



OFFICE OF THE COUNTY ADMINISTRATOR

M E M O R A N D U M

TO: The Honorable Chairman and
Members of the Board of County Commissioners

FROM: Mark S. Woodard, County Administrator

SUBJECT: September 23, 2014 Agenda Changes

DATE: September 22, 2014

The following changes have been made to the September 23, 2014 Board of County Commissioners meeting.

Amended/Revised Items

- Item No. 30 [Follow up regarding Surface Water Assessments and Fees – Presentation added.](#)
- Item No. 36 [Proposed ordinance amending Article V of Chapter 86 of the Pinellas County Code relating to public health and safety and high prescribing health clinics – Presentation added.](#)



Surface Water Assessment Update

September 23, 2014

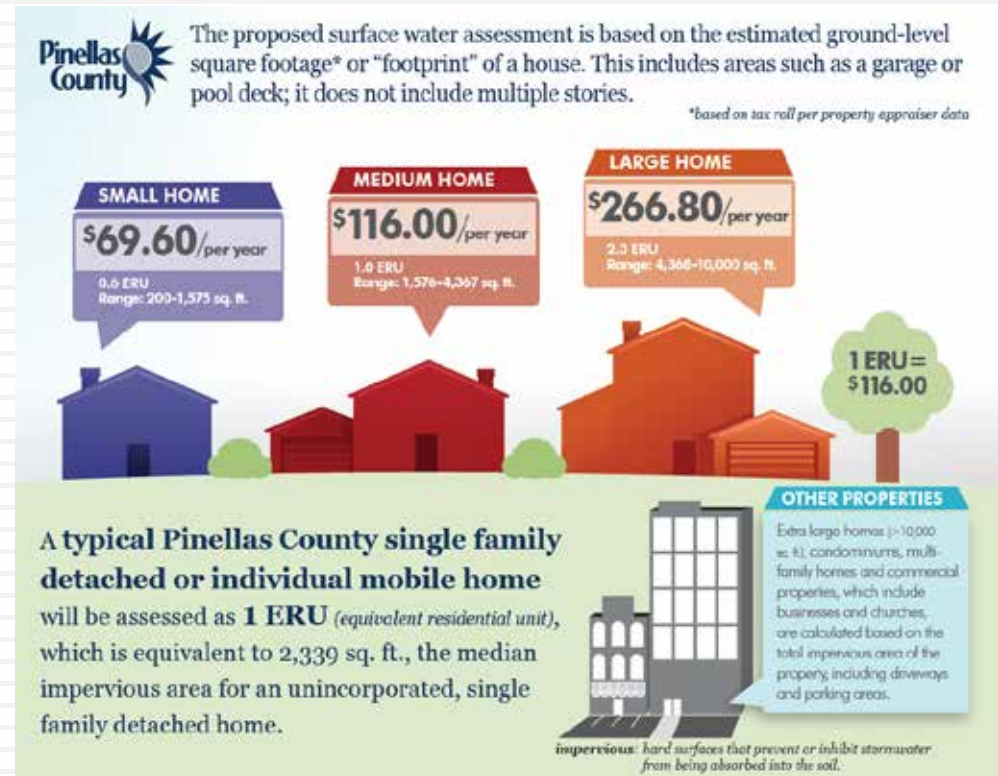
Surface Water Assessment

Methodology, Residential Tier, Non-Residential

Surface Water Assessment

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- // Methodology is unchanged from 2013 to 2014
- // Residential
 - | Tiered
 - Small
 - Medium
 - Large
 - | More equitable to smaller homes

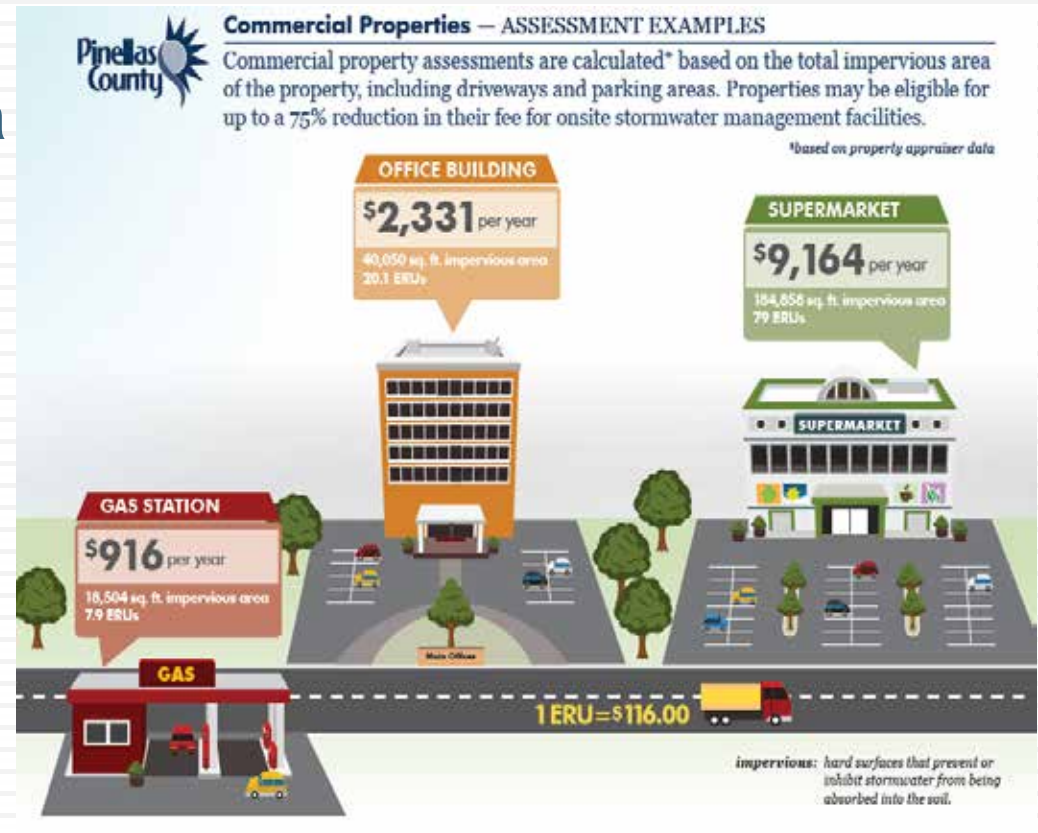


Surface Water Assessment

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// Non-Residential

- | Total impervious area
- | Standard method for assessing non-residential property



Surface Water Assessment

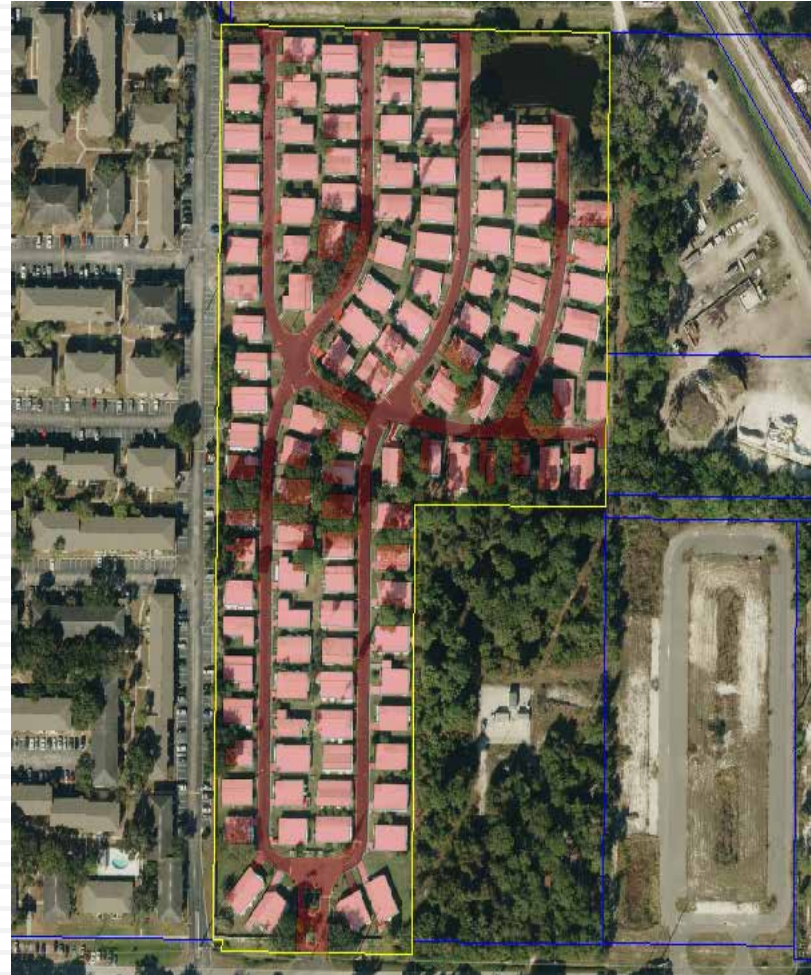
BCC Direction

Surface Water Assessment

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// BCC Direction

- | Review commercial mobile home parks
- | Consider residential use
 - Roads and walking paths removed
 - Remaining structures: coaches, community buildings, and associated features
- | Review commercial assessments



Commercial Mobile Home Parks

7

- „ Example commercial MHPs
- „ Properties may be eligible for mitigation credits
 - | Acorn 120 units
 - FY13: \$4,547
 - FY14 TRIM: \$17,191
 - FY14 adjusted: \$12,434
 - \$8.63/unit/month
 - | Oak Crest 529 units
 - FY13: \$25,752
 - FY14 TRIM: \$80,075
 - FY14 adjusted: \$54,648
 - \$8.61/unit/month
- „ < 1 ERU/unit/month
- „ Comparable properties within cities = 1 ERU/unit/month

Commercial Assessments

- „ Commercial Assessments
 - | 2013: PAO data and LIDAR
 - Understated total impervious
 - | 2014: Digitized
 - Total impervious
- „ Cities
 - | Total impervious
 - | Digitized
 - | Site plans/field verification
- „ Unincorporated and incorporated areas treated equally

Commercial Assessments

„ **Primary reason for increases:**

- | Parking lots
- | Vacant land now developed
- | Example property types
 - Gas stations
 - Strip malls
 - Stores
 - Office buildings
 - Hotels
 - Concrete plants

„ **Decreases:** If commercial properties had walkways or roads similar to MHPs; removed for consistency

„ **Commercial Assessments**

- | 7235 total records
- | 4192 no change (58%)
- | 2705 increased (37%)
 - 300 had no assessment in 2013
 - % Increase range: 0.6%– 4950%
 - 0.6% = \$69.60
 - 4950% = \$1148
 - \$ Increase range: \$11.60 - \$54,253 (Duke)
- | 338 decreased (5%)

Surface Water Management Program

Credit Policy

Current Mitigation Credit Policy



- „ Impervious area adjustment process
- „ Credits for properly functioning stormwater management systems up to 75% based on volume of runoff retained or detained.
- „ Credits for unique features up to 37.5%
- „ Application submittal
 - | Year 1: November 1, 2013 – January 1, 2014
 - | Subsequent years: March 1 – May 1
- „ Written determination within 45 days
- „ Appeals within 30 days of receipt of written determination

Modifications to Credit Policy

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- „ More clarifying
 - | Credits received
 - | Unique features
 - | Coordination
- „ Added tidal criteria
- „ Reopen 2014 application period from Oct 1, 2014 to Dec 31, 2014
- „ 2015 application period from Jan 1 – April 1
- „ Following years expanded application period from Oct 1 – April 1 of each year
- „ Written determination: 60 days
- „ Benefits: Extended application period, additional eligible criteria

Storm Event Volume Retained or Detained	Credit Received
2 yr-24 hr	28%
2.33 yr-24 hr	31%
5 yr-24 hr	38%
10 yr-24 hr	47%
25 yr-24 hr	56%
50 yr-24 hr	63%
100 yr-24 hr	75%

Surface Water Assessment

Annual program, Level of Service, Future Projections

FY2013 Program (Pre-Assessment)

14

„ **FY13 Program**

§ Program management

- \$1.3M

§ NPDES permit compliance

- \$1.6M

§ NPDES O&M

- \$8.9M

§ **Program total**

- \$11.8M

„ **FY13 LOS**

| Program Management

- LOS C

| NPDES Permit Compliance

- LOS C to C+

| NPDES O&M

- LOS C-

| **Overall**

- **LOS C**

FY2014 Approved Rate

15



// Rate

- | \$116/ERU/year
 - \$9.67/ERU/month
- | Estimated FY14 program revenue \$17.9M/year
- | Rate structure applies to all properties within the unincorporated area

FY2014 Surface Water Assessment Goal

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// **FY14 Program Goal**

- | Program Management
 - \$2.2M
- | NPDES Compliance
 - \$2.3M
- | NPDES O&M
 - \$13.4M
- | **Program total**
 - **\$17.9M**

// **FY14 LOS Goal**

- | Program Management
 - LOS C+
- | NPDES Permit Compliance
 - LOS C+ to B-
- | NPDES O&M
 - LOS C+
 - Benefit to CRS
- | **Overall**
 - **LOS C+ to B-**

FY2014 Surface Water Assessment

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// **FY2014 Actual**

- | Operating budget:
\$14.9M
- | -\$3M budget
amendment
- | Program ramp up

// **FY14 LOS**

- | Program Management
 - LOS C
- | NPDES Permit
Compliance
 - LOS C to C+
- | NPDES O&M
 - **LOS C**
- | Overall
 - LOS C
 - **Trending up**

FY2015 Surface Water Assessment

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// FY2015

- | Operating budget: \$16.9M
- | LOS Goal: ~\$19M



// FY2015 LOS Strategy

- | Start with reductions to pipe program
 - Goal: 24 miles in 10 years
 - New Est: 24 miles in 14 years
- | Avoid cuts to ditches and channels
 - NPDES compliance concerns
 - Higher ROI on flooding and water quality
- | Works towards maintaining current “C” LOS

Looking ahead to FY2016

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- „ No significant changes to assessments
 - | Digitizing is complete
 - | Expected changes
 - Adjustments
 - Credits
 - Annexations
 - Development
- „ Program revenue will decrease
- „ Threats to watch for
 - | Inadequate infrastructure management
 - | NPDES compliance
 - | CRS program impacts
 - | Reactive versus preventative
 - | Pollution prevention is reduced and water quality declines

Rate Overview

Surface Water Assessment Program	2014	Cost per ERU per Year	Cost per ERU per Month	2015	Cost per ERU per Year ¹	Cost per ERU per Month ²
	\$17,885,623	\$116	\$9.67	\$19,010,102	\$122	\$10.17

Pre-Assessment Program	2013	Cost per ERU per Year	Cost per ERU per Month	2015	Cost per ERU per Year ¹	Cost per ERU per Month ²
	\$11,793,546	\$76	\$6.40	\$12,547,479	\$80	\$6.67

Notes:

1. Assumes 93% (5% loss and 2% for PAO and Tax Collector). Does not include 2 months cash flow.
2. Calculated as the Annual Cost divided by 12.



Pinellas County Justice & Consumer Services

High Prescribing Health Clinics

What led to the moratorium and original “pain management” ordinance?



Total number of deaths caused by prescription/prescription & illicit drugs by year:

- 2009 – **218**
- 2010 – **249** (Moratorium Declared)
- 2011 – **217**
- 2012 – **175**
- 2013 – **149**

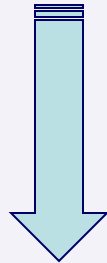


What led to the moratorium and original “pain management” ordinance?



Total number of clinics:

- 2010 — Approximately 60+ “pain clinics” identified in Pinellas



- Changing business practices
- “Bad apples” eliminated
- Unmet need addressed

- 2014 — 23 licensed High Prescribing or “pain clinics” in Pinellas

What does the current ordinance do to ensure only “legitimate” clinics are in operation?



- No clinic may be owned by or have contractual or employment relationship with a physician:
 - Whose DEA number has ever been revoked
 - Whose license has been denied, revoked or encumbered due to final disciplinary action by the state
 - Who has been convicted of or plead guilty within last five years for a felony for receipt of illicit and diverted drugs

Pain Management vs. High Prescribing Health Clinic

- On November 8, 2011 the Board amended this ordinance to include a minimum prescription requirement (currently more than 20 in a single day) as a registration requirement to close possible loop holes



Who is exempted currently?



- Hospitals
- Clinic, facility, or office in which a majority of the patients primarily receive surgical services
- Clinic, facility, or office treating terminal illnesses or cancer
- Nursing homes
- Hospice
- Clinic owned by a publicly held corporation with most recent fiscal quarter total assets exceeding \$50,000,000.00
- Clinic owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3)

Substantial changes currently being considered



86-133(a)(5)

- All information in an application shall now be updated within 10 days of any changes

86-135(a)

- Updated to reflect that the moratorium shall again be reviewed no later than 60 days after the close of the 2015 legislative session

Continued...

Substantial changes currently being considered



86-139(b)

- A permit shall now be transferable

86-139(e)(1)

- Two convictions of the high prescribing health clinic ordinance shall now constitute grounds for a suspension

Continued...

Substantial changes currently being considered



REPEALED SECTIONS:

86-139(c)(7)

- Clinics are no longer required to provide a semi-annual update

86-139(c)(11)

- Clinics will no longer include a copy of the patient advisory report in patient's file

86-139(d)(4)

- Failure to update the clinic application is reclassified as a violation subject to remedy

Looking ahead...

- Monitor Florida legislative actions
- Coordinate with law enforcement/regulatory agencies to identify, plan and respond to emerging trends
- Continue participation with Prescription Drug Task Force
- Plan exit strategy for moratorium expiration

