

Pinellas County

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



Minutes - Final

Tuesday, May 24, 2016

2:00 PM

BCC Assembly Room

Board of County Commissioners

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

ROLL CALL - 2:02 P.M.

Present: 7 - Charlie Justice, Janet C. Long, Dave Eggers, Pat Gerard, John Morroni, Karen Williams Seel, and Kenneth T. Welch

Others Present: James L. Bennett, County Attorney; Mark S. Woodard, County Administrator; Frederick L. Dean, Finance Division Director, Deputy Clerk; Lynn M. Abbott and Michael P. Schmidt, Board Reporters, Deputy Clerks.

INVOCATION by Reverend Kathleen Walter with St. John's Episcopal Church in Clearwater**PLEDGE OF ALLEGIANCE****PRESENTATIONS AND AWARDS****1. Presentations and awards:**

Doing Things Employee Recognition: Monique Savas, Administrative Support Supervisor with St. Pete-Clearwater International Airport

Memorial Day Proclamation

Partner Presentation:
Honor Flight of West Central Florida

Memorial Day Proclamation

Presented to:
Ron Mills, Commander of VFW District 9 and VFW Post 4256
Milton White, Veteran Certifying Official for USF St. Petersburg
Kaitlyn Mollo, President of Student Veterans at USF St. Petersburg
Jeff Cavanaugh, Director of Veterans Services for St. Petersburg College
Mike Boucher, Vice President with State of Florida Vietnam Veterans of America

Partner Presentation: Honor Flight of West Central Florida

Beverly Frey, President, Honor Flight of West Central Florida, introduced Honor Flight board members and volunteers, and Director Mark Welsh provided an overview of the organization, discussed its accomplishments and objectives, and presented a short video; whereupon, on behalf of himself and the members, Chairman Justice thanked everyone involved for their efforts in paying tribute to the veterans.

CITIZENS TO BE HEARD

2. Public comment.

Lenore Faulkner, Madeira Beach, re education excellence for all students
Greg Pound, Largo, re families
Rondale McDowell, St. Petersburg - spoke on behalf of others in attendance

CONSENT AGENDA - Items 3 through 10 (Items 6, 8, 9, and 10 addressed under Regular Agenda.)

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

3. Minutes of the regular meeting held April 26, 2016.

Reports received for filing:

4. Dock Fee Report for the month of April 2016.

Miscellaneous items received for filing:

5. City of Dunedin Notice of Public Hearing regarding proposed Ordinance No. 16-17, voluntarily annexing certain property. Public hearing to be held July 28, 2016.

COUNTY ADMINISTRATOR DEPARTMENTS

County Administrator

7. Receipt and file report of non-procurement items delegated to the County Administrator.

REGULAR AGENDA

ITEMS FOR DISCUSSION FROM THE CONSENT AGENDA

Airport

6. Joint Participation Agreement with the Florida Department of Transportation for airport main terminal circulation road, airside roadway improvements, technology and parking lot improvements at St. Pete-Clearwater International Airport.

Resolution No. 16-36 adopted authorizing execution of the Agreement (FDOT Financial Project No. 438690-1-94-01, FDOT Contract No. G0992; County CIP No. 001546A); Joint Participation Agreement is for \$1,531,591.00, which provides 50 percent share of Design and Construction Costs (Design Costs, \$1,701,351.00; remaining project amount available for construction, \$1,361,830.00). Chairman authorized to execute the agreement and the Clerk to attest.

Commissioner Seel noted that the agreement only relates to the design phase of a \$12 million construction project and expressed her concerns regarding the utilization of contingency reserves. Airport Director Thomas R. Jewsbury indicated that he is actively working with the Florida Department of Transportation to identify additional grant money to fund infrastructure improvements related to parking; and that the Airport plans to implement a Customer Facility Charge on rental cars during the next budget year in furtherance of that initiative, which is anticipated to collect about \$2.5 million a year; whereupon, he related that unrestricted reserves at the Airport are approximately \$15 million.

A motion was made by Commissioner Seel, seconded by Commissioner Welch, that the item be approved. The motion carried

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggert, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Economic Development

8. Rescindment of approval of ranking, termination of negotiations with Ygrene Energy Fund Florida LLC, and rejection of proposals related to a contract for a Property Assessment Clean Energy Program.

Mr. Woodard provided historical background information regarding the item, indicating that about three years ago the Purchasing Department released a request for proposal (RFP) to find a provider to implement a PACE Program; that the members then selected and staff began negotiations with the number one ranked firm, Ygrene; that those negotiations were delayed due to a lawsuit filed at the state level and decided by the Florida Supreme Court; and that staff reentered negotiations with Ygrene following the lawsuit's conclusion in December.

Mr. Woodard reported that the marketplace has changed over the past three years; and that while exclusive agreements were not uncommon at that time, having an open and competitive marketplace that allows multiple PACE providers the opportunity to access the market and provide choice to the consumer is much more common; whereupon, he indicated that the recommended action is to rescind the approval of ranking, terminate negotiations with Ygrene, and reject proposals received for a PACE program.

In response to queries by Commissioner Seel, Mr. Woodard provided further information

regarding the positive aspects of opening up the marketplace to multiple providers and, with input by Attorney Bennett, discussed why federal mortgage insurers are reluctant to deal with PACE financing; whereupon, Commissioner Seel presented her concerns regarding the program, including it being extended to residential properties, excessive interest rates for customers, and the subordination of other loans.

Responding to the Chairman's call for persons wishing to be heard, the following individuals presented their comments and concerns:

Rafael Perez, Miami
Michael Rogak, Tampa
Kimberly Anderson, Tampa
Devesh Nirmul, Brandon

Commissioner Morrone related that three years ago he had suggested that Ygrene speak with Pinellas County Realtors regarding their concerns about PACE and the prospect of having residential properties included in the program; and that because those concerns have intensified, he suggested that local Realtors be contacted regarding the exact nature of their opposition, and Commissioner Welch agreed.

In response to queries by the members, Mr. Perez reported that he does not work in the insurance industry; that he is a General Contractor and Realtor who represents Ygrene; that Miami-Dade Realtors are supportive of PACE; that customers now have an option with regard to home improvement financing; that jobs are being created as a result of the program; and that his firm has been negotiating in good faith during the entire process; whereupon, Mr. Woodard indicated that Ygrene would not be precluded from being part of the new rollout which would include multiple vendors.

Referring to comments made earlier in the meeting, Mr. Rogak related that not every individual who wishes to improve his or her home is able to obtain a home equity loan, and provided an example of a homeowner who obtained a 20-year loan at an interest rate of seven percent, indicating that such terms are not usury; whereupon, in response to query by Commissioner Welch, he indicated that he has not heard anything regarding Hillsborough County moving forward with PACE.

Following public comment, Mr. Woodard reported that if the item is approved, nothing would preclude the County from continuing discussions with Ygrene; that the path forward would be through an interlocal agreement versus an exclusive agreement; and that the County would retain the ability to enter into discussions with other vendors wishing to participate in the program; whereupon, in response to queries by the members, he discussed the criteria for companies to be involved in commercial PACE activities, relating that the item would not affect the ability of Ygrene to do commercial business in the County.

In response to queries by Commissioner Welch, Mr. Woodard referred to a project being discussed that could take place within the City of St. Petersburg, relating that because many of the municipalities within Pinellas County are looking for leadership, it would be

easier for those cities to operate under a countywide approach if a framework were to be put in place, and discussed how local governments and providers would use interlocal agreements as part of the process; whereupon, Commissioner Welch indicated that while he is anxious to move forward, things need to be done correctly, and urged Ygrene to contact Pinellas County Realtors.

In response to query by Commissioner Welch, Mr. Woodard provided information regarding the following verbiage contained in the staff summary, "Ygrene began to push the County to join the Green Energy Corridor District, in lieu of creating a separate district and bonded financing sources of funding." He related that when negotiations were resumed in January, Ygrene had wanted Pinellas County to become part of another established district that it had created elsewhere in Florida, and Managing Assistant County Attorney Don S. Crowell provided extensive background information leading up to today's recommended action, relating that the issue is complicated; and that further information will be provided to the members as the process moves forward, and Mr. Woodard provided input.

Commissioner Long discussed the length and complexity of the process, and indicated that she is sensitive to the comments made regarding how hard Ygrene has been working to move forward and provide all the information requested of them; and that it troubles her that the firm had been unaware of the action to be taken today until very recently; whereupon, during discussion and in response to her queries, Mr. Woodard reiterated that the County can continue to engage with Ygrene and other prospective providers within the marketplace.

In response to comments and queries by Commissioner Morroni, Mr. Woodard related that Ygrene had been prohibited from speaking with the members regarding the item due to the Board's adopted "cone of silence" as part of its Purchasing Ordinance; and that under the current ordinance, the cone of silence is not lifted until the Board has actually awarded the contract; whereupon, he assured the members that there has been ongoing communication between the County and Ygrene, and Commissioner Gerard provided input.

Commissioner Long remarked that she considered it bizarre and un-American that anyone would be prohibited from speaking with a County Commissioner, and requested that the cone of silence portion of the ordinance be reviewed and, providing brief historical background information, Commissioner Welch related that the rule exists for a very good reason; whereupon, Chairman Justice confirmed that discussion regarding the ordinance will take place at a future time, and in response to query by Commissioner Eggers, clarified that the issue before the Board is the termination of an RFP process.

Thereupon, Mr. Woodard reported that there are presently three major players in the PACE marketplace in Florida; that all have mature programs and legal documents in place; that if the item is approved today, the members will likely begin to hear from those providers; and that his office will continue its discussions with Ygrene in an effort to secure an interlocal agreement with them.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Utilities

9. Award of bid to HD Supply Waterworks, Ltd. for requirements of water and sewer materials.

Bids from Fortiline, Inc. and Perma Liner Industries rejected on the basis of being non-responsive for not meeting bid specifications. Bid No. 156-0035-B approved for an estimated 60-month expenditure not-to-exceed \$9,310,000.00 on the basis of being the lowest responsive, responsible bid meeting specifications.

In response to queries by Commissioner Eggers, Mr. Woodard confirmed that the bid is for an estimated not-to-exceed amount; whereupon, Director of Utilities Randi Kim related that the contract is for various materials used to maintain the water and sewer system; that her operating budget has been fairly constant; and that the expenditure is included in the current budget.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Business Technology Services

10. Award of bid to CDW Government, LLC for requirements of Cisco computer hardware and maintenance support services.

Bid No. 156-0272-B approved for an estimated 60-month expenditure not-to-exceed \$10,000,000.00 on the basis of being the lowest responsive, responsible bid meeting specifications.

In response to queries by Commissioner Welch, Mr. Woodard, with input by Director of Purchasing Joseph Lauro, indicated that Cisco Systems, Inc. is principally a manufacturer of networking hardware and software solutions; and that the annual budgetary requirement is \$2 million for each of the five years.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTY ADMINISTRATOR DEPARTMENTS

Economic Development

11. Resolution approving B4100252787 as a Qualified Applicant for the Qualified Target Industry Tax Refund Program.

Resolution No. 16-37 adopted approving Project B4100252787 as a qualified applicant pursuant to Section 288.106, Florida Statutes, and identifying sources of local county financial support (total local contribution amount, \$13,000.00, 50 percent of which will be paid by Pinellas County, to be paid over a series of fiscal years as determined by the State).

Mr. Woodard indicated that the project relates to a food manufacturer seeking to expand its headquarters within the City of Clearwater; that 13 employees are projected to be hired at no less than 115 percent of the average annual state wage; that the project was previously submitted to the members and approved based on 12 jobs; that the \$13,000.00 local contribution will be divided equally between Pinellas County and Clearwater; and that the economic impact of the project's capital investment is \$6.9 million.

In response to queries by Commissioner Eggers, Director of Economic Development Mike Meidel related that the QTI program is an incentive to encourage businesses to locate or expand within Pinellas County; and that even though the applicant has facilities all over the world, its employees will likely be hired from the local area; whereupon, he briefly explained the term *indirect jobs*.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Human Services

12. Authority for the County Administrator to approve and execute agreements for the Medicaid Low Income Pool Program.

Authority delegated to the County Administrator to approve and execute Medicaid Low Income Pool (LIP) Program agreements between Pinellas County and the State of Florida, Agency for Health Care Administration (AHCA) and participating local hospitals for State Fiscal Year 2016-2017.

In response to queries by Commissioner Seel, Mr. Woodard related that some State Legislature rule changes, many to do with federal and state funding levels, now allow Pinellas County to participate in the Medicaid LIP Program, and briefly discussed

circumstances where unused allocated dollars could be made available for other uses.

Mr. Woodard presented his rationale for the delegated authority, indicating that it will allow him to be able to swiftly take advantage of financial opportunities without having to wait until a Board meeting, and discussed a missed opportunity about three years ago where \$5 million of LIP funding was lost due to a timing issue; whereupon, expressing support for the item, Commissioner Seel requested that Mr. Woodard provide her a verbal update prior to signing any contracts.

A motion was made by Commissioner Seel, seconded by Commissioner Welch, that authority be granted. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

13. Extension of the Interlocal Agreement with the Sixth Judicial Circuit Court of Florida for County-funded court employees.

Extension approved for an additional four-year term through June 30, 2020; total value associated with the agreement is approximately \$2,875,860.00. Chairman authorized to sign the agreement and the Clerk to attest.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Planning

14. Authority to advertise a public hearing to be held on June 21, 2016, regarding the Fiscal Year 2016-2017 Annual Action Plan for federal funding.

A motion was made by Commissioner Welch, seconded by Commissioner Seel, that authority be granted. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Real Estate Management

15. Resolution granting status to the Florida Dream Center for donation of surplus personal property and declaring surplus and authorizing donation of County-owned equipment.

Resolution No. 16-37 adopted. Equipment includes three lawn mowers for use as part of the Center's Adopt-A-Block program in the Lealman area.

Commissioner Long brought forward an issue regarding liens on abandoned homes, and provided an example of a \$30,000 home in Lealman that has incurred \$2.1 million in liens; whereupon, responding to her queries, Mr. Woodard discussed the waiving of

liens, and Attorney Bennett provided information relating to abandoned properties and the foreclosure process.

Commissioner Seel indicated that following implementation of the anticipated Foreclosure Registry, the system may be able to assist in identifying problem properties; whereupon, Development Review Services Director Blake G. Lyon related that his department has recently started discussions regarding the registry and is drafting an ordinance to present to the members, and Commissioners Long and Seel requested that staff accelerate the process.

Planning Department Director Renea Vincent provided background information regarding staff's earlier hesitation to undertake the foreclosure process, opining that the topic is part of a larger discussion, and Mr. Woodard agreed, indicating that in the context of the Lealman Community Redevelopment Plan, now is an opportune time for the members to have a policy discussion regarding the matter and provide direction to staff.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

Utilities

- 16.** Change Order No. 2 to the contract with Layne Inliner, LLC, for stormwater pipeline repair utilizing cured in place pipelining.

(Contract No. 134-0177-CP; PID No. 002064A) Change Order No. 2 approved increasing the contract amount by \$800,000.00 (revised contract total, \$2,654,339.64) and exercising the first and final term extension for 365 calendar days, from July 23, 2016 to July 22, 2017. Chairman authorized to sign and the Clerk to attest.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

- 17.** Change Order No. 1 to the contract with Insituform Technologies, LLC, for sanitary sewer rehabilitation cured-in-place pipelining services.

(Bid No. 134-0137-CP; PID No. 2133/001933A) Change Order No. 1 approved increasing the contract amount by \$1,467,350.00 (revised contract total, \$4,402,100.05) and exercising the first and final term extension for 365 calendar days to June 26, 2017. Chairman authorized to sign and the Clerk to attest.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTY ADMINISTRATOR

18. County Administrator miscellaneous - None.

COUNTY ATTORNEY

19. Ranking of firms and negotiated agreement with Bryant Miller Olive P.A. for bond counsel services.

Contract No. 145-0293-P approved for a total expenditure not-to-exceed \$500,000.00 through September 30, 2020. Chairman authorized to sign and the Clerk to attest.

In response to queries and comments by Commissioner Seel, Attorney Bennett confirmed that Bryant Miller Olive has provided bond counsel services to Pinellas County since 1980; whereupon, Director of Purchasing Joseph Lauro discussed the competitive nature of the process, indicating that while another prominent and experienced law firm had submitted a bid, price had been the deciding factor.

In response to further queries by Commissioner Seel, Attorney Bennett indicated that any potential conflicts of interest have been addressed; that the Board has a negotiated waiver letter in place regarding its representation of the Pinellas Suncoast Transit Authority and several cities; that bond counsel representation is separate and distinct from the bulk of other issues that would occur with regard to the cities; that outside counsel has been and will be engaged when needed; and that no significant issues have been experienced thus far; whereupon, Grace E. Dunlap, Bryant Miller Olive, indicated that her firm is no longer involved in the Property Assessment Clean Energy (PACE) Program.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

20. Offer of settlement in the case of Paul Hanson v. Pinellas County - Circuit Civil Case No. 15-006299-CI-21 - Allegations of negligence resulting in personal injuries.

Settlement approved in accordance with the confidential memorandum from County Attorney James L. Bennett dated May 24, 2016.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

21. Authority to advertise a public hearing to be held on June 7, 2016, regarding a proposed ordinance amending County Code Chapter 58 (Environment) by adding Article XIV (Oil and Gas Well Stimulation), which provides for a countywide ban on oil and gas well stimulation, including but not limited to acid fracturing, hydraulic fracturing, and matrix acidizing.

Commissioner Seel referred to a letter from the City of St. Petersburg regarding oil and gas wells not being allowed within its municipal boundaries and questioned whether the County has similar restrictions. Development Review Services Director Blake G. Lyon indicated that similar wells are not permitted in the county; and that while the zoning ordinance does not specifically refer to oil and gas wells, its exclusionary nature eliminates that requirement; whereupon, Attorney Bennett related that although there is no provision directly addressing the issue of exploratory wells, problems can occur when new uses emerge that are not anticipated in the Code, and Commissioner Seel suggested that the Code be strengthened.

In response to queries by Commissioner Welch, Attorney Bennett discussed his rationale for keeping the proposed ordinance separate and apart from an ordinance regarding the drilling of exploratory wells without fracking; whereupon, he indicated that companies wishing to drill exploratory wells would likely consider the industrial area; that there is no factual basis to support a complete ban on exploratory wells without fracking; that he would review the matter to see if there are any issues that are preempted by the state; and that the County cannot adopt a zoning code for the individual cities, and Commissioners Welch and Long indicated that they consider the drilling of exploratory gas and oil wells in Pinellas County to be a bad idea.

Commissioner Gerard related that it would be helpful if County partners attended the June 7 public hearing and provided information regarding the topic of drilling prior to the vote; and that hopefully the County will be voting on the item before the City of St. Petersburg; whereupon, in response to queries by Commissioner Seel, Assistant County Attorney Brendan Mackesey indicated that state waters extend nine nautical miles off the Gulf Coast; that Pinellas County boundaries mirror that of the state; that any sort of drilling for oil and gas within state waters was prohibited by the State Legislature in 1990; and that the federal government has actually placed a moratorium on drilling for oil and gas outside those limits.

Attorney Bennett and Commissioners Seel and Morroni thanked Attorney Mackesey and Natural Resources Division Manager Kelli H. Levy and her staff for their assistance with the ordinance; whereupon, in response to the Chairman's call for persons wishing to be heard, the following individuals expressed support for the item:

Susan Glickman, Indian Rocks Beach, Southern Alliance for Clean Energy
Michelle Allen, St. Petersburg, Food and Water Watch
Diane Lebedeff, Clearwater
Lauren Jones, Tampa, Environmental Policy Advocates at USF
Jennifer Rubiello, St. Petersburg, Environment Florida

A motion was made by Commissioner Gerard, seconded by Vice-Chairman Long, that authority be granted. The motion carried by the following vote:

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

22. County Attorney miscellaneous - None.

AUTHORITIES, BOARDS, CONSTITUTIONAL OFFICERS AND COUNCILS

Lealman Community Redevelopment Agency

23. Review and transmittal of the Lealman Community Redevelopment Area Plan to the Board of County Commissioners and applicable taxing authorities.

Sitting as the Lealman Community Redevelopment Agency, the Board approved the transmittal with the following recommendations:

- Approval of the Lealman Community Redevelopment Area (CRA) Plan.
- Establishment of a Redevelopment Trust Fund for the Lealman CRA.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTY ADMINISTRATOR REPORTS

24. County Administrator reports: 2016 State Legislative Session Report.

Peter M. Dunbar, Dean Mead Law Firm, provided an overview of the 2016 State Legislative session and indicated that a comprehensive report was provided in the members' packets.

Funding-Related Issues

- The Legislature provided approximately \$193 million this year in State Housing Initiatives Partnership (SHIP) funding, with Pinellas County receiving about \$3 million.
- The controversy surrounding the Florida Department of Juvenile Justice (DJJ) has been resolved with a bill authored by Senator Jack Latvala and Representative Chris Latvala that revised the cost-sharing relationship between the DJJ and Florida's counties for juvenile detention costs, ending more than a decade of litigation.
- The Legislature neutralized provisions relating to Pinellas County in a balanced billing initiative that would have impacted medical transports.

- Representative Chris Sprowls excluded Pinellas County from a mandate to create new Certificates of Public Convenience and Necessity for ambulance services.
- The sponsor of the measure to eliminate Medical Examiner fees for cremations has termed out, and the bill has died.

Economic Development

The dispute between the House and the Senate will continue through the next term. There will be no cash grants for economic development, but there will be enhancements to the tax credit process for the Qualified Target Industry Tax Refund Program applicants.

Fracking

There is quite a bit of oil and gas production in Collier County and other parts of Florida. Senator Garrett Richter, sponsor of the fracking bill and whose area includes Collier County, has completed his tenure of service. If Pinellas County plans to enact a fracking ordinance, now is the time to do so.

In response to query by Commissioner Long, Mr. Dunbar suggested moving forward with a fracking ordinance as soon as possible because the upcoming session will likely include other sponsors.

Gun Legislation

The ban on backyard shooting ranges bill passed. He discussed several other bills of interest that failed, relating that many of the items are going to resurface on a number of fronts.

Local Tax Referendum

The team will focus on making sure that the effort to change the local tax referenda procedures does not impact renewal of the Penny for Pinellas.

Vacation Rentals; Tax Collection Process re Airbnb

None of the legislation on vacation rentals passed. The Pinellas County Tax Collector signed an Airbnb agreement, but other major counties have not done so.

Public Corruption Bill

House Bill 7071, the Public Corruption bill, provides standards regarding procurement communication for public employees and private sector government contractors and will now apply to his services.

Water Policy

Senate Bill 2016-1, which has been enacted and signed by the Governor, has made comprehensive changes to Florida's water policy and will be followed by two other important bills dealing with water reuse, the classification of reuse, and how it can be done, noting that Senators Jack Latvala and Wilton Simpson are interested and aware of the issues.

Mental Health Funding

Two significant pieces of legislation will refine the procedures and more closely align the Baker Act, dealing with mental health, and the Marchman Act, dealing with substance abuse, making for better coordination of care.

Constitutional Revision Commission

Mr. Dunbar indicated that the Constitutional Revision Commission (CRC) will begin next year, noting that the three major appointing authorities, the Governor and both presiding officers in the Legislature, will likely include issues such as changes to the court system, changes in the relationship between state and local governments, changes with regard to healthcare policy in Florida, and changes with regard to economic development.

Future Legislative Influence

Mr. Dunbar announced that one of the local senators will Chair the Appropriations Committee; that Richard Corcoran from Pasco County will be the Speaker of the Florida House; and that Representative Chris Sprowls has claimed the speakership pledges for two terms removed; whereupon, Chairman Justice related that with the local influence, now is the time to request funding for certain projects.

In response to queries by Commissioners Eggers and Welch, Mr. Dunbar related that Medicaid Expansion is likely a dead-locked issue until the next session; that hopefully healthcare might be a topic of discussion for the CRC agenda; and that a yes or no vote by the people would affect how the Legislature would direct the changes to the Constitution. He commented on how the healthcare portion of the budget has grown over time and that the House and the Senate are reluctant to open the discussion.

COUNTY COMMISSION

25. Appointment to the Parks and Conservation Resources Advisory Board (individual appointment).

Mathew Eberius appointed by Commissioner Eggers. The term runs concurrent with the term of the nominating Commissioner.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

26. County Commission miscellaneous.

The Commissioners wished the Tampa Bay Lightning good luck in tonight's game.

Commissioner Eggers

Related that he attended the Clearwater Downtown Partnership Momentum Awards and discussed Outstanding New Business winner Clearwater Ferry.

Thanked the Commissioners, Mr. Woodard, and staff for assistance and attendance at the Council of North County Neighborhoods annual town hall meeting.

Commended Pinellas Suncoast Transit Authority (PSTA) Chief Executive Officer Brad Miller on his good work and successful approach regarding sustainability issues with the bus purchase.

Announced that Memorial Day services will be held at Crest Lake on Sunday and Curlew Hills and Oldsmar's Veterans Park on Monday.

Related that he received an invitation from a Toronto Blue Jays representative for a July event and requested that one of the members attend.

Commissioner Welch

Commented that the PSTA meeting to be held May 25 will include discussion on the bus purchase.

Attended the Hands Across the Sand event last Saturday in Treasure Island.

Thanked Mr. Woodard and staff for assistance with setting up the recent Collaborative Lab workshop and requested a link to the St. Petersburg College website to view the record of the meeting.

Commissioner Gerard

Attended a Habitat for Humanity home dedication last week in Clearwater and noted upcoming Habitat events.

Announced a meet-and-greet for the Youth Advisory Committee at 5:15 P.M.

Commissioner Morroni

Wished everyone a safe Memorial Day weekend.

Commissioner Long

Extended condolences to City of St. Petersburg Deputy Mayor Kanika Tomalin and her family.

Discussed the Charter Review Commission's six ballot proposals, and urged member attendance at the public hearings to be held on June 1 and June 15 at 6:00 P.M. in the St. Petersburg City Council Chambers and the County Commission Assembly Room, respectively.

Chairman Justice

Announced the opening of the Lealman Fitness Zone at Lealman Park and thanked Department of Health Director Dr. Ulyee Choe, Parks and Conservation Resources Director Paul Cozzie, and other partners for their work on the park.

Announced that the Veterans Services Department is holding an information session on May 25 from 9:00 A.M. to noon.

Meeting Recessed: 4:43 P.M.

Meeting Reconvened: 6:01 P.M.

PRESENTATIONS**27. Youth Advisory Committee Presentation.**

Youth Advisory Committee (YAC) Chairman Madison Blake provided an overview of YAC activities during the year, relating that members were introduced to the Sunshine laws and bylaws, and officers were elected at the first meeting last September; whereupon, at the request of Commissioner Gerard, she introduced the officers.

Miss Blake related that the members were involved with the recent Community Conversation and participated in the Millennial Project for professional self-recruitment, an Animal Services Project for volunteer services, and a Watershed Project for community service, noting that the Communications Department assisted with the production of a video about preserving the water and beaches. She indicated that discussions included the upcoming year's projects, such as focusing on the Tallahassee bill process and environmental issues.

Miss Blake displayed the Watershed video and noted that it is being played in theaters; whereupon, Staff Advisor Ramona Madhosingh-Hector presented certificates to the graduating Committee members.

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

28. Case No. Z/LU-7-3-16 (Property Management Enterprises, LLC)

A request for a land use change from Residential Low to Commercial General and a zoning change from R-4, One, Two & Three Family Residential to C-2, General Retail Commercial & Limited Services on approximately 0.6 acre located at the northwest intersection of 54th Avenue North and Interstate 275 in Lealman.

Resolution No. 16-39 adopted approving the zoning change and Ordinance No. 16-30 adopted changing the land use designation. The Local Planning Agency recommended approval of the request. No correspondence has been received.

In response to the Chairman's call for the applicant, Gerald Snyder appeared and provided a brief overview of the proposal, indicating that he wishes to construct a small assisted living facility.

No one appeared in response to the Chairman's call for citizens wishing to be heard.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

COUNTYWIDE PLANNING AUTHORITY

29. Ordinance amending the Countywide Rules regarding Target Employment Centers, Transferable Development Rights, and Temporary Lodging Intensity Standards (second hearing).

Ordinance No. 16-31 adopted. The Pinellas Planning Council recommended approval of the proposed amendments, and staff concurred. No correspondence has been received. No citizens appeared to be heard.

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

Aye: 7 - Chairman Justice, Vice-Chairman Long, Commissioner Eggers, Commissioner Gerard, Commissioner Morroni, Commissioner Seel, and Commissioner Welch

ADJOURNMENT - 6:22 P.M.

Chairman

ATTEST: KEN BURKE, CLERK

By _____
Deputy Clerk