



Pinellas County

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

Staff Report

File #: 15-173, **Version:** 1

Subject:

Minutes of the regular meeting held September 10, 2015.

**BOARD OF COUNTY COMMISSIONERS MEETING
THURSDAY, SEPTEMBER 10, 2015 – 2:03 P.M.
ASSEMBLY ROOM, FIFTH FLOOR
315 COURT STREET, CLEARWATER, FLORIDA**

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

Others Present: James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Ken Burke, Clerk of the Circuit Court and Comptroller; and Lynn M. Abbott and Laura M. Todd, Board Reporters, Deputy Clerks.

INVOCATION: Chairman Morroni.

PLEDGE OF ALLEGIANCE: Commissioner Justice.

PRESENTATIONS AND AWARDS:

Certificate of Appreciation to Representative Chris Sprowls.

Patriot Day and National Day of Remembrance Proclamation.

Achievement of Excellence in Procurement Award Presentation to Purchasing Department.

CITIZENS TO BE HEARD

David Ballard Geddis, Jr., Palm Harbor, re Congress as a ship of war, capturing water Article 1, Sections 8 & 10.

Greg Pound, Largo, re Pinellas County Government.

Father Bob Swick, Dunedin, re Florida Veterans Memorial Plaza.

CONSENT AGENDA ITEMS NOS. 1 THROUGH 11 – APPROVED, WITH THE EXCEPTION OF ITEMS NOS. 6 AND 9, WHICH WERE CONSIDERED UNDER ITEM NO. 12.

Motion	-	Commissioner Long
Second	-	Commissioner Gerard
Vote	-	7 – 0

1 Minutes of regular meeting held August 4, 2015 approved.

2 Reports received for filing:

- a. Palm Harbor Special Fire Control and Rescue District Annual Financial Report for the Fiscal Year ended September 30, 2014.
- b. Dock Fee Report for the month of July 2015.

3 Vouchers and bills paid:

Period July 12 through July 18, 2015

Payroll

ACH – \$3,072,674.63

Checks – \$63,782.73

Third Party ACH – \$13,343.47

Third Party Checks – \$2,734.87

Accounts Payable

Checks – \$2,904,798.63

ACH Transfers – \$6,297,213.08

Wire Transfers – \$2,344,908.24

Period July 19 through July 25, 2015

Payroll – None.

Accounts Payable

Checks – \$7,569,744.53

ACH Transfers – \$2,288,773.35

Wire Transfers – \$711,784.58

Period July 26 through August 1, 2015

Payroll

ACH – \$3,039,034.51

Checks – \$41,859.25

Third Party ACH – \$13,412.70

Third Party Checks – \$3,034.87

September 10, 2015

Accounts Payable

Checks – \$6,097,490.13

ACH Transfers – \$37,572,693.37

Wire Transfers – \$451,645.21

- # 4 Miscellaneous items received for filing:
- a. Affidavit of Publication of Legal Notice published in the Business Observer regarding Notice of Forfeiture of Unclaimed Money pursuant to Section 116.21, Florida Statutes (Circuit/County Court of the 6th Judicial Circuit – Criminal Division).
 - b. Tax Collector’s proposed budget for the period of October 1, 2015 through September 30, 2016 pursuant to Section 195.087(2), Florida Statutes.
 - c. City of Clearwater Ordinances Nos. 8716-15, 8719-15, and 8725-15 adopted July 16, 2015, annexing certain properties.
- # 5 Award of bid to AKCA, Inc. for Fiscal Year 2015 – Fiscal Year 2017 Countywide Pavement Markings (Contract No. 145-0353-B) approved on the basis of being the lowest responsive, responsible bid received; estimated two-year expenditure not to exceed \$1,100,230.00; services will be scoped and performed on an individual work order basis.
- # 6 See Item No. 12.
- # 7 Plats, Guaranties, Sureties, and Agreements:
- Arbor Chase – plat accepted and approved for recording; private street sign installation guarantee and sidewalk guarantee from Taylor Morrison of Florida, Inc. accepted for recording.
- # 8 Local Agency Program Agreement with the Florida Department of Transportation (FDOT) for the Hercules Avenue/Greenbriar Boulevard Sidewalk Project from Sunset Point Road to Belcher Road (FDOT Financial Project No.: 424564 2 58 01; County PID No. 001029A) approved for grant funding in the amount of \$606,191.00; Chairman authorized to sign the agreement and the Clerk to attest.

- # 9 See Item No. 12.
- #10 Approval and acceptance of Certificate of Participation for the Edward Byrne Memorial Justice Assistance Grant Program ratified.
- #11 Contract with DPC Enterprises, L.P. for requirements of liquid chlorine cylinders (Contract No. 145-0391-B) cancelled for cause.

Award of bid to Allied Universal Corporation for requirements of liquid chlorine cylinders (Contract No. 145-0391-B) approved on the basis of being the only responsive, responsible bid received meeting specifications; estimated five-year expenditure not to exceed \$1,332,030.00; contract commences on October 12, 2015 and provides for price adjustments as set forth in the Agenda Memorandum dated September 10, 2015.

- #12 Items for discussion from Consent Agenda.

- # 6 Award of bid to QRC, Inc. for Fiscal Year 2016 – Fiscal Year 2018 Storm Sewer Pipe Replacement Work Order Contract (Bid No. 145-0307-CP; PID No. 001922B) approved on the basis of being the lowest responsive, responsible bid received; estimated total expenditure \$7,226,595.00; all work is expected to be fully completed within 36 consecutive calendar months; Chairman authorized to sign the agreement and the Clerk to attest.

In response to queries by Commissioner Seel, Mr. Woodard related that the stormwater pipe replacement work will be performed in the unincorporated areas; and that staff will provide a work schedule.

Motion	-	Commissioner Seel
Second	-	Commissioner Welch
Vote	-	7 – 0

- # 9 Award of bid to Citizens RX, LLC for Pharmacy Services for the Pinellas County Indigent Health Program and Mobile Medical Unit (Rebid) (Bid No. 145-0204-B) approved on the basis of being the lowest responsive, responsible bid received; estimated annual plan cost \$5,480,000.00; estimated 60 expenditure not to exceed \$27,400,000.00; contract effective October 1, 2015 through September 30, 2020; Chairman authorized to sign the agreement and the Clerk to attest.

At the request of Commissioner Eggers, Human Services Director Lourdes Benedict described the Citizens Rx contract and the pharmacy services offered, and provided statistical information regarding the Pinellas County Health Program. Responding to query by Commissioner Welch, she indicated that Medicaid Expansion in Florida would cover some of the cost of prescriptions.

In response to query by Commissioner Seel regarding the difference between the bid and estimated expenditure, Mr. Woodard stated that the Purchasing Department procured the contract through competitive bids; whereupon, Purchasing Director Joseph Lauro stated that the \$4.5 million bid amount was less than the budgeted amount.

Motion	-	Commissioner Eggers
Second	-	Commissioner Welch
Vote	-	7 – 0

- #13 Change Order No. 1 to the agreement with Layne Inliner, LLC for Stormwater Pipeline Repair Including Cured in Place Pipelining (Contract No. 134-0177-CP) approved increasing the contract amount by \$468,002.03 (revised estimated total expenditure, \$1,854,339.64); Chairman authorized to sign the agreement and the Clerk to attest.

Motion	-	Commissioner Welch
Second	-	Commissioner Justice

In response to query by Commissioner Justice, Assistant County Administrator Pick Talley discussed stormwater capacity issues resulting from the recent rains, and stated that the Division of Environmental Protection just completed an inspection of the County's water treatment plant in Palm Harbor and found it to have no discrepancies.

Vote	-	7 – 0
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- #14 Change Order No. 2 to the agreement with QRC, Inc. for Fiscal Year 2014 - Fiscal Year 2016 Countywide Americans with Disabilities Act Sidewalk, Drainage, and Roadway Improvements (Contract No. 123-0482-CP) approved increasing the contract amount by \$450,000.00 to allow the completion of certain work by a date certain per grant funding requirements (revised contract amount, \$970,174.00); Chairman authorized to sign the agreement and the Clerk to attest.

Motion	-	Commissioner Welch
Second	-	Commissioner Justice
Vote	-	7 – 0

- #15 Resolution No. 15-84 adopted approving Project B5072233675 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support as local participation in the Qualified Target Industry (QTI) Tax Refund Program (total local contribution amount, \$30,000.00, 50 percent of which will be paid by Pinellas County, not to exceed \$15,000.00, to be paid over a series of fiscal years as determined by the State).

Motion - Commissioner Long
Second - Commissioner Seel
Vote - 7 – 0

- #16 Resolution No. 15-85 adopted approving Project B3010950802 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support as local participation in the Qualified Target Industry (QTI) Tax Refund Program (total local contribution amount, \$51,000.00, 50 percent of which will be paid by Pinellas County, not to exceed \$25,500.00, to be paid over a series of fiscal years as determined by the State).

Motion - Commissioner Welch
Second - Commissioner Gerard

At the request of Commissioner Eggers, Economic Development Director Michael Meidel agreed to give a presentation regarding the Qualified Target Industry Tax Refund Program at a future meeting and, with input by Mr. Woodard, provided background and statistical information regarding the program.

Vote - 7 – 0

- #17 Community Home Care Medical Services Agreement with BayCare Home Care, Inc. for home health services for eligible clients of the Pinellas County Health Program and Mobile Medical Unit, approved; agreement is effective October 1, 2015 through September 30, 2016, with two one-year renewals; total amount of funding is not to exceed \$550,000.00 during the term of the agreement; Chairman authorized to sign the agreement and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Gerard
Vote - 7 – 0

- #18 Interlocal Agreement with the Florida Department of Health for medical services for the Pinellas County Health Care Program and Mobile Medical Unit, approved; agreement is effective October 1, 2015 through September 30, 2016, with two one-year renewals;

annual funding amount is not to exceed \$10,794,483.00; Chairman authorized to sign the agreement and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Gerard
Vote - 7 – 0

- #19 Provider Agreement with BayCare Health Systems, Inc. and Provider Agreement renewals with Bayfront HMA Medical Center, LLC and Tarpon Springs Hospital Foundation, Inc. d/b/a Florida Hospital North Pinellas to provide services for eligible clients enrolled in the Pinellas County Health Program and Mobile Medical Unit, approved; agreements are effective October 1, 2015 through September 30, 2016; total amount of funding is not to exceed \$3,000,000.00 during the term of agreements; Chairman authorized to sign the agreements and the Clerk to attest.

Motion - Commissioner Long
Second - Commissioner Welch
Vote - 7 – 0

- #20 Interlocal Agreement with the Pinellas County Sheriff's Office for Misdemeanant Offender Supervision Services for Fiscal Year 2016, approved; Chairman authorized to sign the agreement and the Clerk to attest.

In response to query by Commissioner Gerard, Justice and Consumer Services Director Michael Cooksey indicated that the number of misdemeanor probationers has increased; that Fiscal Year 2016 will be the third year that the Sheriff has provided the services; and that the program is sustained by user fees; whereupon, he agreed to provide statistical information relating to before and after the Sheriff was awarded the contract.

Motion - Commissioner Welch
Second - Commissioner Long
Vote - 7 – 0

- #21 Agreement with Jon R. Thogmartin, M.D., P.A., for Medical Examiner and Forensic Laboratory Services in the amount of \$4,814,905.65 for Fiscal Year 2016, approved; Chairman authorized to sign the agreement and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Gerard
Vote - 7 – 0

- #22 Legal Aid Services Contract with Gulfcoast Legal Services, Inc. in the amount of \$357,467.47 for Fiscal Year 2016, approved; Chairman authorized to sign the agreement and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Gerard
Vote - 7 – 0

- #23 Contract with the Pinellas County Sheriff's Office for Law Enforcement Services by the Environmental Lands Unit in the amount of \$273,687.44 for Fiscal Year 2016, approved; Chairman authorized to sign the agreement and the Clerk to attest.

Upon request by Chairman Morroni, Parks and Conservation Resources Director Paul Cozzie, with input by Mr. Woodard, gave a brief overview of the contract and the services provided, noting that the Environmental Lands Unit consists of two officers. Discussion ensued, and Commissioner Welch requested that the contract be flagged for review of the staffing level during next year's budget discussions.

Motion - Commissioner Gerard
Second - Commissioner Welch
Vote - 7 – 0

- #24 Consent Order between Pinellas County and Waterstone Capital Portofino at Largo, LLC and Portofino at Largo Condo Association, Inc. approved assessing a violation penalty in the amount of \$42,945.00 as final settlement of Air Quality Consent Order No. A14-058; Chairman authorized to sign the order.

Motion - Commissioner Welch
Second - Commissioner Seel
Vote - 7 – 0

- #25 Third Amendment to the contract with Miles Media Group, LLLP for the Technology Marketing Program for the Convention and Visitors Bureau (CVB) (Contract No. 112-0250-P) approved, increasing the current contract amount (Fiscal Year 2015) by \$350,000.00 and extending the contract for an additional 12-month term (Fiscal Year 2016) for an amount not to exceed \$1,150,000.00; Chairman authorized to sign the amendment and the Clerk to attest.

In response to query by Commissioner Seel, Convention and Visitors Bureau Media and Interactive Director Leroy Bridges, with input by Mr. Woodard, indicated that the CVB is involved in many ongoing digital multi-media projects; that it currently supports 15

websites and microsites; that due to the growth of mobile technology, the sites are being adapted for mobile optimization; and that the digital search component is being improved to be more consumer responsive.

Motion - Commissioner Long
Second - Commissioner Seel
Vote - 7 – 0

- #26 Adoption of the 2016 State and Federal Legislative Programs, as set forth in the attachment to the Agenda Memorandum dated September 10, 2015, approved as amended.

Commissioner Long moved, seconded by Commissioner Justice, that the item be approved, and during the vote, Commissioner Eggers noted that the members had not been in agreement regarding inclusion of the Penny for Pinellas Expansion issue pertaining to the use of Penny revenue for operations and maintenance, and Commissioner Gerard concurred.

During discussion, Mr. Woodard related that the proposed legislative programs were prepared following discussions with the Board as a whole and in individual sessions; and that he is seeking direction from the members as to any revisions and, ultimately, adoption of the programs.

Commissioner Welch related details of a discussion at the Florida Association of Counties (FAC) policy meeting pertaining to the Penny expansion issue, indicating that the Legislature would expect a reduction of ad valorem taxes, and Intergovernmental Liaison Mary Scott Hardwick provided input, noting that the FAC did not adopt it as a priority; whereupon, Commissioner Eggers moved, seconded by Commissioner Gerard, that the item be removed from the State Legislative Program.

Commissioner Long suggested that the item remain for purposes of discussion at the upcoming joint meeting with the Legislative Delegation, and Commissioner Seel reiterated her previous proposal to limit the expansion to operation and maintenance of parks and roads. Following discussion with input by Ms. Hardwick and Mr. Woodard and upon call for the vote, the Board approved the Legislative Programs, as amended by the removal of the Penny for Pinellas Expansion issue.

Vote - 6 – 1 (Commissioner Seel dissenting)

Mr. Woodard requested direction regarding extension of the contracts for state and federal lobbying services, and it was the consensus of the members that staff move forward with one-year extensions to both contracts.

- #27 Fiscal Year 2015 Board Budget Amendment No. 9 approved realigning appropriation in the amount of \$364,980.00 within the Sewer Revenue and Operating Fund from Reserve for Contingencies to Repair & Maintenance – Water/Sewer Line within the Sewer program to cover various emergency repairs.

Motion - Commissioner Welch
Second - Commissioner Gerard
Vote - 7 – 0

- #28 Resolution No. 15-86 adopted requesting inclusion of Pinellas County beach erosion control projects in the Florida Department of Environmental Protection’s Beach Management Funding Assistance Program Fiscal Year 2016-2017 Long-Range Budget Plan; total funds requested, \$7,511,500.00.

Motion - Commissioner Justice
Second - Commissioner Gerard
Vote - 7 – 0

- #29 Ranking of firms and final contracts with the top three firms: Manheim Remarketing, Inc., d/b/a Manheim Tampa; Iron Planet, Inc. d/b/a GovPlanet, LLC; and Tampa Machinery Auction, Inc. for auction services for vehicles and related equipment (co-op) (Contract No. 145-0225-R) approved. Contract is effective for a period of 60 months from the date of execution; estimated 60-month revenue to Pinellas County not to exceed \$4,704,905.00 (total estimated cooperative 60-month revenue not to exceed \$13,409,905.00); Chairman authorized to sign the agreements and the Clerk to attest.

Motion - Commissioner Welch
Second - Commissioner Long
Vote - 7 – 0

- #30 Other administrative matters - None.

- #31 Proposal for settlement rejected in the case of The Richman Group of Florida, Inc. versus Pinellas County – Circuit Civil Case No. 14-005608-CI-15, in accordance with the confidential memorandum from County Attorney James L. Bennett dated September 10, 2015.

Motion - Commissioner Welch
Second - Commissioner Gerard
Vote - 7 – 0

#32 County Attorney miscellaneous - None.

#33 Sitting as the Pinellas County Industrial Development Authority, d/b/a the Pinellas County Economic Development Authority, the Board approved the Declarations of Restrictive Covenants for the Wastewater Treatment Neutralization Area, Building 100, and the Northeast Site within the Young-Rainey STAR Center, and a Memorandum of Agreement with the United States Department of Energy for Continuing Operations at the Young-Rainey STAR Center; Chairman authorized to sign the three Declarations of Restrictive Covenants and the Memorandum of Agreement and the Clerk to attest.

Motion - Commissioner Long
Second - Commissioner Justice
Vote - 7 – 0

#34 Resolution No. 15-87 adopted approving the actions by the Pinellas County Health Facilities Authority regarding amendments to documents securing the outstanding Pinellas County Health Facilities Authority Health System Revenue Bonds, BayCare Health System Issue, Series 2009A.

Motion - Commissioner Long
Second - Commissioner Welch
Vote - 7 – 0

#35 Resolution No. 15-88 adopted deferring the processing of 2015 tax deed applications on 2013 County-held tax certificates for properties assessed by the Property Appraiser at values less than \$5,000.00, pursuant to Section 197.502(3), Florida Statutes.

Motion - Commissioner Welch
Second - Commissioner Long
Vote - 7 – 0

#36 Resolution No. 15-89 adopted directing the Property Appraiser to extend the 2015 tax rolls and deliver the extended rolls to the Tax Collector on or before October 7, 2015, upon authority of Section 197.323, Florida Statutes; and directing the Clerk to deliver the resolution to the Property Appraiser.

Motion - Commissioner Welch
Second - Commissioner Long
Vote - 7 – 0

#37 County Administrator reports – None.

#38 Appointments and reappointments to the Youth Advisory Committee as outlined in the agenda memorandum dated September 10, 2015, approved.

In response to queries by the members, Commissioner Justice indicated that there is not a system to track the students post-graduation, but a communication survey could be set up to see if any are considering working in the government; that the membership is capped at 25 and there are two more openings; that a Chairman’s Report is scheduled each year and could include a student presentation; and that he will not be taking the students to Tallahassee during the legislative session, and discussion ensued.

Motion - Commissioner Eggers
Second - Commissioner Seel
Vote - 7 – 0

#39 Appointment of Bryan Scott to the Pinellas Suncoast Transit Authority (PSTA) Board of Directors approved.

Commissioner Seel moved, seconded by Commissioner Gerard, that Bryan Scott be approved as the Board’s citizen appointment to the PSTA Board of Directors.

In response to query by Commissioner Welch whether the appointment of Mr. Scott is authorized under the Special Act, Attorney Bennett referenced his memorandum to the Board in 2012 when Mr. Scott was originally appointed to the PSTA, and advised that if the Board adopted a narrow view of the interpretation of “exemption,” Mr. Scott would be qualified.

Chief Assistant County Attorney Jewel White related that in response to a request by Commissioner Welch, she had conducted further research, listened to the discussion held in 2012, reviewed the Special Act, and consulted with Alan Zimmet, General Counsel for the PSTA. She indicated that Attorney Zimmet and she agree that the Special Act is not well written and is open to interpretation; and that it is up to the Board as to how they want to construe the Special Act. She advised that if, in the future, Mr. Scott should

contract with the PSTA to provide services, it would not be a concern of this Board, as Attorney Zimmet manages conflicts of interest for the PSTA Board.

Attorney Bennett related that concerns have been raised that if Mr. Scott is not qualified to participate on the PSTA Board, decisions made by the PSTA might be undermined. He advised that it is within the BCC's discretion to decide whether Mr. Scott is qualified, and, given the legal guidance it has been provided, if the BCC finds Mr. Scott is qualified, the actions of the PSTA would be protected; whereupon, Commissioner Welch indicated that he continues to have concerns, particularly in light of the problems the PSTA has had recently because it has not been handling things in exactly the right way, and Commissioner Long concurred.

During discussion, Chairman Morroni indicated that the Board had the same discussion when Mr. Scott was first appointed and, since then, he has provided exemplary service to the PSTA; and that he trusts him to reveal any conflict of interest that might arise, as would any other appointee or the BCC members themselves. Commissioner Eggers suggested that the appointment contain a stipulation to the effect that Mr. Scott would resign from the PSTA Board prior to submitting a bid to provide trolley services or any other contracted service, and Attorney White indicated that Mr. Zimmet had inferred that in his memorandum; whereupon, during discussion and in response to query by Commissioner Eggers, Mr. Scott indicated that he has had no occasion to recuse himself from voting since he has been serving on the PSTA Board.

Commissioner Gerard expressed concern that the appointment process is not transparent or consistent, noting that today's procedure tends to lead toward re-appointments, and discussion ensued. Commissioner Long echoed Commissioner Gerard's concerns and requested that the County Administrator come up with a more effective and transparent way of making appointments; whereupon, Chairman Morroni indicated that, going forward, there will be only two ways to make appointments: (1) Commissioner appointments, which the individual Commissioners make themselves, and (2) Board appointments, which will all be done by ballot, and no objections were noted.

Vote - 4 - 3 (Commissioners Gerard, Long, and Welch dissenting)

- #40 Nine appointments to the Lealman Community Redevelopment Area Advisory Committee approved.

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At the request of the Chairman, the members made their individual nominations to the committee as follows:

Chairman Morroni	Ray Neri
Commissioner Justice	Dwayne Hawkins
Commissioner Long	Gary Grooms
Commissioner Welch	James Roberto
Commissioner Eggers	Jorge Mercado
Commissioner Gerard	Linda Umberger
Commissioner Seel	Steven Cleveland

Thereupon, Chairman Morroni asked for a motion to approve the seven individual appointments.

Motion	-	Commissioner Welch
Second	-	Commissioner Gerard
Vote	-	7 – 0

Chairman Morroni explained that the two Board appointments would be selected from the remaining names on the Applicant Appointment Worksheet, indicating that a vote by ballot would be taken; whereupon, the nominations proceeded as follows:

Chairman Morroni nominated Cheryl DiCicco
Commissioner Justice nominated Jim Millican
Commissioner Seel nominated Diane Plomatos

Ballots were distributed, each member was asked to vote for two candidates, and the ballots were presented to Mr. Burke and Attorney Bennett for tabulation.

Later in the meeting, Mr. Burke read the individual votes into the record, as required by statute:

Chairman Morroni	Cheryl DiCicco and Diane Plomatos
Commissioner Justice	Cheryl DiCicco and Jim Millican
Commissioner Long	Cheryl DiCicco and Diane Plomatos
Commissioner Welch	Cheryl DiCicco and Diane Plomatos
Commissioner Eggers	Cheryl DiCicco and Eric Schleich
Commissioner Gerard	Cheryl DiCicco and Jim Millican
Commissioner Seel	Cheryl DiCicco and Diane Plomatos

Thereupon, Chairman Morroni congratulated Cheryl DiCicco and Diane Plomatos on their appointment to the committee.

#41 County Commission miscellaneous:

- a. Commissioner Gerard thanked the Pinellas County Sheriff's Office for offering its Citizens Academy.
- b. Commissioner Justice announced that USF St. Petersburg is celebrating its 50th Anniversary with a Community Block Party on September 12.

suggested holding a workshop re spring training and bed tax capital projects later in the year, and the members concurred.
- c. Commissioner Welch indicated that the Business Technology Services (BTS) Board has made a change to its Interlocal Agreement with regard to Board membership.
- d. Commissioner Eggers announced that Curlew Hills is hosting a 9/11 memorial ceremony on September 11.
- e. Commissioner Long discussed the homeless symposium held last week; announced that the Homeless Leadership Board (HLB) will meet on September 11; and that the Juvenile Welfare Board is assisting the HLB in its search for an executive director.

provided update on Charter Review Commission, noting that a facilitator and an attorney have been retained; discussed Florida Association of Counties presentation re Constitutional Revision Commission.

indicated that an AMSkills delegation is going to Germany in November to recruit German companies interested in relocating their headquarters to Pinellas County.

noted that the Tampa Bay Regional Planning Council executive director interview process begins next week and the County’s Human Resources Department will assist.

f. Chairman Morroni requested that Commissioner Justice be appointed to serve as his designee for the December 10 BTS Board meeting. Commissioner Eggers moved, seconded by Commissioner Welch and carried, that the appointment be approved.

discussed Penny for Pinellas; Board authorized Chairman to write a letter to the Supervisor of Elections setting November 7, 2017 as the next referendum date.

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At this time, 4:26 P.M., the meeting was recessed and reconvened at 6:05 P.M. with all members present.

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#42 Tax Equity Fiscal Responsibility Act (TEFRA) public hearing held and Resolution No. 15-90 adopted approving the issuance of not to exceed \$3,600,000 Pinellas County Educational Facilities Authority Revenue Refunding Bond (Saint Paul’s School Project), Series 2015, pursuant to Section 147(f) of the Internal Revenue Code of 1986. No correspondence has been received. No citizens appeared to be heard.

Motion - Commissioner Gerard
Second - Commissioner Welch
Vote - 7 – 0

#43 Resolution No. 15-91 adopted relating to the provision of Surface Water Management Services and confirming the Fiscal Year 2016 Preliminary Surface Water Rate

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Resolution; imposing Surface Water Service Assessments and Fees against certain real property in the unincorporated area of Pinellas County established as the Surface Water Service Area; approving the Surface Water Rolls; establishing a Mitigation Credit Policy; and providing an effective date (annual Surface Water Service Assessment rate for Fiscal Year 2016, \$117.74 per net equivalent residential unit [ERU]; estimated Fiscal Year 2016 revenue, \$19.2 million).

Mr. Burke announced that the public hearing was properly advertised; the affidavit of publication has been received for filing; nine letters, three emails, and one postcard have been received in opposition to the proposed assessments and fees; and the matter is properly before the Board to be heard.

Mr. Woodard related that the Board has already approved the preliminary roll for the stormwater utility fee assessed within the unincorporated area; and that staff is requesting approval of the final amount for the Fiscal Year 2016 assessment.

Kelli H. Levy, Natural Resources Division Manager, Public Works, conducted a PowerPoint presentation titled *Doing Things!*, a copy of which has been filed and made a part of the record, and reviewed the following:

- Fiscal Year 2015 Accomplishments
- Fiscal Year 2016 Work Plan
- Mitigation Credit Policy Revisions
- Tampa Bay Area Mitigation Credit Policies (chart)
- Tampa Bay Area Stormwater Utility Rates (chart)
- Fiscal Year 2016 Assessment

Ms. Levy indicated that the level of service has improved from a C-Plus to a B-Minus. She provided information regarding the number of miles of open and closed conveyances that have been completed and discussed the importance of the street sweeping program in keeping pollutants from reaching local water bodies. She related that the updated floodplain management ordinance was adopted earlier this year; that the revised stormwater code is under review; that a new website is operational; and that the department is doing targeted outreach into the most flood-prone areas; whereupon, she provided an update on the Adopt-A-Pond Program.

Ms. Levy discussed the changes the County made to its mitigation credit policy in 2014 and changes scheduled to come before the Board on September 24, 2015, and reviewed

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the chart on Page No. 7 listing the credit policies in the Tampa Bay area; whereupon, Mr. Woodard pointed out that the County's mitigation credit policy for the unincorporated area is more forgiving and liberal than that of any other entity.

Ms. Levy discussed the chart on Page No. 8 showing the 2016 stormwater utility rates charged in the area, noting that the rates range from a low of \$1.50 in Redington Shores to a high of \$14.51 in the City of Clearwater; whereupon, Mr. Woodard pointed out that the County's rate for the unincorporated area falls somewhere in the middle.

In response to the concerns of Commissioner Eggers regarding the cost and how difficult it is for the citizens to receive the credits, Ms. Levy discussed the Southwest Florida Water Management District permit and stated that all local governments with credit policies require an engineering analysis and certification; and that the engineer's certification is a one-time cost, noting that the price the engineering firms charge varies greatly, and discussion ensued.

Chairman Morroni asked that the members be provided with detailed information prior to the meeting on September 24 so they can review it and be responsive to their constituents. Mr. Woodard pointed out that the credit policy the Board is considering this evening relates to Fiscal Year 2016 and reflects the changes the Board has already made; and that the credit policy the Board will be considering at its meeting on September 24 relates to the assessment roll for Fiscal Year 2017, whereupon, in response to query by Commissioner Eggers, Ms. Levy explained that the credit applications for the 2016 tax roll have been processed and the credits are reflected in the 2016 TRIM notice; and that the mitigation credit period for Fiscal Year 2017 will begin on October 1 of this year.

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:

John Landon, Palm Harbor
Roger Johnson, East Lake
Roger Wilson, Seminole
Jerry Zimmerman, St. Petersburg
David Zachem, St. Petersburg
Rosanne Paris, Palm Harbor
John Clendenon, Largo

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In response to comments by Mr. Landon, Chairman Morroni confirmed with Attorney Bennett that all litigation has concluded, and the members of the Mitigation Credit Policy Task Force may now talk with the Commissioners. Responding to comments by Mr. Wilson, Chairman Morroni, with input by Mr. Woodard, stated that having a three-tier rate structure is a “best practice.”

Chairman Morroni closed the public hearing and thanked Ms. Levy for assisting the speakers; whereupon, Ms. Levy stated that every site is unique, and the citizens need to meet with her before spending any money.

During deliberation, Chairman Morroni stated for the record that he concurs with Mr. Wilson regarding the tiers and agrees that the fee for a 1,600 square-foot house should be less than that of a house with 4,300 square feet; and in response to query by Commissioner Gerard, Mr. Woodard stated that state statute requires this to be an annual process.

Thereupon, Commissioner Long moved, seconded by Commissioner Gerard, that the resolution be approved.

Commissioner Seel remarked that the relatively minor problems Pinellas County suffered during the heavy rainfalls this summer, compared to the problems in Hillsborough County, validate the stormwater assessment, and Mr. Woodard concurred, noting that there is anecdotal evidence to support the statement. He related that there is a strong possibility the County’s community rating will improve, which would translate into lower insurance premiums for the residents and taxpayers. Commissioner Welch and Chairman Morroni urged that everyone continue to listen and be responsive to the public; whereupon, Commissioner Eggers, while acknowledging the need for stormwater improvements, expressed concern that the County went so quickly from no assessment to a rather high fee and expressed concern with the process.

Upon call for the vote, the motion carried unanimously (7 – 0).

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At this time, 7:06 P.M., the meeting was recessed and reconvened at 7:18 P.M. with all members present.

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- #44 Public hearing was held regarding the proposed Fiscal Year 2016 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. 15-92 and 15-93); resolutions adopted approving tentative millage rates and budgets for Emergency Medical Services Authority, Pinellas Planning Council, Unincorporated Area Municipal Service 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, Largo Fire Protection District, Pinellas Park Fire Protection District, Safety Harbor Fire Protection District, Tarpon Springs Fire Protection District, Seminole Fire Protection District, High Point Fire Protection District, Tierra Verde Fire Protection District, and South Pasadena Fire Protection District (Nos. 15-94 and 15-95).

Ken Burke, Clerk of the Circuit Court and Comptroller, reported that no correspondence has been received regarding the proposed millages and tentative budgets.

At this time, Chairman Morroni 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 Morroni opened the first public hearing on the tentative millage rates and budgets proposed for Fiscal Year 2016, and 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.

Clerk Burke reported that due notice has been provided by the mailing of the TRIM notices to Pinellas County property owners as required by Chapters 129 and 200 of the Florida Statutes.

Chairman Morroni announced that the Board of County Commissioners (BCC), as taxing authority for the BCC Countywide, including the Pinellas County General Fund and Health Department, and as taxing authority for the Dependent Special Districts and Municipal Service Taxing Units, including Emergency Medical Services, Pinellas Planning Council, Unincorporated Area MSTU, Public Library Cooperative MSTU, Palm

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Harbor Community Services District, Feather Sound Community Services District, East Lake Library Services MSTU, East Lake Recreation Services District, and the Special Fire Protection Districts, 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 2016 Tentative Budget is a 4.55-percent increase over the aggregate rolled-back rate; whereupon, he indicated that the primary purposes for increases in ad valorem tax revenues are due to the following:

- In the General Fund including the Unincorporated Area MSTU, Health Department Fund, Emergency Medical Services Fund, and the Pinellas Planning Council, 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 *FY2016 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 28, 2015; that modifications included both Board-directed changes approved at BCC meetings or work sessions and technical adjustments related to accounting presentation, restructuring department centers and programs, and other minor changes; and that the changes are outlined in a document titled *Exhibit I – Summary of Changes to FY2016 Proposed Budget*, a copy of which has been filed and made a part of the record.

Following the presentation, Chairman Morroni 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 2016 Budget.

In response to Chairman Morroni's call for public comment, the following individuals presented their comments and concerns:

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Amanda Kubisiak, St. Petersburg, re Budget.

Mike Carroll, Clearwater, re EMS Budget and Millage.

In response to comments by Mr. Carroll, Mr. Woodard indicated that the Emergency Medical Services Membership Plan the County offers is designed to address the ambulance billing discrepancy; and that staff is considering possibly making the plan retroactive if a prior invoice is involved, and Ambulance Billing Director Jodie Sechler provided input, and discussion ensued.

Chairman Morroni closed the public comment portion of the meeting and thanked the speakers for their participation; whereupon, he asked whether the members wished to recommend any changes to the proposed millage rates or budgets, and none were noted.

Chairman Morroni 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 24, 2015; whereupon, Mr. Woodard announced each of the resolutions separately, which have been filed and made a part of the record.

Resolution No. 15-92 adopting the tentative millage rates for Fiscal Year 2016 for Pinellas County General Fund and Health Department adopted.

Motion	-	Commissioner Gerard
Second	-	Commissioner Long
Vote	-	7 – 0

Resolution No. 15-93 adopting the tentative budgets for Fiscal Year 2016 for Pinellas County General Fund and Health Department adopted.

Motion	-	Commissioner Long
Second	-	Commissioner Gerard
Vote	-	7 – 0

Resolution No. 15-94 adopting the tentative millage rates for Fiscal Year 2016 for 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, Largo Fire Protection District, Pinellas Park Fire Protection District, Safety Harbor Fire Protection District, Tarpon Springs Fire Protection District, Seminole Fire Protection

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District, High Point Fire Protection District, Tierra Verde Fire Protection District, and South Pasadena Fire Protection District adopted.

Motion - Commissioner Gerard
Second - Commissioner Long
Vote - 7 – 0

Resolution No. 15-95 adopting the tentative budgets for Fiscal Year 2016 for 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, Largo Fire Protection District, Pinellas Park Fire Protection District, Safety Harbor Fire Protection District, Tarpon Springs Fire Protection District, Seminole Fire Protection District, High Point Fire Protection District, Tierra Verde Fire Protection District, and South Pasadena Fire Protection District adopted.

Motion - Commissioner Long
Second - Commissioner Seel
Vote - 7 – 0

At this time, Chairman Morroni closed the first public hearing on the tentative millage rates and budgets for Fiscal Year 2016.

- #45 Authorization granted to advertise the tentative millage rates and budgets and the date, time, and place of the second public hearing regarding the proposed Fiscal Year 2016 millage rates and budgets; second public hearing to be held on September 24, 2015.

Motion - Commissioner Justice
Second - Commissioner Eggers
Vote - 7 – 0

- #46 Meeting adjourned at 8:16 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk