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

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

- Total impervious area
- Standard method for assessing non-residential property
Surface Water Assessment

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

- 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
Primary reason for increases:

° Parking lots
° Vacant land now developed
° Example property types
  ó Gas stations
  ó Strip malls
  ó Stores
  ó Office buildings
  ó Hotels
  ó 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%)
  ó 300 had no assessment in 2013
  ó % Increase range: 0.6%– 4950%
    - 0.6% = $69.60
    - 4950% = $1148
  ó $ 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

- 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

<table>
<thead>
<tr>
<th>Storm Event Volume Retained or Detained</th>
<th>Credit Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 yr-24 hr</td>
<td>28%</td>
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<tr>
<td>2.33 yr-24 hr</td>
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<td>5 yr-24 hr</td>
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<td>50 yr-24 hr</td>
<td>63%</td>
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<tr>
<td>100 yr-24 hr</td>
<td>75%</td>
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</table>
Surface Water Assessment

Annual program, Level of Service, Future Projections
FY2013 Program (Pre-Assessment)

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

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

<table>
<thead>
<tr>
<th>FY14 Program Goal</th>
<th>FY14 LOS Goal</th>
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<tbody>
<tr>
<td>Program Management</td>
<td>Program Management</td>
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<td>Overall</td>
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<td></td>
<td>LOS C+ to B-</td>
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</table>
FY2014 Surface Water Assessment

- 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

Ñ FY2015
- Operating budget: $16.9M
- LOS Goal: ~$19M

Ñ 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

- 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

<table>
<thead>
<tr>
<th>Surface Water Assessment Program</th>
<th>2014</th>
<th>Cost per ERU per Year</th>
<th>Cost per ERU per Month</th>
<th>2015</th>
<th>Cost per ERU per Year</th>
<th>Cost per ERU per Month</th>
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<th>Pre-Assessment Program</th>
<th>2013</th>
<th>Cost per ERU per Year</th>
<th>Cost per ERU per Month</th>
<th>2015</th>
<th>Cost per ERU per Year</th>
<th>Cost per ERU per Month</th>
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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
- **2014** — 23 licensed High Prescribing or “pain clinics” in Pinellas

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