Pinellas County

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

Minutes - Final

Tuesday, June 6, 2017
9:30 AM
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 - 9:33 A.M.

Present: 5 - Vice-Chairman Kenneth T. Welch, Dave Eggers, Pat Gerard, Charlie Justice, and Karen Williams Seel
Absent: 2 - Chairman Janet C. Long, and John Morroni

Others Present: Jewel White, Chief Assistant County Attorney; Mark S. Woodard, County Administrator; Claretha N. Harris, Chief Deputy Clerk; and Christopher Bartlett and Michael Schmidt, Board Reporters, Deputy Clerks.

INVOCATION by Reverend Becky Robbins-Penniman with the Church of the Good Shepard in Dunedin.

PLEDGE OF ALLEGIANCE

PRESENTATIONS AND AWARDS

1. Thank You for Doing Business: Corporate Fitness Works - Brenda Loube, President and Co-Founder.
   
   Vice-Chairman Welch and Director of Economic Development Mike Meidel provided information regarding Corporate Fitness Works, thanked Ms. Loube for doing business in Pinellas County, and presented her with a plaque; whereupon, she discussed the evolution of her company over the last 29 years.

Deviating from the agenda, retiring County Attorney James L. Bennett was recognized for his 30 years of service to Pinellas County.

2. Partner Presentation:
   Tampa Bay Estuary Program - Holly Greening, Executive Director.

   Ms. Greening referred to a PowerPoint presentation titled TBEP - Pinellas County Annual Update, a copy of which has been made a part of the record, and provided historical information regarding the state of Tampa Bay in the 1970s. She related that seagrass is an important indicator of a healthy bay; that the objective of restoring seagrass to levels seen in the 1950s has been surpassed; and that Tampa Bay water quality has been steadily improving; whereupon, she discussed the city, county, state, and federal agencies associated with TBEP, noting that Pinellas County is a founding member.

   Ms. Greening discussed public/private partnerships that are supporting the recovery of the estuary, the leveraging of dollars to implement bay and watershed projects, the funding that has been awarded to local recipients of TBEP Bay Mini-Grants, projects that have been supported by the Tampa Bay Environmental Restoration Fund, and contributions provided by Pinellas County; whereupon, she related that clean water is important not only for a healthy environment but also for a healthy economy; and that
one out of every five jobs in the region depends on a healthy bay.

Commissioner Justice related that a local elementary school was recently awarded a $5,000 TBEP Bay Mini-Grant; that the purchase of the Tampa Bay Estuary License Plate funds programs that offer great learning opportunities for students; and that TBEP is an amazing success story for the region; whereupon, he reported that Ms. Greening is retiring at the end of the year, and the members expressed appreciation for her dedication and leadership.

In response to queries by Commissioners Eggers and Gerard, Ms. Greening referred to a map and pointed out the location of Old Tampa Bay. She indicated that even though the nutrient input is acceptable, other factors could be taking place that are affecting the water quality in that segment of the bay, and discussed various projects to help improve Old Tampa Bay in addition to nutrient management; whereupon, Commissioner Seel presented further information regarding the highly-successful regional approach to restoring seagrass, and Vice-Chairman Welch discussed the summer fertilizer ban.

3. Fiscal Year (FY) 2016 External Audit Results - Crowe Horwath LLP.

Clerk of the Circuit Court and Comptroller Ken Burke related that one of the responsibilities of public officials is to provide good stewardship of taxpayer dollars. He presented information regarding the audit report, discussed a challenge that was met as the audit was conducted, and noted that the Pinellas County Comprehensive Annual Financial Report received the Government Finance Officers Association (GFOA) Certificate of Excellence; whereupon, he thanked Chief Deputy Clerk Claretha Harris, Finance Director Jeanette Phillips, and their staff for their hard work and dedication.

John Weber, CPA, Crowe Horwath, conducted a PowerPoint presentation titled Pinellas County Fiscal Year 2016 Audit Results, a copy of which has been made a part of the record, and provided a summary of the report, noting that it presents an unmodified, or clean, opinion and no material weaknesses in internal controls were found.

In response to queries by the members, Mr. Weber provided information regarding the Other Post-Employment Benefit, indicating that it has not changed materially since last year; whereupon, with input by Mr. Woodard, he discussed the General Fund, indicating that Pinellas County has roughly 2.8 months' worth of expenditures in its unrestricted fund balance; that the GFOA recommends that a county or city government maintain a two- to three-month balance; and that Pinellas County is within those guidelines.

Commissioner Morroni entered the meeting at 10:28 A.M.; whereupon, deviating from the agenda, Vice-Chairman Welch indicated that Item No. 16 would be addressed next.

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

16. Resolution revising the Board of County Commissioners' Investment Policy.

Resolution No. 17-33 adopted.
Mr. Burke indicated that the revisions he wishes to make to the Investment Policy will help to keep it current and aligned with best practices; and that the changes are not substantive in nature; whereupon, he referred to a PowerPoint presentation titled *Investment Portfolio and Policy Enhancements*, a copy of which has been made a part of the record, and discussed the following:

- Portfolio Allocation and Performance
- Overview of the Investment Process
- Investment Objectives and Strategy
- Broker Management; Broker Approval/Review
- Investment Portfolio Management; Investment Reporting

Mr. Burke related that because the proposed policy revisions are included in the Board backup materials, he would not review them with the members, and offered to answer any questions.

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 - Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

**Absent:** 1 - Chairman Long

### 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.

### COUNTYWIDE PLANNING AUTHORITY

4. **Case No. CW 17-3** - City of Pinellas Park

   Countywide Plan Map Amendment from Residential Low Medium to Public/Semi-Public, regarding 1.4 acres more or less, located north of 66th Avenue North between 38th and 40th Streets (subthreshold amendment).

   Ordinance No. 17-15 adopted approving Case No. CW 17-3. Forward Pinellas, in its role as the Pinellas Planning Council, recommended approval of the proposal, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

   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 - Vice-Chairman Welch, Commissioner Eggers, Commissioner Gerard, Commissioner Justice, Commissioner Morroni, and Commissioner Seel

   **Absent:** 1 - Chairman Long
CONSENT AGENDA - Items 5 through 15

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

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

Absent: 1 - Chairman Long

5. Minutes of the regular meeting held May 9, 2017.

6. Vouchers and bills paid from April 30 through May 6, 2017.

<table>
<thead>
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<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 30</td>
<td>$3,285,950.57</td>
</tr>
<tr>
<td>May 6</td>
<td>$41,393,772.52</td>
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Reports received for filing:


Miscellaneous items received for filing:


COUNTY ADMINISTRATOR DEPARTMENTS

Public Works

10. Award of bid to Traffic Control Devices, Inc. for 2017 to 2019 Intelligent Traffic System/Advanced Traffic Management System Projects.

Bid No. 167-0228-CP (PID No. 002602A) in the amount of $3,380,380.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 730 consecutive calendar days. Chairman authorized to sign the agreement and the Clerk to attest.
11. Award of bid to Florida Safety Contractors, Inc. for the 22nd Avenue South Drainage Improvement Project from 55th Street South to 51st Street South.

Bid No. 167-0280-CP (PID No. 002508A) in the amount of $1,683,283.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 210 consecutive calendar days. Chairman authorized to sign the agreement and the Clerk to attest.

12. Grant application with the U.S. Department of Transportation, Advanced Transportation and Congestion Management Technologies Deployment pilot program for funding in the amount of $10 million.

Staff authorized to electronically submit application. County to provide $13.7 million in matching funds, as required by the U.S. Department of Transportation, through the use of Capital Improvement Projects funded between the County and Florida Department of Transportation.

Utilities


Bid No. 167-0187-CP (PID No. 002415A) in the amount of $1,777,777.00 awarded on the basis of being the lowest responsive, responsible bid received meeting specifications; all work is expected to be completed within 375 consecutive calendar days. Chairman authorized to sign the agreement and the Clerk to attest.

COUNTY ATTORNEY

14. Notice of new lawsuit and defense of the same by the County Attorney in the case of James Berry Arthur v. Pinellas County, Florida - Circuit Civil Case No. 17-002794-CI-20 - allegations of negligence resulting in personal injuries.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Sheriff's Office

15. Resolution supplementing the FY 2017 Sheriff’s General Fund Budget for the purchase of four surveillance trailers and 3D printers.

Resolution No. 17-32 adopted appropriating unanticipated revenue in the amount of $646,740.00.
REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA - None.

COUNTY ADMINISTRATOR DEPARTMENTS

Human Services

17. Renewal of the Transportation Exception Plan for involuntary behavioral health transports to and between designated receiving facilities for the period of 2017 through 2020.

Approved in accordance with Florida Statute 394.462.

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

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

Absent: 1 - Chairman Long

Real Estate Management

18. Increase in funds to the purchase authorization with Garland/DBS, Inc. for requirements of roofing and waterproofing supplies and services.

Authorization granted to increase Contract No 167-0326-PB by $220,000.00 for a revised total expenditure of $300,000.00 through December 31, 2017.

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

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

Absent: 1 - Chairman Long

COUNTY ADMINISTRATOR

19. County Administrator miscellaneous: None.
COUNTY ATTORNEY


Settlement approved in accordance with the confidential memorandum dated June 6, 2017.

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

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

Absent: 1 - Chairman Long


Settlement rejected in accordance with the confidential memorandum dated June 6, 2017.

At the request of Vice-Chairman Welch, Attorney White briefly summarized the case; whereupon, in response to his call for persons wishing to speak, Clay Matthews, Smolker and Bartlett, Tampa, indicated that he represents John and Monika Reyner, and following brief testimony, requested that the members accept the proposed settlement agreement.

Vice-Chairman Welch noted that it is unusual for opposing counsel to present at a Board meeting, and in response to his queries, Attorney White advised that the recommendation remains to reject the settlement; and that the case will continue in litigation if the proposal is rejected by the members.

A motion was made by Commissioner Gerard, seconded by Commissioner Seel, that the proposed settlement be rejected. The motion carried by the following vote:

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

Absent: 1 - Chairman Long

22. County Attorney miscellaneous: None.
23. Ranking of firms and agreement with EMS Management & Consultants, Inc., for requirements of ambulance billing services.

Ranking of firms and Contract No. 167-0085-P approved in an annual average amount of $707,689.40 for a term of 60 months commencing on July 1, 2017 (total contract amount not to exceed $3,538,447.00). The price per claim billed is fixed for the first 24 months, and the contract provides for price adjustments beginning in the third year, as set forth in the Staff Report. Chairman authorized to sign and the Clerk to attest.

Mr. Woodard provided background information, stating that the County has been testing the use of a private contractor to augment in-house ambulance billing for the past one to two years; that it has been determined that the use of a private contractor is necessary and helpful; and that under the agreement, the contractor would handle all emergency ambulance billings, which are about 70 percent of the total transactions. He noted that emergency ambulance billings tend to be the easiest transactions to process; that the remaining 30 percent are non-emergency in nature and are more difficult to recover; and that in-house staff will focus on those transactions in order to increase the recovery rate.

In response to queries by Commissioner Seel, Mr. Woodard indicated that the contract includes a service level agreement which identifies measurable protocols; that County staff will perform quality control checks on the contractor’s work; and that the County would be liable if the contractor makes a mistake. Managing Assistant County Attorney Donald S. Crowell stated that the contractor is required to carry insurance to cover some of the contractual liabilities; that quality controls will ensure the contractor’s documentation is appropriate for billing; and that if any coverage is initially denied, the County may still move forward through appeals; whereupon, Mr. Woodard noted that there is a termination provision in all County contracts; and that termination of the contract would be a viable option should the private contractor fail to meet expectations.

Mr. Woodard related that the number of ambulance transports has increased significantly over the last three years which corresponds with a larger volume of billings; and that using a private contractor should lead to additional revenue by increasing the recovery rate.

Responding to query by Commissioner Gerard, Safety and Emergency Services Director James Fogarty indicated that the contractor will be paid $4.85 for each bill handled; and that under the previous arrangement, this contractor has processed 33,000 bills with an error rate of less than one percent.

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

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

Absent: 1 - Chairman Long
Human Resources

24. Update on Employee Health Care.

Mr. Woodard related that there have been ongoing negotiations between the County’s network provider, United Healthcare, and Johns Hopkins All Children’s Hospital that have yet to be resolved; and that it has affected employee health care options; whereupon, he noted that representatives from Human Resources and United HealthCare are in attendance to provide an update and answer any questions from the Board.

Human Resources Director Holly Schoenherr introduced Human Resources Manager Carol Feskanin and noted that Ms. Feskanin is the new Benefits Manager and has been very involved in this issue. She related that representatives from All Children’s could not accommodate today’s meeting schedule but plan on attending the Board’s next meeting on June 20; and that there is hope the contract issue will be resolved before then.

United Healthcare Vice-President Maryellen Goodwin introduced the members of her team, who along with Ms. Goodwin, collectively related the following in response to queries by the members:

- Ongoing discussions with All Children’s have narrowed the gap in negotiations. United Healthcare presented three separate scenarios to the hospital on Friday in hopes of reaching an agreement as quickly as possible.

- A few components outside of the hospital agreement will need to be finalized, including a component with physicians.

- United Healthcare will work to ensure that children who need care at All Children’s will continue to receive care during the negotiating period.

- In an emergency situation, United Healthcare will provide in-network benefits for any members receiving care at All Children’s. For non-emergencies, members may still choose care at All Children’s but would utilize out-of-network benefits, which would include a higher deductible and a higher percentage out-of-pocket.

- Johns Hopkins All Children’s Hospital provided a notice of cancellation 180 days prior to the cancellation of the contract. At that time, the hospital requested a 50 percent increase and negotiations began for a new contract which were unsuccessful before the May 11 deadline.

Several members indicated that a new contract must be in place as soon as possible; whereupon, Vice-Chairman Welch thanked the United Healthcare team for providing an update to the Board.
25. Amendments to the Lealman Community Redevelopment Area Plan adding Appendix C: Strategic Action Plan and Spending Budget, updating tax increment revenue projections, and updating the Table of Contents.

Sitting as the Pinellas County Community Redevelopment Agency, the Board approved the amended Community Redevelopment Area (CRA) Plan and authorized its transmittal to the Board of County Commissioners for adoption by resolution at the Board’s June 20, 2017 meeting.

Planning Director Renea Vincent conducted a PowerPoint presentation, a copy of which has been made a part of the record, and provided an overview of information regarding the amended Plan. She related that projected Tax Increment Financing revenues have been updated over the 30-year life of the Plan; and that minor revisions for internal consistency along with an update of the Table of Contents are also included.

Ms. Vincent provided background information on the Plan’s objectives and reviewed several preliminary projects that are underway. She indicated that a Lealman Business District Association has been established and has partnered with the County to help expand services to the community; that opportunities for land acquisitions continue to be explored with the help of Community Development and the Housing Finance Authority; and that the alignment study for the Joe’s Creek Greenway project has been completed and will be brought to the Board for review soon.

In response to queries by the members, Ms. Vincent indicated that the CRA Advisory Committee unanimously supports the amended Plan; that a lending program will be established for residential and business development and would be discussed in more detail at a later meeting; that community organizations continue to perform cleanup work throughout the area; and that mentorship and apprenticeship programs are supported by CRA Advisory Committee members.

Responding to query by Commissioner Eggers, Mr. Woodard related that the Lealman CRA is the first CRA within the unincorporated area of the county; that as such, it will require a multi-disciplinary approach from the various departments within County government; and that the related services provided by County staff will be reimbursable under the Plan.

Vice-Chairman Welch noted that he is concerned that spending for education and workforce development is only at ten percent; that investing in infrastructure combined with investing in people can help reduce the number of people in poverty; and that he feels the number should be higher; whereupon, Ms. Vincent indicated that the spending parameters reflect both the Task Force and Committee members’ recommendations; and that as the approving agency, the members could direct staff to revisit the percentages if desired.
A motion was made by Commissioner Gerard, seconded by Commissioner Justice, that the item be approved and transmitted to the Board of County Commissioners. The motion carried by the following vote:

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

Absent: 1 - Chairman Long

COUNTY ADMINISTRATOR REPORTS

26. County Administrator reports:
   - Evacuation Zone updates
   - Ready Pinellas app demonstration

Mr. Woodard indicated that the 2017 Atlantic hurricane season started on June 1; whereupon, Assistant County Administrator John Bennett introduced a PowerPoint presentation titled Preparedness for Hurricane Season 2017 and the staff presenting the report.

Emergency Management Director Sally Bishop conducted the presentation, a copy of which has been made a part of the record, and noted that the National Hurricane Center completed a new hurricane model regarding storm surge results for Pinellas County; and that the County has used the information to update the area’s evacuation zones down to the parcel level. She indicated that over 85,000 parcels were impacted by changes, with almost 75,000 parcels changing to a lower evacuation level; and that just over 10,000 parcels previously in a non-evacuation zone have been changed to a level E or level D evacuation zone.

Responding to queries by the members, Ms. Bishop indicated that the County is using several methods and tools to notify the public to recheck their evacuation zone designation including a notification system that delivers messages by voice, emails, and texts; and that the 10,000 parcels now designated in evacuation zones are spread throughout the county, with a majority located in the southern area.

Chief Information Technologist Bryan Zumwalt conducted a live demonstration of the ReadyPinellas mobile application available now for Android and Apple devices. He indicated that the application was developed by Business Technology Services in collaboration with Emergency Management, Communications, and the County Administrator’s Office; whereupon, he showed how the application can be used to check evacuation zones by the current device location or by a specific address within the county, and to help citizens prepare for the hurricane season, and Ms. Bishop provided input.

Communications Director Barbra Hernandez discussed the efforts in place to ensure that the public learns about the new evacuation zones and the related mobile application, and stated that outreach will focus on the public, strategic partners, and County
personnel. She noted that the application has been downloaded several thousand times; that over 17,000 impressions have been registered from various County posts and updates; and that ReadyPinellas has been linked to the County’s website and its mobile apps, and internal newsletters and intranets for County staff.

Ms. Hernandez stated that prepackaged materials have been provided to partners in the Public Information Officer Distribution Network to be distributed through various organizations; and that local colleges, schools, and Chambers of Commerce have also been contacted.

CITIZENS TO BE HEARD

27. Public comment.

Gail Conroy, Redington Shores, re pesticides  
David Ballard Geddis, Jr., Palm Harbor, re bounty on Christianity; water bill  
Rondale McDowell, St. Petersburg  
Greg Pound, Largo, re loving truth  
Dale Tindall, Safety Harbor, re Howard Frankland parking lot and U.S. 19  
Bob Griffin, Indian Rocks Beach, re problem on Intracoastal Waterway

COUNTY COMMISSION

28. County Commission Board Reports.

Commissioner Morroni

- Forward Pinellas: The next meeting will be on June 14.
- Human Rights Board: The next meeting will be on June 7.
- Value Adjustment Board: Meets on a quarterly basis.

Commissioner Eggers

- Palm Harbor Community Services Agency: The Board is considering using BP Settlement funds for an on-site parking facility and building maintenance and has discussed a need to increase term limits from two to four two-year terms. More information will be provided to the Board by the end of June or in July.
- Tampa Bay Transportation Management Area: A priority list of projects is being established to help solicit Federal and State funding. A summary of the projects will be shared with the members as soon as it becomes available.
Commissioner Justice

- Gulf Consortium: The Balmoral Group has been hired to provide project management. The next meeting is scheduled for June 28.

Vice-Chairman Welch

- Business Technology Services: Jeff Rohrs is doing a great job as Interim Chief Executive Officer, and the budget process continues to move forward.

- CareerSource Pinellas: The Executive Committee will meet on June 7.

29. County Commission miscellaneous.

Commissioner Morroni

- Reported that he had a meeting with Tarpon Springs Mayor Chris Alahouzos and discussed various issues that the Mayor will likely address with the Board in the near future.

Commissioner Eggers

- Noted that Florida Department of Transportation representatives will hold discussions regarding the Alternate U.S. Highway 19 Corridor Study in Dunedin and Tarpon Springs.

- Thanked Curlew Hills and the Veterans Alliance for their separate Memorial Day celebration events; noted that today is D-Day recognizing when American troops traveled from England to France to free the occupied areas of Europe 73 years ago; and indicated that the season’s last Honor Flight for Veterans will be returning this evening at St. Pete-Clearwater International Airport.

Commissioner Gerard

- Thanked the Legislative Delegation and Senator Latvala for the retention of funds in the budget for the Airport to Clearwater Beach Express Route.

Vice-Chairman Welch

- Noted that the Hillsborough Area Regional Transit Authority has announced the reduction of routes by 20 percent.

- Thanked Canaan McCaslin, Special Assistant to the County Administrator, for his work on behalf of the County during the State Legislative Session.

- Congratulated R’Club Child Care, noting that Happy Workers is now officially an R’Club Early Learning Academy.
ADJOURNMENT - 12:24 P.M.

___________________________
Chairman

ATTEST:  KEN BURKE, CLERK

By________________________
Deputy Clerk