

Pinellas County

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



Minutes - Final

Tuesday, March 21, 2017

2:00 PM

BCC Assembly Room

Board of County Commissioners

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

ROLL CALL - 2:00 P.M.

Present: 6 - Chairman Janet C. Long, Vice-Chairman Kenneth T. Welch, Dave Eggers, Pat Gerard, Charlie Justice, and John Morroni

Absent: 1 - Karen Williams Seel

Others Present: James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Clarethia N. Harris, Chief Deputy Clerk; and Lynn Abbott and Jenny Masinovsky, Board Reporters, Deputy Clerks.

INVOCATION by Rabbi Jacob Luski with Congregation B’Nai Israel in St. Petersburg**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS**

1. Doing Things! Employee Recognition - LJ Wood, Public Works.

Chairman Long and Mr. Woodard recognized Public Works Automotive Equipment Operator LJ Wood, relating that she is a 17-year employee who sweeps the streets of unincorporated Pinellas County and educates citizens about the importance of keeping their curbs clear to allow water to drain properly; whereupon, a video was shown highlighting the services she provides.

2. Water Conservation Month Proclamation - Edgar Lopez, Water Conservation Compliance Officer, Utilities Department.

Chairman Long stressed the importance of clean, safe, and sustainable water resources on the county’s economy, environment, and citizens, noting that everyone can make a difference by conserving the water supply; whereupon, she presented the proclamation to Mr. Lopez.

Deviating from the agenda, Chairman Long requested that Item No. 20 be addressed at this time, and no objections were noted.

20. Report on the matter United States ex rel. Dean v. Paramedics Plus, LLC, Pinellas County Emergency Medical Services Authority, et al., 4:14-cv-203 (E.D. TX).

Attorney Bennett briefly introduced the item and indicated that the Board of County Commissioners approved a settlement agreement in the case two weeks ago, noting that announcement of the settlement agreement was delayed to secure the final signatures. He reported that the amount of the settlement is \$92,600, relating that a recent press report incorrectly identified the figure as \$163,800.

Managing Assistant County Attorney Donald S. Crowell indicated that the County Attorney's Office learned of the issue in early 2016 and hired Brian Albritton, Esquire, Phelps Dunbar, as outside counsel to represent Pinellas County, due to his background and experience in the area of law.

Mr. Albritton, former United States Attorney for the Middle District of Florida, provided historical information about the case and recent litigation, noting that qui tam civil lawsuits are filed under seal to allow the complainant, the Relator, to sue the wrongdoer on behalf of the government under the False Claims Act, rewarding the Relator if funds are recovered for the government. He explained that a former employee of Paramedics Plus filed suit in Texas; that Paramedics Plus contracts with several municipalities throughout the United States to provide local ambulance service; that the company had an agreement with the Pinellas County Emergency Medical Services Authority (EMSA) to provide a portion of any company profits over a certain amount; that a profit cap is not illegal and was not secret; that the subject contract period was between 2004 to 2015; and that the profit cap was exceeded one time in 2013 in the amount of \$35,600.

Mr. Albritton discussed the original Request for Proposals bidding process and related that Paramedics Plus was rated as the highest ranked firm; that the profit cap provision was written into the contract as an add-on; and that the contract was publicly discussed and available for review, noting that the provision's language was later determined to be unnecessary and permanently removed from any bid condition during contract review in 2014. He described the relationships between EMSA, Paramedics Plus, and Sunstar Paramedics, relating that EMSA subcontracts the services of and provides billing services for Paramedics Plus.

Mr. Albritton presented information pertaining to the Relator's theory of the case and indicated that the government filed an amended complaint against the other named defendants, decided not to intervene against EMSA, and offered to settle the case, noting that the expenses to defend at trial would have been far more costly than to simply bring the matter to a close. He discussed the settlement and reported that terms include EMSA paying a combined total of \$71,200 to the federal government and the State of Florida as well as the Relator's attorney fees, as required by statute; that EMSA will receive a full civil release for covered conduct, providing that it will no longer seek to collect on any outstanding or uncollected Medicare, Medicaid, or TRICARE bills from the contract period; and that there is no admission of liability.

Mr. Albritton discussed the Anti-Kickback Act and the rules of evidence for litigating a case under the False Claims Act, commenting that potential damages for the subject time period could have potentially reached a billion dollars. He described a recent case that he litigated and, responding to queries by Commissioner Justice, compared it to the Pinellas EMSA case, relating that the resolution for the remaining suit will likely take three years; whereupon, Attorney Bennett indicated that he is not aware of any other County contracts containing a similar profit cap.

In response to comment and queries by Commissioner Morroni, Mr. Albritton indicated that, while it has been characterized as a kickback or rebate, the payment was actually based on a profit cap, noting that Sunstar's role as the only subcontractor for Pinellas

County ambulance service created a monopoly; and that the profit cap offset the opportunity to make tremendous profit presented by a monopoly; whereupon, Attorney Bennett related that a retraction has not been requested from the media as the matter has not yet been discussed with the Board, and he will follow up.

During discussion and in response to comments and queries by Commissioner Eggers, Mr. Albritton explained that the County performed an analysis based on EMSA's collection history; and that \$500,000 is a reasonable estimation of what the County will write off as of the effective date of the settlement agreement, noting that a copy of the analysis would be provided. He pointed out that the government did not intervene against EMSA because the allegations against the remaining defendants were much more severe; whereupon, Commissioner Welch commented that "kickback" is an incendiary word; that the profit cap brought excess dollars back to the EMS system; and that the settlement agreement contains no admission of liability.

At the request of Chairman Long, Mr. Albritton discussed the reason that the County could not discuss the issue publicly prior to the settlement, noting that qui tam lawsuits are statutorily sealed; that the strict prohibition applies to all communications; that the action provides adequate time for investigation by governmental bodies; and that the statute provides for a minimum sealing of 60 days and can be extended for years.

CONSENT AGENDA - Items 3 through 11

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

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

Absent: 1 - Commissioner Seel

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

3. Minutes of the regular meeting held February 21, 2017.
4. Vouchers and bills paid from February 5 through February 18, 2017.

Period: February 5 through February 11, 2017

Payroll - \$3,344,366.24

Accounts Payable - \$12,359,993.29

Period: February 12 through February 18, 2017

Payroll - None

Accounts Payable - \$11,408,725.99

Miscellaneous items received for filing:

5. Town of Belleair Notice of Public Hearing for preliminary site plan review; public hearing to be held April 4, 2017.
6. Eastlake Oaks Community Development District minutes of the meeting held December 8, 2016.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

7. Receipt and file report of non-procurement items delegated to the County Administrator for the period ending February 28, 2017.

Economic Development

8. Resolution supplementing the FY 2017 General Fund budget for unanticipated revenues to the Economic Development department.
Resolution No. 17-11 adopted appropriating earmarked receipts for a particular purpose (unanticipated revenue in the amount of \$10,000.00).

Parks and Conservation Resources

9. Air Quality Consent Order A17-005 with GS 377 8th Street N, LLC.
Consent Order approved assessing a penalty in the amount of \$36,400.00 to resolve asbestos air quality violations.

Real Estate Management

10. Declare surplus and authorize the sale of miscellaneous County-owned equipment to include an incinerator chamber.
Declaration of a Crawford incinerator chamber (crematory), Model No. CB128SW, as surplus approved and authorization granted for sale of same to the highest responsible bidder, pursuant to Chapter 274, Florida Statutes. Revenues derived from the surplus sale will be deposited into the General Fund.
11. Declare surplus and authorize the sale of miscellaneous County-owned cooling system equipment currently located in downtown Clearwater.

Declaration of five air-cooled chillers, four water-cooled chillers, appurtenant pumps and condensers, and one cooling tower as surplus approved and authorization granted for sale of same to the highest responsible bidder, pursuant to Chapter 274, Florida Statutes, utilizing the existing contract with GovDeals.com. Revenues derived from the surplus sale will be deposited into the General Fund, Water Fund, and Sewer Fund.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA: None.

COUNTY ADMINISTRATOR DEPARTMENTS

Airport

12. Airport Service Contract with the United States Coast Guard at St. Pete-Clearwater International Airport for airfield operating expenses, Aircraft Rescue Firefighting services and unarmed security guard services for Coast Guard Air Station Clearwater.

Contract No. HSCG84-17-N-AA7501 for reimbursement approved; contract is for a term of one year with four one-year options to renew; total reimbursement to the Airport over the five-year contract term is \$3,535,029.72, which includes an annual 3-percent adjustment; base year amount is \$665,838.96. Chairman authorized to execute and the Clerk to attest.

Commissioner Welch provided historical information relating to the Coast Guard Air Station, and Commissioner Eggers provided input.

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

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

Absent: 1 - Commissioner Seel

13. Acceptance of grant funds and Joint Participation Agreement with the Florida Department of Transportation for a new airport maintenance building.

Resolution No. 17-12 adopted authorizing execution of the agreement (FDOT Financial Project No. 429613-1-94-01, Contract No. G0H28; County CIP No. 000031A); grant amount, \$750,000.00; total estimated cost, \$1,500,000.00. Chairman authorized to sign the agreement and the Clerk to attest.

In response to queries by Commissioner Welch, Mr. Woodard related that it is not uncommon for the Florida Department of Transportation to fund the building of airport structures; and that the project should start soon.

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

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

Absent: 1 - Commissioner Seel

County Administrator

14. Subsequent Designation of Local Workforce Area and Continued Charter of Worknet Pinellas Inc., d/b/a CareerSource Pinellas, under the Workforce Innovation and Opportunity Act.

Application to extend the designation from July 1, 2017, through June 30, 2019, approved.

In response to a request by Commissioner Welch, CareerSource Pinellas Programs Director Don Shepherd referred to the Florida Department of Economic Opportunity (DEO) CareerSource Pinellas Performance Overview dated September 21, 2016, a copy of which has been made a part of the record, and discussed the local Workforce Development Board's annual review and provided statistical information, noting that all requirements were met.

Responding to queries by Commissioners Eggers and Welch, Mr. Shepherd indicated that he will research the financial audit regarding the cash position and variation in revenues and report back to the Board. In response to query by Chairman Long, Commissioner Welch indicated that he did receive information regarding the Science Center; that the data was reviewed by the audit committee; and that the information will be provided to the Board. He thanked Chief Assistant County Attorney Jewel White for updating the interlocal agreement and bylaws, noting that a WorkNet ad hoc subcommittee will soon convene.

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

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

Absent: 1 - Commissioner Seel

Public Works

15. Award of bid to various firms for annual requirements of mosquito abatement products. (Tied Bids)

Bid No. 167-0156-B in an amount not to exceed \$7,956,862.50, up to \$1,591,372.50 annually for a five-year term, awarded to the following firms on the basis of being the lowest responsible bids received meeting specifications:

ADAPCO, LLC: Products 1, 3, 15, and 19

Clarke Mosquito Control Products, Inc.: Products 5-10, 12-14, 16 and 18

Rentokil North America, Inc. DBA Target Specialty Products: Products 2 and 4

Valent Biosciences Corporation: Products 11 and 17

Following a drawing in accordance with County Code 2-176, tie bids awarded as follows:

Clarke Mosquito Control Products, Inc.: Products 20, 22, and 23

ADAPCO, LLC: Product 21

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

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

Absent: 1 - Commissioner Seel

Safety and Emergency Services

16. Second Amendment to the agreement with EMS Management & Consultants, Inc. for billing services.

Amendment to Contract No. 156-0424-E approved increasing the amount by \$150,000.00 and extending the term through June 30, 2017; total revised estimated 12-month expenditure not to exceed \$400,000.00. Chairman authorized to sign and the Clerk to attest.

Mr. Woodard indicated that the amendment extends the contract for billing services related to ambulance activities to allow staff time to evaluate responses to a Request for Proposals.

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

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

Absent: 1 - Commissioner Seel

Solid Waste

17. First Amendment to the agreement with Covanta Projects, LLC for Waste to Energy Facility operator technical recovery plan projects.

Amendment to Contract No. 134-0171-P approved increasing the agreement amount by \$93,357,899.00 and extending the term for an additional two years through November 2, 2024, for a total revised estimated expenditure in the amount of \$566,327,899.00. Chairman authorized to sign and the Clerk to attest.

Mr. Woodard indicated that the capital project is for needed restoration of the Waste-to-Energy facility. In response to request by Commissioner Gerard, Director of Solid Waste Kelsi Oswald provided background information regarding the terms of the original Waste-to-Energy Facility Operator contract, noting that the ten-year agreement included a two-year Technical Recovery Plan (TRP); that \$150 million was budgeted for the TRP; and that the estimate was based upon visual observations made by the County's consultant and prospective bidders as part of the bidding process, noting that the agreement contained a provision allowing requests for additional funding if the TRP costs rose above the estimated budget.

Responding to queries by Commissioners Welch and Eggers, Ms. Oswald explained that the investment would likely extend the life of the plant for another 20 years; that the project is targeted for completion by 2021; and that once the repairs are completed, the contract operator would bear responsibility for future repair and routine maintenance of the facility. She clarified that the bulk of the work will be complete in the next two years; that the plant can only be down for a short duration in order to maintain the electric generation guarantees to Duke Energy; and that the tipping fees will not change.

Mr. Woodard related that the value of the Waste-to-Energy plant is approximately \$1 billion; that the \$243 million request would maintain the value of the facility; and that other alternatives explored potentially risked over \$25 million annually in Duke revenue payments. He pointed out that if the facility encountered operational problems that would not allow for the burning of refuse, it would have to be landfilled, noting that the County's engineer of record showed that the life-span of the landfill is shrinking considerably.

In response to comment and queries by Commissioner Morroni, Ms. Oswald discussed the utilization of County reserves for the project and financial projections related to the Duke Energy capacity agreement; whereupon, discussion ensued regarding the construction particulars and scope of work.

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

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

Absent: 1 - Commissioner Seel

COUNTY ADMINISTRATOR

18. County Administrator miscellaneous.

- Mr. Woodard indicated that the BCC's recent investment in protective gear for first responders made a positive difference in the ability to provide aid and assistance during the March 15 active shooter incident in Lealman.

Assistant County Administrator John Bennett discussed how the issue of improving first responder procedures, training, and protective equipment originated, noting that following a request at a Fire Chief's Association meeting, Emergency Management Director Sally Bishop facilitated a task force that resulted in the County's purchase of protective ballistic equipment and helmets for paramedics and trauma bags for victims. He briefly described the events that unfolded during the most recent active shooter incident in Lealman and response procedures.

Chief Richard Graham, Lealman Special Fire Control District, thanked the Board for approving the equipment purchase, noting that the issue has been discussed for many years. He discussed the incidents experienced in Lealman and related the importance of the protective gear for first responders, and Commissioners Eggers and Welch provided input.

- Mr. Woodard introduced the new Director of Safety and Emergency Services, James Fogarty, and reviewed his employment history; whereupon, Mr. Fogarty provided brief comments, noting that it is good to be back home in Pinellas County after ten years.

COUNTY ATTORNEY

- 19. Authority to advertise a public hearing to be held on April 11, 2017, regarding the adoption of a proposed ordinance relating to requirements and guidelines for Property Assessed Clean Energy programs in unincorporated Pinellas County.**

Item deferred.

Attorney Bennett introduced the item and referred to the six primary policy questions presented in the Staff Report as a framework for Board discussion, noting that the drafting of the proposed ordinance was a collaborative effort with the County Attorney's Office, Purchasing, Economic Development, and the City of St. Petersburg.

Managing Assistant County Attorney Donald S. Crowell provided a brief history and timeline of events for the proposed ordinance for Property Assessed Clean Energy (PACE) Programs in unincorporated Pinellas County. He related that staff is seeking the Board's guidance as to how to proceed, noting that there is no ordinance required to carry the program forward.

Attorney Crowell reviewed the six policy questions and the policy decisions presumed in

the proposed ordinance for Board discussion, noting that the items were crafted based on previous Board input.

In response to comment and query by Commissioner Eggers, Attorney Crowell discussed how the program would be administered, noting that individual property owners would voluntarily participate in the program by securing loans financed under PACE to make certain types of qualifying improvements to real property; that the cost of the funding would become a non-ad valorem assessment against the real property; that the PACE entity would have access to the non-ad valorem assessment rolls only as to the program participants; and that the assessments would take priority over mortgages.

During discussion, Commissioner Welch indicated that he has many questions with regard to PACE financing, referred to white papers submitted by local Realtors stating their opposition, and suggested that the Board convene a workshop and postpone the public hearing, and Chairman Long and Commissioners Morroni and Justice concurred.

In response to the Chairman's call for persons wishing to be heard, the following individuals provided input and responded to queries by the members:

John Thomas, Renovate America
Devesh Nirmul, Renew Financial (submitted document)

21. County Attorney miscellaneous: None.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

22. Ranking of firms and agreements with the 13 highest-ranked firms for requirements of information technology staff augmentation services.

Contract No. 156-0087-P approved in the amount of \$10,000,000.00 for 60 months with the following firms:

1. Ciber, Inc.
2. Cogent Infotech Corporation
3. Diane Meiller and Associates Incorporated
4. DSM Technology Consultants, LLC
5. Elegant Enterprise-Wide Solutions, Inc.
6. Global Information Services, Inc.
7. Hays Holding Corporation dba Veredus Corporation
8. Highstreet IT Solutions, LLC
9. Image Technology Resources Corp. d/b/a IT Resources Corp.
10. Infojini, Inc.
11. Randstad North America, Inc., d/b/a Randstad Technologies, LP
12. SGS Technologie, LLC

13. Technology Management Corporation d/b/a Technology Management Corporation-1 Incorporated

Chairman authorized to sign and the Clerk to attest.

Commissioner Welch pointed out that the item was removed from a previous Board of County Commissioners agenda due to security concerns; that the Business Technology Services (BTS) Board discussed the matter; and that a memorandum dated February 7, 2017 from BTS Chief Information Officer Marty Rose outlines requirements for contractors and employees in terms of security, training, and awareness.

In response to query by Commissioner Eggers, BTS Finance and Administration Manager Gregory Carro confirmed that BTS is requesting that the Board approve the agreements with thirteen firms and reject one of the proposals.

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

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

Absent: 1 - Commissioner Seel

COUNTY ADMINISTRATOR REPORTS

23. County Administrator reports:
- 2017 Citizen Values Survey - Sarah Lindemuth, HCP Associates

HCP Associates Senior Research Director Sarah Lindemuth conducted a PowerPoint presentation titled *Pinellas County Citizen Research: Telephonic Study of Citizen Values, 2017 Survey Results*, which has been made a part of the record. Ms. Lindemuth noted that this is the 6th consecutive survey; and that a total of 800 interviews with local citizens were completed in the beaches, north county, mid county, and south county (200 in each region) with a 3.5 percent margin of error. She related that random digit dial telephonic methodology was utilized to ensure a representative sampling and capture demographic and geographic characteristics of the respondents; and that metrics for measuring a large portion of the survey were based on the Pinellas County Strategic Plan; whereupon, she provided an overview of the results, highlighting the following:

- Nine in ten respondents indicated that they would recommend Pinellas County as a place to live, work, raise children, and retire; the recommendation increased significantly since the initial measure in 2012.
- 71 percent of residents perceive quality of life to be better or just as good compared to five years ago and 85 percent are optimistic that the next five years will be better or just as good as the present.

- Traffic congestion, quality of education, and jobs are the top concerns impacting quality of life of those who shared a negative outlook.
- While expectation and experience gaps continue to close overall, residents pose varied perceptions of community characteristics, reflecting unique assets and challenges within each region.
- Overwhelming commonalities were observed among different regions, with *presence of parks and public spaces* being the highest met expectation among the respondents, and *traffic flow on major roads*, the least.
- Level of trust in Pinellas County Government rose to 93 percent, exceeding the national level of 71 percent of respondents rating their local governments.

In response to queries by the members, Ms. Lindemuth indicated that less than ten percent of those surveyed are not full-time residents of Pinellas County; and that input related to education being a quality of life factor was provided in response to open-ended questions because citizens do not tend to differentiate among areas of government jurisdiction; whereupon, she provided clarification with regard to expectation gaps.

Commissioner Eggers suggested that the Board consider having an analogous survey conducted for local businesses, and Commissioner Welch agreed; whereupon, Mr. Woodard offered to provide the members with results of a business-focused survey prepared by the Central Pinellas Chamber of Commerce, and Chairman Long noted that it may be valuable to invite Chamber President Tom Morrissette to speak on the matter.

CITIZENS TO BE HEARD

24. Public comment.

Major Scott "Mack" Macksam, St. Petersburg, re Veterans Art Center Tampa Bay (submitted document)
Lenore Faulkner, Madeira Beach, re education excellence
David Ballard Geddis, Jr., Palm Harbor, re a state of crisis?
Greg Pound, Largo, re truth

COUNTY COMMISSION

25. Appointments to the Suncoast Health Council (Board of County Commissioners).

Appointments approved for two-year terms expiring on March 31, 2019, as follows:

Terri Briseno, Health Care Provider.
Vonda Colquitt, Health Care Provider, a reappointment.

Lillian Okpaleke, Health Care Provider.
Patricia Quigley, Health Care Provider.
Ginny Nelson, Health Care Consumer or Purchaser, a reappointment.
Nadine Nickeson, Health Care Consumer or Purchaser, a reappointment.
Jared Tur, Health Care Consumer or Purchaser.
Louanne Saraga Walters, Health Care Consumer or Purchaser.

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

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

Absent: 1 - Commissioner Seel

26. Appointments to the Economic Development Council (Board of County Commissioners).

Roy Binger, JP DuBuque, Candida Duff, Ada McFarley, and Carolyn Ruby appointed for two-year terms.

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

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

Absent: 1 - Commissioner Seel

27. County Commission Board Reports.

Commissioner Morroni

- Value Adjustment Board: The next meeting is scheduled for April 25.
- Forward Pinellas: The Board approved \$1.1 million for three Complete Streets programs at the last meeting. There was a proposition to form a Legislative Policy Committee. A work session will take place on March 31 at 9:00 A.M. at the St. Petersburg College Clearwater Campus. Commissioner Morroni, Forward Pinellas Executive Director Whit Blanton, and three local community members will be going to St. Louis, Missouri, on April 11 to view regional transportation improvements.

Commissioner Eggers

- Forward Pinellas: Executive Director Whit Blanton's review is upcoming.
- Pinellas Suncoast Transit Authority (PSTA): The Board extended the contract with the Jolley Trolley. Later in the meeting and in response to query by Commissioner Eggers, Commissioner Gerard provided information regarding a protest that followed

the PSTA's decision. Chief Executive Officer Brad Miller's review is upcoming.

- MyVA Community Board: The next meeting is scheduled for March 27.
- Tampa Bay Water: Concerns regarding adherence to the original agreement between Tampa Bay Water and the City of Tampa expressed during the Executive Committee meeting were forwarded to the County Attorney's Office for review. The correspondence on the matter will be shared with the members. Chief Technical Officer Dr. Alison Adams is retiring.

Commissioner Welch

- Business Technology Services: Commissioner Welch discussed the Hyperion budget software issue and urged the members to review the weekly update on the matter that included information about enhanced protocols and controls; whereupon, responding to queries by Commissioner Welch and Chairman Long, Mr. Woodard discussed the impact on the budget timeline, progress made thus far, and current plans to move the budget preparation forward, and confirmed that the statutory deadline to submit the budget to the State should be met.

Commissioner Justice

- Gulf Consortium: He plans to attend the next meeting, taking place on April 7 in Tallahassee.
- Historic Preservation Board: The last meeting included a presentation on the Beckett Bridge; the Board provided feedback to the design team.
- Area Agency on Aging of Pasco-Pinellas: The Agency continues to search for an executive director. An Agency representative is going to meet with the Secretary of the Florida Department of Elder Affairs in Tallahassee next week regarding a cut in funding.

Chairman Long

- Canvassing Board: Commended the Supervisor of Elections' Office employees on their hard work and a system with many checks and balances, and reported that the March 14 Municipal Elections went smoothly.
- County Attorney Oversight Committee: Thanked staff for their assistance in preparing for the Committee and urged the members to review documents pertinent to the next meeting. Related that she asked the County Attorney to make an update presentation about his department to the Committee. Requested that \$20,000 be allocated to the Oversight Committee for advertising, travel, and other expenses related to the recruitment process.
- Pinellas Suncoast Transit Authority: Provided update regarding House Bill 1243

related to local transportation and reported that a request for Bus Rapid Transit funding for Clearwater to Clearwater Beach project was included on the list of appropriations for consideration this year. Related that she and Commissioner Gerard will be traveling to Washington, D.C. in a few weeks to meet with the Federal Transit Authority to discuss opportunities.

- Tourist Development Council: Indicated that eight funding applications will be scored at tomorrow's meeting and discussed the focus on transparency, noting that the meeting was moved to the Assembly Room. Related that she and Mr. Woodard met with Toronto Blue Jays President Mark Shapiro this morning.

28. County Commission miscellaneous.

Commissioner Morroni

- Related that he will not be running for re-election; whereupon, the members indicated that they look forward to working with him for the next 18 months.

Commissioner Eggers

- Commended the County Administrator and his staff on the emergency repair of the 42-inch water main break in north county and on related proactive efforts since then.
- Conveyed his support to the family of Zachary Shannon of Dunedin, killed in Afghanistan four years ago, remembering the day he came home and saying that he will not be forgotten.
- Expressed his condolences to the family of former legislator and Dunedin Mayor Gerald S. "Jerry" Rehm, noting his contributions to the state and the local community.
- Complimented Dunedin Chamber of Commerce for holding the Annual Teacher Appreciation Breakfast honoring Dunedin teachers, noting the turnout of approximately 400 teachers.
- Thanked Attorney Bennett, Assistant County Administrator John Bennett, and Managing Assistant County Attorney Donald S. Crowell for their work in the matter of the Emergency Medical Services Authority.

Commissioner Welch

- Referred to an email from Human Rights Director Paul Valenti regarding wage theft and requested clarification in terms of what ordinance is being enforced in the City of St. Petersburg and related issues; whereupon, Chairman Long recommended that Mr. Valenti make a presentation to the Board.
- Thanked staff for their work in the Penny for Pinellas presentation in Gulfport.

- Recommended sending a communication to the Federal Delegation regarding the proposed budget cuts to the Community Development Block Grant Program.
- Related that a memorial service for former Board of Adjustment member and Childs Park Neighborhood Association President Gregory Pierce will be held this Saturday, March 25, at noon at Freedom Lake Park in Pinellas Park.

Commissioner Justice

- Referring to his memorandum dated February 21, 2017, which has been made a part of the record, requested that \$25,000 be allocated from the Municipal Services Tax Unit (MSTU) Grant Program for the Lealman Fire District sign. Responding to query by Commissioner Gerard, Commissioner Eggers provided an update regarding a similar funding request for the Palm Harbor Library sign; whereupon, Commissioner Welch requested information regarding the MSTU Grant Program fund balance.

A motion was made by Commissioner Justice, seconded by Commissioner Gerard, that \$25,000 from the MSTU Grant Program be allocated to Lealman Fire District. The motion carried by the following vote:

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

Absent: 1 - Commissioner Seel

- Met with Lincoln Cemetery Society members. Indicated that information that he received is contrary to newspaper reporting. Commissioner Welch cautioned against providing financial support for the cemetery until the legal process regarding ownership concludes; whereupon, Commissioner Justice indicated that while the Board previously decided that funding would be contingent on the outcome of the legal issues, it may consider assisting with any disrepairs requiring immediate action.
- Referred to recent incidents in Lealman and Tierra Verde and thanked Sheriff Gualtieri for his leadership.

Commissioner Gerard

- Related that her visit to the Cross Bar/Al Bar Ranch was educational.

Chairman Long

- Offered condolences to the families of volunteers Chuck Scaffidi and Betty Lipe, noting their hard work and commitment to the county.
- Provided update on the Seminole Water Tower request, noting that there has been ongoing communication with the City Manager; and that she made a presentation at the City Hall on the matter.

- Related that the next Farm Share event will be held on March 31 at Mt. Carmel Baptist Church in Clearwater and urged the members and senior staff to participate.

Meeting Recessed: 5:09 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

- 29.** Ordinance amending Chapter 166, Article VI of the County Land Development Code, relating to the administration of surface water assessments and fees.

Ordinance No. 17-11 adopted. No correspondence has been received. No citizens appeared to be heard.

Mr. Woodard introduced the item, indicating that the ordinance would streamline the current three-step process of surface water fee adoption to one step, with the exception of revisions to the maximum rate; whereupon, he noted that there were last-minute changes to the ordinance.

Environmental Management Division Section Manager Kelli Levy referred to the latest version of the ordinance and read the modified section regarding surface water assessments applicable to private owners of impervious area improvements located on government property and government property lessees.

Responding to queries by the members, Ms. Levy explained that the modified language clarifies that the basis of fee assessment is the impervious areas and not the underlying natural land, and Attorney Bennett indicated that the clarification reflects the County's existing position on the matter and will help avoid disputes going forward; whereupon, discussion ensued regarding ongoing disputes with private entities or government property lessees who are not paying the assessed surface water fees.

Responding to further queries by the members and indicating that they will have annual surface water fee discussions during budget considerations, Mr. Woodard and Ms. Levy explained the proposed assessment fee and maximum rate adoption process, and the basis for establishing the Equivalent Residential Unit value, the rates in the three- and five-tier analysis, and the maximum rate; whereupon, Ms. Levy noted that there is no change in the proposed ordinance with regard to the existing three-tier methodology adopted by the Board in 2013.

A motion was made by Commissioner Morroni, seconded by Vice-Chairman Welch, that the proposed ordinance be adopted with the latest amendatory language. The motion carried by the following vote:

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

Absent: 2 - Commissioner Gerard, and Commissioner Seel

ADJOURNMENT - 6:17 P.M.