters thanked federal government for providing funds in the amount of \$50 million toward mental health and addiction problems and discussed current statistics relating to the escalating opiate crisis and the shortage of beds. She stressed the importance of continuous funding to address the matter and requested that proviso language be added to the legislation to provide for flexibility and continuity of funding.

Representative Bilirakis agreed that although progress has been made and funding provided during the last term, mental health should be made a priority, and discussed his involvement in the matter, indicating that proviso language is an option; whereupon, Commissioner Eggers provided input, noting that the number of suicides in the county is increasing and affecting veteran and senior communities.

Ms. Marcus thanked federal government for the 2018 appropriation to Supervisor of Elections Offices for system upgrades, noting that the 2018 elections were undoubtedly more secure as a result; whereupon, she discussed the importance of continuous support in view of unceasing cyber security threats, indicating that the election systems are considered critical infrastructure; and that there is a need for further system improvement in preparation for the 2020 federal and local elections. Representative Crist praised Supervisor of Elections Deborah Clark for being a leader in implementing Amendment 4 last year, and Commissioner Welch noted that the Supervisor's Office identified the need to invest in technology about two years ago and addressed it through funding provided by the BCC, which allowed it to perform excellently during the last elections and the recount, avoiding problems suffered by other Florida counties.

Ms. Reamy pointed out that Senator Rubio is a member of the Senate Committee on Appropriations; and that having former governor Rick Scott as a Senator and Governor Ron DeSantis in the office will help advocate for the needed funding. Responding to queries by Ms. Marcus, Ms. Reamy provided information regarding the federal budget process, indicating that the 2020 budget is expected to come out in March; that she will send an appropriations request form to the County; and that there may be unused funds left over from last year's appropriation.

Commissioner Justice noted that the Tampa Bay Estuary Program, which is a partnership between Pasco, Pinellas, and Hillsborough Counties and the cities, is an example of regional success, and thanked the federal partners for supporting it.

Priorities

The federal representatives discussed their involvement with various committees and the following priorities, and responded to queries and comments by the members:

Ms. Reamy for Senator Rubio:

- Highlight the importance of small Florida businesses to the economy
- Reauthorize a Sustainable, Affordable, Fair and Efficient National Flood Insurance Program (SAFE NFIP) Reauthorization Act of 2017 for six years, which will also prioritize mitigation and ensure that premiums will not be raised by over 10 percent
- Address problems associated with red tide/blue-green algae along the coast
- Continue beach renourishment efforts
- Reintroduce the daylight savings time bill

Ms. Albergo indicated that in addition to the priorities discussed by Ms. Reamy, Senator Scott is working to ensure care for veterans and the military.

Representative Crist:

- Appropriate funds to support the more than 800 defense contractors in Pinellas County
- Work to oppose offshore drilling in the Eastern Gulf of Mexico
- Continue focusing on beach renourishment

Representative Bilirakis:

- United with other Florida Delegation members, continue working on a moratorium on oil drilling
- Reauthorize the Travel Promotion Act for Brand USA to continue advertising for tourism to Pinellas County and increase the application fee paid by foreign tourists to enter the country under the Visa Waiver program
- Work with Senator Scott to address a mold issue troubling local families of active duty military members
- Provide every school with a resource officer who is a certified police officer, rather than an armed guard, pursuant to last year's mandate by the State
- Continue to focus on taking care of children and veterans

Discussion followed regarding funding for the military, Anclote River dredging, divisiveness in the federal government, national security, and comprehensive immigration reform. Representatives Crist and Bilirakis related that there is collaboration between Democrats and Republicans behind the scenes, in spite of what appears in the media; and that border security was never a controversial issue, noting that it is important for federal representatives to hear the views of all constituents, rather than just the extremes.

#### 4. Public Comment

Darryl Henderson, Clearwater Regional Chamber of Commerce, stressed the importance of public transit and transportation to the economic development of the area.

In closing remarks, Representatives Crist and Bilirakis expressed appreciation to Harry Glenn, Van Scoyoc Associates, for his efforts in lobbying for the County.

#### ADJOURNMENT - 10:58 A.M.

#### 1:00 P.M. - BCC Work Session

(Location: Assembly Room, 5th Floor)

Present: Karen Williams Seel, Chair; Dave Eggers; Charlie Justice; Janet C. Long; Kathleen Peters; and Kenneth T. Welch

Absent: Pat Gerard, Vice-Chair

Others Present: Barry A. Burton, County Administrator; Jewel White, County Attorney; and Jerry Gottlick, Board Reporter

#### 5. Land Acquisition Discussion

Mr. Burton indicated that land acquisition requests always exceed available funds; whereupon, he related that staff has been working hard devising objective criteria regarding the County's approach to land acquisition; that today's session is the beginning of a discussion; and that he and staff are seeking the members' guidance and comments as they further refine the County's approach in the next decade.

Assistant County Administrator Rahim Harji referred to a PowerPoint presentation titled *Workshop - Acquisition of Properties* and provided an overview of the reasons why the County acquires property as well as the general work flow process, and summarized the categories that staff examine during their review, explaining that requests are divided into two categories: Opportunities and Meeting a Specific Need.

Mr. Harji described the proposed scoring process, which applies points based on identified criteria, relating that it will expedite the land acquisition process; and that staff will produce a report after every property review.

Referring to the PowerPoint presentation, Parks and Conservation Resources Director Paul Cozzie reviewed the current acquisition process and described its shortcomings, explaining that when owners contact the County, there is currently no process in place to prioritize and evaluate properties, either for their value or geographical location.

Mr. Cozzie explained that under the revised approach, the County would present a master parcel list, which would be reviewed by a team of representatives from various departments, who will assign points using standardized criteria; whereupon, he explained details of the proposed criteria and provided an overview of the revised approach.

Mr. Cozzie echoed Mr. Burton's comment that the need for land regularly exceeds available funding, and reported that there are currently over 60 County-owned parcels that are worth approximately \$32 million. He indicated that the ranking process does not replace the current Real Estate Management process, rather it is supplementary; and that the new system would provide opportunities to cost share and only acquire what the County needs or intends on developing.

Responding to query by Commissioner Eggers, Mr. Burton stressed that the land acquisition point system will not replace the human element of evaluating and discussing the parcels; and that the new system will develop objective ways to evaluate a parcel with a staff recommendation that members can consider as they debate the varying priorities.

Mr. Cozzie discussed the timeframe for formal implementation of the revised procedures in 2019, relating that the working group with representatives from various departments should finalize the proposed ranking criteria in April, followed by formal implementation of the revised procedures by the end of the summer; whereupon, Mr. Burton stated that he plans to bring the revised procedure to the Board with a set of recommendations and a plan on how to move forward, and brief discussion ensued.

#### Joint Review Committee

Economic Development Director Mike Meidel provided information on the Penny for Pinellas IV Joint Review Committee (JRC), established by the Board and comprised of 12 individuals from municipal and County staff. He indicated that the proposed land acquisition review process is an opportunity to have a nexus between affordable housing and job creation and retention in the county; that the Penny IV interlocal agreement governs the process of identifying and acquiring properties; that it is more flexible regarding housing options than previous Pennies; and that net proceeds dedicated to economic development capital projects and housing shall be used in accordance with JRC guidelines.

Mr. Meidel related that the County hired an outside consultant to advise and present options for revising the process; whereupon, he reviewed the projected timeframe for implementation, relating that the first step will be to take a look at housing needs by a stratification of area median income; that housing, transit, and jobs are all interlinked; and that if workers live out of the county, the jobs might eventually follow them.



Mr. Meidel reported that March 25 will be the first meeting of the JRC; and that the goal is to have the guidelines complete by the group's August meeting in order to present them to the Board for consideration in September. Responding to query by the Chair, he listed the members of the JRC and the entities they represent.

Responding to query by Commissioner Justice, Mr. Harji explained the work flow from suggestion to selection, indicating that there are many properties on the list; and that most of them are currently not for sale.

Commissioner Eggers indicated that the funding source for each of the categories is somewhat complicated; and that he is looking forward to the prioritization conversation because it has to do with funding, and inquired about the process for the County to eliminate property that it owns and no longer uses; whereupon, Mr. Burton mentioned a new "active recreation" category; and that staff will refine it more and return to the Board regarding the County's role, who owns it, and what role the County plays in its ongoing maintenance.

Commissioner Welch praised the efforts of staff, calling the revised process vital and strategic business intelligence, not just data-driven decision making. In response to his query, Mr. Harji related that there are no funds left in Penny III for additional greenspace purchases since the County bought land in the first half of the Penny.

Chair Seel recalled a previous occurrence when the County was attempting to purchase a parcel and after the public hearing, the price greatly increased; whereupon, Mr. Burton mentioned situations when attempts were made to rezone land solely because the County was interested in purchasing it. Chair Seel related that she and Mr. Burton have had discussions regarding a plan to review the County's portfolio of lands and to identify those that might be sold and available to use for economic development, parks, or other purposes.

In response to the Chair's call for citizens wishing to be heard, the following individuals presented their comments and concerns:

David Waddell, Clearwater, re greenspace land acquisition

Richard Shott, Clearwater, re land acquisition

## 6. Solid Waste Tipping Fee and Rate Increase

Assistant County Administrator Paul Sacco referred to a memorandum titled *Solid Waste Tipping Fee Rate Increase Recommendation*, explaining that based on today's discussions, he will present a recommendation to the Board at the March 12 public hearing.

Mr. Sacco reported that a rate study analysis performed by outside consultant Public Resources Management Group (PRMG) projects a significant decrease in solid waste

revenue beginning in 2024, which coincides with the expiration of the current Power Purchase Agreement with Duke Energy; and that the analysis includes several options regarding the solid waste tipping fee.

Mr. Sacco related that the Solid Waste Technical Management Committee (TMC) voted 6 to 5 to recommend a six-percent increase in the solid waste tipping fee over three years beginning in October 2019, increasing the fee from \$37.50 per ton to \$39.75; and that the TMC would continue to review the rate analysis annually and may bring back a different recommendation next year. In response to query by Commissioner Eggers, he indicated how members of the committee voted and reported that the analysis has been shared with all of the local city managers, who will receive a direct invitation to the public hearing and a copy of the presentation being made today.

In response to further queries by Commissioner Eggers, Mr. Sacco related that staff has requested a meeting with Duke Energy officials in late March or early April to start formal negotiations; that there is a benefit in extending the Power Purchase Agreement over time; and that the County's position weakens as the end of the agreement approaches; whereupon, he summarized the pro and con arguments from the TMC deliberations and listed the committee's membership.

Chair Seel requested a spreadsheet to help members visualize the solid waste tipping fee revenues versus the capacity payments, and Mr. Sacco responded that the information is included in the presentation, and he would provide additional information if requested.

PRMG consultant Thierry Boveri referred to a PowerPoint presentation titled *Solid Waste Financial Forecast and Rate Study*, and discussed the following:

- Purpose and Scope
- Key Assumptions
- Findings/Sensitivity
- Municipal Solid Waste Fee Comparison

In response to comments and queries by the members, Messrs. Boveri and Sacco indicated that the Waste-to-Energy facility must meet certain requirements to collect capacity payments; that those payments could be spread out if the Power Purchase Agreement is renegotiated; and that even if the payments are eliminated, the option to sell energy to the power grid remains; whereupon, they related that staff are scheduled to meet with Duke Energy officials at the end of March, and discussed the 6.4-percent escalator included in the original agreement.

Mr. Boveri noted that the Solid Waste Department does not receive money from the General Fund, rather it receives funds from tipping fees and other solid waste revenues; whereupon, he reviewed:

- Closure and post-closure assumptions
- Projected revenue requirements
- Capital expenditures
- Reserve balances

Mr. Boveri stated that one benefit of the plan is that it does not assume issuance of any debt; and that the information contained in the study is based on what is currently known, and discussion ensued pertaining to depreciation and the factors used in the forecast analysis.

Responding to a request by Commissioner Welch, Linda Larkins, Office of Management and Budget, related that the full rate study report is available online as an attachment to Legistar File No. 19-198A.

In response to comments and queries by the members, Mr. Boveri discussed the three rate phase scenarios presented in the report and provided information regarding tipping fees in Pinellas County versus other counties; whereupon, he presented information regarding the current and future state of the recycling industry, and discussion ensued.

**ADJOURNMENT - 2:49 P.M.**