

COMMISSION

Lesley "Les" Miller, Jr., *Chair*
Victor D. Crist, *Vice Chair*
Ken Hagan
Al Higginbotham
Pat Kemp
Sandra L. Murman
Stacy White



Executive Director

Janet L. Dougherty

General Counsel

Richard Tschantz

Meeting time
9:00 a.m.

COMMISSION AGENDA
November 15, 2018

Location
601 E. Kennedy Blvd., Tampa
County Center, 2nd Floor

- 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, and INVOCATION**
- 2. CHANGES TO THE AGENDA**
- 3. REMOVAL OF CONSENT ITEM FOR QUESTION, COMMENT, or SEPARATE VOTE**
- 4. PUBLIC COMMENT** - *Each speaker is allowed 3 minutes unless the Commission directs differently.*
- 5. APPROVAL OF CONSENT AGENDA**

AGENDA ITEMS

A. CONSENT AGENDA

- 1. Approval of EPC Meeting Minutes – September 27, 2018 2
- 2. Monthly Activity Report..... 6
- 3. FY2018 Pollution Recovery Fund Budget 9
- 4. Legal Case Summary 11
- 5. Action Plans Quarterly Update 14
- 6. Select Performance Measure Goals Quarterly Update 20

B. PUBLIC HEARING

None

C. REGULAR AGENDA

- 1. EPC Petroleum Program Audit Reports and EPC Brownfields and Old Landfill
Redevelopment Program updates 22
- 2. Annual Performance Evaluation of the Executive Director 23
- 3. Executive Director’s Report

D. RECOGNITIONS

Farewell Ceremony sponsored by Hillsborough County and the EPC for Commissioner Al Higginbotham and Commissioner Victor Crist with reception to follow after adjournment.

ADJOURN

Any person who might wish to appeal any decision made by the EPC regarding any matter considered at the forthcoming public hearing or meeting is hereby advised that they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # A1

Date of EPC Meeting: November 15, 2018

Subject: Approval of September 27, 2018 EPC meeting minutes

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: Approve the September 27, 2018 EPC meeting minutes.

Brief Summary: Staff requests the Commission approve the meeting minutes from the Commission meeting held on September 27, 2018.

Financial Impact: No Financial Impact

List of Attachments: Draft copy of the September 27, 2018 EPC meeting minutes.

Background: None.

SEPTEMBER 27, 2018 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Thursday, September 27, 2018, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Lesley Miller Jr. and Commissioners Victor Crist, Al Higginbotham, Pat Kemp, Sandra Murman, and Stacy White.

The following member was absent: Commissioner Ken Hagan.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

▶ Chairman Miller called the meeting to order at 9:01 a.m. Commissioner White led in the pledge of allegiance to the flag and gave the invocation.

2. CHANGES TO THE AGENDA

▶ Ms. Janet Dougherty, EPC Executive Director, stated there were no changes to the agenda.

3. REMOVAL OF CONSENT ITEM FOR QUESTION, COMMENT, OR SEPARATE VOTE - ▶
None.

4. RECOGNITION

Mr. Richard Muga, Writer of the "Outdoor Sportsman" for La Gaceta

▶ Ms. Dougherty and Mr. Patrick Manteiga, La Gaceta, recognized Mr. Muga, who made appreciative remarks. ▶ Commissioner Crist emphasized Mr. Muga's community influence.

5. PUBLIC COMMENT - ▶ None.

6. APPROVAL OF CONSENT AGENDA

AGENDA ITEMS

A. CONSENT AGENDA

1. Approval of EPC Meeting Minutes - August 16, 2018
2. Monthly Activity Report
3. Fiscal Year 2018 Pollution Recovery Fund Budget
4. Legal Case Summary

THURSDAY, SEPTEMBER 27, 2018

5. Amended Interlocal Agreement between EPC and City of Tampa for National Pollutant Discharge Elimination System compliance

▶ Chairman Miller called for a motion to approve the Consent Agenda. **Commissioner Crist so moved, seconded by Commissioner White, and carried six to zero.** (Commissioner Hagan was absent.)

B. PUBLIC HEARING - ▶ None.

C. REGULAR AGENDA

1. Red Tide Update

▶ Ms. Dougherty introduced Mr. Thomas Ash, EPC, who gave a presentation.

▶ Commissioner White inquired about a recent Florida Fish and Wild Conservation Commission catch-and-release order. Following questions from Commissioner Kemp, Mr. Ash explained the mitigating effects of the Gulf of Mexico current and weather patterns on red tide and actions taken to diminish fertilizer impacts in the County. ▶ Commissioner Murman asked if EPC would be participating in State-funded research. Chairman Miller sought information on previous red tide blooms/future studies and wondered if red tide could be considered a federal issue. ▶ Chairman Miller requested a motion to accept the report. ▶ **Commissioner Murman moved approval, seconded by Commissioner Kemp, and carried five to zero.** (Commissioner White was out of the room; Commissioner Hagan was absent.)

2. Annual Report by the Executive Director

▶ Ms. Dougherty shared a presentation. ▶ Chairman Miller called for a motion to accept the report. **Commissioner Murman so moved, seconded by Commissioner Kemp, and carried five to zero.** (Commissioner White was out of the room; Commissioner Hagan was absent.)

3. Executive Director's Evaluation Procedure

▶ EPC Counsel Richard Tschantz presented the item.

4. Creation of Tampa Bay Regional Resiliency Coalition - informational report

▶ Ms. Dougherty introduced Ms. Michelle Jenkins, EPC, who gave the report.

▶ Attorney Tschantz expounded on the item. ▶ Commissioner Crist sought

THURSDAY, SEPTEMBER 27, 2018

verification that the agreement required no funds/actions from the County and requested the presentation be brought forward at the next Board of County Commissioners meeting.

5. Executive Director's Report

▶ Ms. Dougherty shared the report.

OFF-THE-AGENDA ITEM

▶ Chairman Miller recognized Mr. Sterlin Woodard for a recent promotion. Ms. Dougherty confirmed the scheduling protocol for planned 2019 EPC meetings.

ADJOURN

▶ There being no further business, the meeting was adjourned at 10:08 a.m.

READ AND APPROVED: _____

CHAIRMAN

ATTEST:

PAT FRANK, CLERK

By: _____

Deputy Clerk

ag



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # A2

Date of EPC Meeting: November 15, 2018

Subject: Agency Monthly Activity Report

Agenda Section: Consent Agenda

Division: All five EPC Divisions

Recommendation: None. Informational report.

Brief Summary: The Agency-wide report represents the total number of select divisional activities that were tracked within a specific month.

Financial Impact: No financial impact.

List of Attachments: Monthly reports for September FY18 and October FY19

Background: Select data that is associated with the EPC's five core functions is tracked by each Division (i.e. outreach events, monitoring, compliance inspections, permits issued, etc.) Monthly activity tracking reports from each Division are tallied to generate one final Agency-wide report.

EPC STAFF ACTIVITIES - AGENCY-WIDE
Monthly Activity Report
FY18

		<u>September</u>	<u>FISCAL YEAR TO DATE</u>
A.	<u>Core Function: Citizen Support & Outreach</u>		
1	Environmental Complaints Received	125	1570
2	Number of Presentations/Outreach Events	8	137
3	Citizen Support (walk-ins, file reviews, email/letter correspondence, etc.)	343	4783
B.	<u>Core Function: Air & Water Monitoring</u>		
1	Air Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	91.4%	N/A
2	Water Quality Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	100.0%	N/A
3	Number of Noise Monitoring Events	5	29
C.	<u>Core Function: Environmental Permitting</u>		
1	Permit/Authorization Applications Received	143	1809
2	Applications In-house >180 days	6	N/A
3	Permits/Authorizations Issued	116	1803
4	Petroleum Cleanup Cases	148	1153
D.	<u>Core Function: Compliance Assurance</u>		
1	Compliance Inspections	407	4717
2	Compliance Test Reviews (NOTE: Wetlands reviews included under D.1)	83	1431
3	Compliance Assistance Letters Issued	178	2932
4	Warning Notices Issued	7	117
E.	<u>Core Function: Enforcement</u>		
1	New Cases Initiated	1	50
2	Active Cases	36	N/A
3	Tracking Cases	49	N/A

EPC STAFF ACTIVITIES - AGENCY-WIDE
Monthly Activity Report
FY19

		October	FISCAL YEAR TO DATE
A.	<u>Core Function: Citizen Support & Outreach</u>		
1	Environmental Complaints Received	136	136
2	Number of Presentations/Outreach Events	10	10
3	Citizen Support (walk-ins, file reviews, email/letter correspondence, etc.)	463	463
B.	<u>Core Function: Air & Water Monitoring</u>		
1	Air Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	93.1%	N/A
2	Water Quality Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	99.6%	N/A
3	Number of Noise Monitoring Events	6	6
C.	<u>Core Function: Environmental Permitting</u>		
1	Permit/Authorization Applications Received	166	166
2	Applications In-house >180 days	3	N/A
3	Permits/Authorizations Issued	136	136
4	Petroleum Cleanup Cases	137	137
D.	<u>Core Function: Compliance Assurance</u>		
1	Compliance Inspections	325	325
2	Compliance Test Reviews (NOTE: Wetlands reviews included under D.1)	105	105
3	Compliance Assistance Letters Issued	264	264
4	Warning Notices Issued	11	11
E.	<u>Core Function: Enforcement</u>		
1	New Cases Initiated	5	5
2	Active Cases	32	N/A
3	Tracking Cases	50	N/A



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # A3

Date of EPC Meeting: November 15, 2018

Subject: Pollution Recovery Fund Budget

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: Informational Report Only

Brief Summary: The EPC staff provides a monthly summary of the funds allocated and available in the Pollution Recovery Fund.

Financial Impact: No Financial Impact

List of Attachments: PRF Budget Spreadsheet

Background: The EPC staff provides a monthly summary of the funds allocated and available in the Pollution Recovery Fund (PRF). The PRF funds are generated by monetary judgments and civil settlements collected by the EPC staff. The funds are then allocated by the Commission for restoration, education, monitoring, the Artificial Reef Program, and other approved uses.

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 19 POLLUTION RECOVERY FUND
10/1/2018 through 10/31/2018**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 752,608	Artificial Reef	\$ 33,339	Minimum Balance	\$ 120,000	
Interest	\$ -	Open Projects	\$ 273,801	Est. FY 20 Budget	\$ 33,339	
Deposits	\$ 6,400			Asbestos Removal	\$ 5,000	
Total	\$ 759,008	Total	\$ 307,140	Total	\$ 158,339	\$ 293,529

PROJECT		Project Amount	Project Balance
FY 16 Projects			
TBW McKay Bay South Oyster Reef	10131.102063.582990.5370.1267	\$ 48,010	\$ 9,894
USF Fecal Pollution in Tampa Bay	10131.102063.581990.5370.1271	\$ 50,000	\$ 14,425
		\$ 98,010	\$ 24,319
FY 17 Projects			
Sun City Ctr Audubon Nature Trail Prop	10131.102063.582990.5370.1279	\$ 20,000	\$ 4,050
H.C. Conservation Bahia Bch Invasive	10131.102063.581990.5370.1280	\$ 31,500	\$ 31,500
FL Aquarium Watershed Invest	10131.102063.582990.5370.1282	\$ 55,477	\$ 55,477
		\$ 106,977	\$ 91,027
FY18 Projects			
Ecosphere Restoration Ignacio Haya Park	10131.102063.582990.5370.1292	\$ 47,000	\$ 23,381
Audubon Florida Invasive Removal	10131.102063.582990.5370.1293	\$ 50,000	\$ 50,000
Keep T.B. Beautiful Trash Free Waters	10131.102063.582990.5370.1296	\$ 20,000	\$ 20,000
TBW MacDill AFB Living Shoreline	10131.102063.582990.5370.1294	\$ 49,324	\$ 49,324
UF Small Farms For Clean Water	10131.102063.581990.5370.1295	\$ 15,750	\$ 15,750
		\$ 182,074	\$ 158,455



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # A4

Date of EPC Meeting: November 15, 2018

Subject: Legal Case Summary update

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: None. Informational update only.

Brief Summary: The EPC Legal Department provides an updated summary of its ongoing civil, appellate and administrative matters.

Financial Impact: No financial impact anticipated. Informational update.

List of Attachments: Legal Case Summary

Background: In an effort to provide the Commission with timely information regarding legal challenges, the EPC staff provides this summary. The update serves not only to inform the Commission of current litigation but may also be used as a tool to check for any conflicts they may have in the event a legal matter is discussed by the Commission. The summary provides general details as to the status of the civil and administrative cases.

EPC LEGAL DEPARTMENT
SUMMARY REPORT OF LEGAL CASES
November 15, 2018

I. ADMINISTRATIVE CASES

Mosaic Fertilizer, LLC Variance Request [18-EPC-012]: On September 6, 2018, Mosaic Fertilizer, LLC filed a request for a variance to allow them to establish a wetland conservation easement in an alternate location. EPC filed a request for additional information.

Spinnaker Cove Condominium Association, Inc. vs. EPC [18-EPC-011]: On September 5, 2018, Appellant Spinnaker Cove Condominium Association, Inc. filed a request for an extension of time to file an appeal to challenge the EPC's issuance of MWP #65659(R1). The extension was granted and the Appellant had until November 8, 2018 to file an appeal in this matter. The parties resolved the matter and on October 3, 2018 the Appellant withdrew their request for an extension and the case has been closed.

Seagate Development Group, LLC vs. EPC [18-EPC-010]: On July 31, 2018, Appellant Seagate Development Group, LLC filed a request for an extension of time to file an appeal challenging the EPC's denial of a proposed wetland impact (Review #65673). The extension was granted and the Appellant had until October 30, 2018 to file an appeal in this matter. No appeal was filed. The denial is final and the case has been closed.

Joseph Bedami vs. EPC [18-EPC-008]: On June 2, 2018, Appellant Joseph Bedami filed a request for an extension of time to file an appeal challenging the EPC's issuance of a formal determination approving a wetland survey. The extension was granted and the Appellant had until August 10, 2018 to file an appeal in this matter. The Appellant filed a request for a second extension of time which was granted and the deadline to file an appeal was extended to November 8, 2018. The parties agreed upon a new wetland delineation and on October 24, 2018, the Appellant withdrew his extension request and the case has been closed.

Ronald Buchbaum vs. Leo Caruso and EPC [17-EPC-011]: On December 5, 2017, Appellant Ronald Buchbaum filed a Notice of Appeal to challenge the issuance of Minor Work Permit #61541 (R1) for construction of a boatlift. The matter has been transferred a Hearing Officer to conduct an administrative hearing, as needed.

J.E. McLean, III and RaceTrac Petroleum, Inc. [12-EPC-014]: On October 24, 2012, the Appellants, RaceTrac Petroleum, Inc. and the property owner filed a request for an extension of time to file an Appeal challenging the Executive Director's denial for wetland impacts on the corner of Lumsden and Kings Avenue. The extension was granted and the Appellants filed an appeal in this matter on December 7, 2012. A Hearing Officer has been assigned and conducted a case management conference. This matter was placed in abeyance as the parties discussed options. A conceptual wetland impact approval letter was sent to the applicant on December 8, 2015 after a modification to the application was submitted. The Appellants have not filed a dismissal as they are waiting for final approval of the proposed project by Hillsborough County.

C. Thayer, J. Levine, et al vs. Egypt Lake Property Owners Association, Inc. and EPC, [18-EPC-015 through 18-EPC-026] : Twelve appeals were filed challenging the issuance of a Miscellaneous Activities in Wetlands/Other Surface Waters Permit to treat portions of Egypt Lake for exotic/nuisance aquatic plants. The appeals are insufficient. The Appellants have until November 20, 2018, to file amended appeals.

II. CIVIL CASES

Petrol Mart, Inc. [LEPC07-018]: On December 29, 2017 EPC filed a motion to reopen Civil Court Case #07-CA-012545 for the purpose of filing a motion for the appointment of a Receiver for the Defendant Petrol Mart, Inc. On January 26, 2018, the EPC filed a Motion for Appointment of a Receiver. On February 16, 2018 a Notice of Action in the matter was issued by the Clerk of Court for service of process by publication. The Court appointed a Receiver for the dissolved judgement debtor on April 17, 2018. The Receiver and the EPC are researching options to address the environmental conditions at the subject property. The plan is for the property

to be conveyed to the city of Plant City who will conduct any assessment and remediation.

David A. Stumbo [17-EPC-013]: On October 19, 2017, the EPC authorized staff to take appropriate legal action against David A. Stumbo for failure to close unmaintained underground storage tanks. Daniel A. Stumbo owns real property located at 1102 East Laura Street, Plant City. The property includes four underground storage tanks of unknown capacity or type and which are currently in violation of the underground storage tank rules adopted in Chapter 1-12, Rules of the EPC. The EPC Legal Department filed a civil lawsuit and is attempting to serve the Defendant.

Mouhammed Z. Al-Samkari [17-EPC-012]: On October 19, 2017, the EPC authorized staff to take appropriate legal action against Mouhammed Z. Al-Samkari. Mr. Al-Samkari owns real property and operates a gasoline station known as Hope Food Store located at 4002 North 22nd Street in Tampa. The underground petroleum storage tank system is currently in violation of the storage tank rules adopted in Chapter 1-12, Rules of the EPC. On September 21, 2018 the EPC Legal Department filed a Civil lawsuit in this matter.

Volkswagen AG, et al. [16-EPC-002]: On March 24, 2016, the EPC filed a complaint against Volkswagen AG, et al. for activities that violate the EPC Enabling Act and the rules promulgated thereunder. On April 16, 2018, the EPC's complaint was dismissed. The EPC will appeal the order granting the motion to dismiss.

Janet Layer [15-EPC-009]: In December of 2015 the EPC Commission authorized staff to take appropriate legal action against Ms. Janet Layer for failure to comply with various wastewater regulations regarding her operation of the domestic wastewater treatment plant and disposal system at Little Manatee Isles Mobile Home Park in Ruskin. The EPC and the estate of Ms. Layer settled the matter via a Consent Final Judgment entered on September 5, 2018.

U.S. Bankruptcy Court in re Jerry A. Lewis Adversary Proceeding [15-EPC-007]: An Adversary Proceeding pertaining to the ongoing Chapter 13 Bankruptcy Case regarding Jerry A. Lewis (see EPC Case No. LEPC09-011) was entered on October 9, 2013, in the U.S. Bankruptcy Court Middle District of Florida. EPC is defendant in the matter and will seek to protect a monetary judgment awarded to us by the Circuit Court.

Thomas Jennings and Lorene Hall-Jennings [14-EPC-011]: On October 7, 2014, the EPC was served with a Declaratory Action challenging the validity of a conservation easement conveyed to the EPC on September 16, 1997. The EPC Legal Department has responded to the lawsuit with an Answer and Affirmative Defenses on October 27, 2014 and the case will move forward as appropriate. On October 12, 2015 the Plaintiff filed a Motion for Judgment on the Pleadings. The EPC responded to the Motion on October 21, 2015. The parties conducted a hearing on the Motion on November 14, 2016. On the January 4, 2017 the Judge denied the Plaintiff's motion and the case will continue. On December 11, 2017 the Plaintiff filed a Motion for Summary Judgment and the EPC responded on January 18, 2018 and the parties are waiting for a hearing to be set. On October 12, 2018 the Court referred the parties to non-binding Arbitration. The Arbitration hearing is set for February 14, 2019.

Boyce E. Slusmeyer [LEPC10-019]: On Sept 20, 2001, the EPC staff received authority to take legal action for failure to comply with an Executive Director's Citation and Order to Correct Violation for the failure to initiate a cleanup of a petroleum-contaminated property. The Court entered a Consent Final Judgment on March 13, 2003. The Defendant has failed to perform the appropriate remedial actions for petroleum contamination on the property. The EPC filed a lawsuit on October 7, 2010 seeking injunctive relief and recovery of costs and penalties. The property ownership is currently owned by a family member. The EPC staff were in negotiations with the representative of the property owner regarding eligibility to utilize a state petroleum cleanup program to resolve the case. The eligibility was denied for the site and the EPC will take appropriate action.

U.S. Bankruptcy Court in re Jerry A. Lewis [LEPC09-011]: On May 1, 2009, the U.S. Bankruptcy Court Middle District of Florida filed a Notice of Chapter 13 Bankruptcy Case regarding Jerry A. Lewis. On May 26, 2009, the EPC filed a Proof of Claim with the Court. The EPC's basis for the claim is a recorded judgment lien awarded in Civil Court against Mr. Lewis concerning unauthorized disposal of solid waste. The EPC obtained an award of stipulated penalties from the state court. The site remains out of compliance with applicable EPC solid waste regulations and no liens have been paid. The bankruptcy case is ongoing.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # A5

Date of EPC Meeting: November 15, 2018

Subject: 2018 Third Quarter Action Plan Updates

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: None – Informational Only

Brief Summary: For the past seven years, EPC staff has developed a series of action plans each year. These measurable action plans address various initiatives which support the Agency's strategic priorities. Four action plans for 2017 were initiated in October 2017, and a single action plan was undertaken for 2018 entitled "Support Scouting". The quarterly updates for all open action plans are listed.

Financial Impact: No additional funds required at this time. Monies for the individual action plans are paid out of the current budget, or will be brought to the Commission and requested separately as needed.

List of Attachments: Quarterly Update for 2018 Action Plans


Background: As part of the Agency's strategic planning process and philosophy of continuous improvement, staff has held periodic strategic planning retreats. These included input from the Commission and a broad range of EPC staff. Besides reviewing the priorities and guiding mission statements, staff also prepared a slate of new initiatives to improve the EPC's effectiveness and efficiency. Since the Agency started this formal procedure in 2010, they have completed over sixty of these initiatives.

The action plans were created to reflect the Agency's strategic objectives, and each initiative was described in an individual action plan with measurable goals. The attachment reflects the update as of the end of the third quarter of 2018 on the status of the action plans that remain open from previous years along with the newest action plan for 2018.


During the most recent strategic planning retreat in December 2017 EPC staff proposed one new action plan for 2018. This action plan entitled "Support Scouting" has been initiated and is intended to enhance EPC's community engagement through the establishment of partnerships with Scouting organizations. The goal is to provide Science, Technology, Engineering, and Math (STEM) support through youth educational opportunities such as the hosting of environmental education events for Scouts.

The owners of select action plans may be scheduled to present an overview of their project to the Commission at regularly scheduled EPC Commission meetings.


Quarterly Update for 2018 Action Plans

Strategic Objective	Action Plans	2018 Year End Goal	Status
Environmental Stewardship & Outreach	1.3 Support Scouting	Establish Relationship with Girl Scouts (GS) and Boy Scouts (BS) of America.	Completed. Identified liaisons with GS & BS Councils to partner with on initiatives.
		Facilitate additional partnerships for scouting events as feasible.	Completed. Discussed potential partnership opportunities with the following organizations: Keep Tampa Bay Beautiful, Florida Aquarium, EPC Wetland Walks, TECO, ELAPP, HC Sustainability Office.
		Coordinate and/or host at least 2 educational environmental experiences with the Scouts. Assemble committee or event staff as needed.	Completed. May Wetland Walk with BS, June GS Stem Camp <i>Make it Green Make it Clean</i> , June GS <i>STEM Camp Field Trip</i> Tour of EPC. Worked with EPC staff to host events.
		Invite Scout contact(s) to tour EPC to learn more about our agency and partnership potential.	Completed. April Tour of EPC by GS Executive Staff.
		Develop draft activity/program for Advisor approval. Distribute information to Division reps/ or designated staff for program participation.	Completed. Activities reviewed with Advisor. Supplemental review and coordination to be completed as additional initiatives or events are identified.
		Evaluate feasibility and partnership potential for future educational environmental experiences with the Scouts.	Ongoing. Working with partnership organization to establish connections for future outreach opportunities with GS & BS (Keep Tampa Bay Beautiful, Florida Aquarium, EPC Wetland Walks, TECO, ELAPP, etc.)
		Evaluate Program, Develop recommendation for Future Activities, Action Plan Closeout.	To Be Completed by March 2019.


Quarterly Update for 2017 Action Plans

Strategic Objective	Action Plans	2018 Year End Goal	Status
Customer Partner Excellence/ Partner & Stakeholder Relationships	1.3 Agency Branding	Establish committee and identify immediate branding opportunities.	Completed. Committee formed and meetings held to define objectives and brainstorm branding ideas. Reviewed Market Analysis Report, and evaluated existing and new outreach opportunities.
			Standardized Signature Block – approved and deployed to staff with guidelines and instructions in January. Sign proposal – obtained quote for installation and manufacture, initiated design, procured funding. Initiated research for the vehicles decals. Reviewed intranet and internet branding OFIs.
		Implement available immediate branding opportunities.	Ordered EPC website vehicle decals (thru Riz Graphix) – replaced on vehicles as fleet provides service. New, round EPC logo road signs (thru NTS) purchased and to be installed shortly. One additional small logo was produced for the building. Tablets updated with formsite survey questionnaire to use at events and field tested at outreach events. Gatefold brochures developed and printed for distribution. Internet forms updated with new logo. Publication link updates continue, most recently Waste fact sheets.
		Set priorities on future action and other available branding opportunities.	Attended two communication courses to assist with emergency communications prospects and for ideas for the Communications Plan. Met with WFLA regarding Outdoor Expo – branding and PSA opportunity. WFLA proposal received. Pending evaluation by committee and advisor - cost vs benefit. Research alternative ideas. Newsletter – develop a team from each division to help research and pool ideas for a quarterly newsletter, with goal to publish a quarterly Ecolink update. Will solicit direction from Senior Staff regarding prioritization of project.
		Develop, implement, and evaluate effectiveness of Communication Plan.	Ongoing.
		Future recommendations and Action Plan Closeout.	Targeted completion by March 2019.

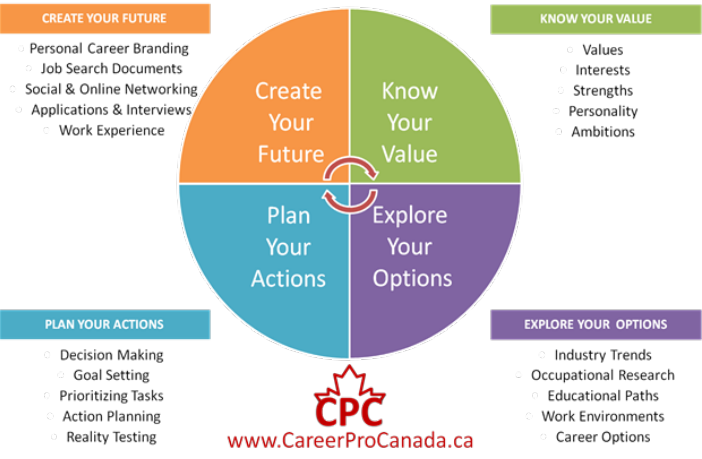
Quarterly Update for 2017 Action Plans

Strategic Objective	Action Plans	2018 Year End Goal	Status
Customer Partner Excellence/ Customer Service	1.1 Voluntary Assessment Team (VAT)	Establish and convene VAT committee.	Completed. Committee has been formed and 4 meetings have been held.
			Identify organizations that could benefit from multi-media compliance assistance.
		Identify related agency functions or benefits.	<p>Ongoing. Considered reviving of the P2 Program.</p> <p>Recognized opportunity for staff to get cross training in different programs.</p>
		Contact prospective trade groups and businesses to offer VAT visit.	TBD.
		Advertise VAT program once completed.	TBD. Intend to utilize EPC website and potentially VAT brochure.
		Develop and utilize a post inspection survey for relevant feedback to committee.	TBD.
		Schedule and perform several VAT site visits with interested companies.	TBD.
		Brief Senior Staff on overview of VAT program, and Action Plan Closeout.	TBD. Anticipated completion by December 2019.

Quarterly Update for 2017 Action Plans

Strategic Objective	Action Plans	2018 Year End Goal	Status
 <p>Employee Training & Leadership Development</p>	<p>2.1 Management Training</p>	<p>Construct a formal training program for all supervisors and managers.</p>	<p>Focus groups conducted. Will meet with committee in early February to evaluate information received in focus groups, prioritize information, and begin drafting process.</p>
		<p>Discuss Purpose of Action Plan Brainstorm as Group</p>	<p>Completed</p>
		<p>Conduct a total of four focus groups</p>	<p>Completed</p>
		<p>Evaluate data received from LEAN analysis and focus group. Set core components of training program based on feedback and assign section leader/assistant.</p>	<p>Completed</p>
		<p>Create Draft Training Plans.</p>	<p>Completed</p>
		<p>Review draft training programs from each team. Meet if necessary to discuss with specific teams. Compile complete draft program.</p>	<p>The goal is to have the draft plans reviewed by the end of October 2018.</p>
		<p>Present draft to Senior Staff / Modify if necessary.</p>	<p>The goal is to present the draft plans to Senior Staff by the end of November 2018.</p>
		<p>Present completed plan to manager/supervisor group and begin program.</p>	<p>The goal is to present the training plan to the manager/supervisor group, discuss deployment - Spring 2019.</p>
		<p>Action Plan Closeout and incorporate into overall Agency Staff Development Plan.</p>	<p>The goal is for the action plan to be closed out by Spring 2019.</p>

Quarterly Update for 2015 Action Plans

Strategic Objective	Action Plans	2016 Year End Goal	Status
<p>2.1 Successful / Engaged Workforce / Employee Training</p>	<p>Career Development Program</p> <div data-bbox="191 573 683 615" style="text-align: center;"> <h3>Career Development Model</h3> </div> 	<p>Finalize list of career development opportunities. Obtain approval. (Step 5)-In progress</p>	<p>The Professional Growth Achievement Plan (PGAP) was presented to senior staff on 7/9/18. A training session for managers will be held Tuesday, 7/10/18 at 10 am in 2 north and on Thursday 7/12/18 at 10 am for staff. The PGAP has been sent out to staff via email link along with instructions, and a completed example. In addition, a link to Sahand & Mike's 2.1 Training action plan was sent out for staff to utilize the discipline training modules if they would like to explore the technical track and use the PGAP top assist with organization. The link on the intranet has been posted for staff to access the electronic version of the form.</p> <p>Next steps as of 7/10/18: Create electronic email for staff to submit training requests and establish the tracking sheet for training requests. Host 2 more training sessions, perform survey monkey to poll use of form. Work on establishing training database.</p>
		<p>Action Plan Closeout.</p>	<p>*Steps 6 & 7 remain before the Action plan can be closed out.</p>

**Career Development Action plan has evolved to incorporate steps from the 2016 Training Action plan. Progress for Career Development Action plan is temporarily on hold until the 2016 training action plan has been completed as it is a subcomponent to Career Development A.P.*



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # A6

Date of EPC Meeting: November 15, 2018

Subject: Select Performance Measure Goals for 2018

Agenda Section: Consent Agenda

Division: Executive Director Report

Recommendation: None – Informational Only

Brief Summary: As part of the EPC staff's strategic planning, the Agency measures key activities and set goals for 2018. These are tabulated and periodically presented to the Commission in the consent agenda.

Financial Impact: No Financial Impact.

List of Attachments: Table entitled 2018 Goals

Background: The Agency measures performance for all five of its core functions. These core functions include permitting, compliance assurance, citizen support & outreach, enforcement, and ambient air & water quality monitoring. As part of the Agency's annual evaluation, staff sets goals for select activities and reports them periodically to the Commission. This is an integral part of the continuous improvement required by the Agency's strategic planning.

2018 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2015	2016	2017	2018 YTD (3 rd Qtr)	2018 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	18 days	17 days	16 days	17 days	Less Than or Equal to 30 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	45 days	44 days	45 days	54 days	Less Than or Equal to 60 days
	Average Time EPC Permits were In-house	21 days	23 days	22 days	28 days	28 days	Less Than or Equal to 30 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	92%	93%	85%	95%	Greater Than or Equal to 90%
Environmental Complaints	Timely Initiation of Investigation	99% in 5 Days	98% in 3 Days	98% in 3 Days	98% in 3 Days	97% in 3 Days	Greater Than or Equal to 90% in 3 Days
Enforcement	Timely Initiation of Enforcement	73%	100%	95%	100%	97%	Greater Than or Equal to 90%



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # C1

Date of EPC Meeting: November 15, 2018

Subject: EPC Petroleum Program Audit Reports and the EPC Brownfields and Old Landfill Redevelopment Program updates.

Agenda Section: Regular Agenda

Division: Waste Management Division

Recommendation: Informational updates only.

Brief Summary: Staff will provide informational updates related to EPC's Petroleum Program Audit Reports and EPC's Brownfields and Old Landfill Redevelopment activities.

Financial Impact: No Financial Impact.

List of Attachments: None.

Background:

On a quarterly basis, the EPC's contracted Petroleum Programs are audited by personnel from the Florida Department of Environmental Protection's Tallahassee office. The results of the EPC's most recent quarterly audit will be provided to the Commission.

Since the EPC's receipt of delegation of the State's Brownfields program in 2004, the redevelopment of numerous underutilized sites has been completed. Similarly, since the inception of EPC's Old Landfill Redevelopment program, 100 old landfill sites have been successfully redeveloped. Staff will be providing an update to the Commission with regard to the successes of the EPC's Brownfields and Old Landfill redevelopment programs.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # C2

Date of EPC Meeting: November 15, 2018

Subject: EPC Executive Director's Annual Evaluation

Agenda Section: Regular Agenda

Division: Legal and Administrative Services Division

Recommendation: Vote to accept the Executive Director's evaluation as presented.

Brief Summary: Executive Director Evaluation forms were distributed during the September 27, 2018 EPC Commission meeting. These forms are used to evaluate the performance of the EPC Executive Director, Janet Dougherty. Ms. Dougherty also supplied the Commission with a self-evaluation packet. The evaluation forms were scored individually by the Commissioners and returned to the Chairman's office. EPC staff compiled all the scores on the attached table.

Financial Impact: No Financial Impact outside the approved budget.

List of Attachments: 2018 Executive Director Assessment Scores

Background: Pursuant to the Section IX of the Employment Agreement between Janet Dougherty and the EPC, the Commission "shall review and evaluate the Executive Director at least annually." Evaluation forms were distributed during the EPC Commission meeting held on September 27, 2018. These forms are used to evaluate the performance of the EPC's Executive Director. Ms. Dougherty also supplied the Commission with a self-evaluation packet. The Commissioners provided scores on the evaluation forms individually and returned the forms to the Chairman's office. EPC staff compiled all the scores on the attached table. Section III of the Employment Agreement (2nd Amendment) explains that the Commission shall consider additional salary or benefit increases. If the Commission takes no action within 60 days of the evaluation, Ms. Dougherty will receive the same wage increases as other unclassified managerial employees as approved by the BOCC budget process.

**JANET DOUGHERTY
EXECUTIVE DIRECTOR, ENVIRONMENTAL PROTECTION COMMISSION
2018 ASSESSMENT**

BEHAVIORS								
	Leadership	Communication	Responsiveness	Respect & Fair Treatment	Quality of Staff Work	Service to the Community	Problem Solving	Management of Organization
Crist	5	5	5	5	5	5	5	5
Hagan	5	5	5	5	5	5	5	5
Higginbotham	5	5	5	5	5	5	5	5
Kemp	5	5	5	5	5	5	5	5
Miller	5	5	5	5	5	5	5	5
Murman	5	5	5	5	5	5	5	5
White	5	5	5	5	5	5	5	5
Average	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0

ACCOMPLISHMENT OF GOALS					
	Environmental Protection Excellence	Successful/ Engaged Workforce	Customer/Partner Focused Excellence	Fiscal Responsibility	Continuous Improvement
Crist	5	5	5	5	5
Hagan	5	5	5	5	5
Higginbotham	5	5	4	5	5
Kemp	5	5	5	5	5
Miller	5	5	5	5	5
Murman	5	5	5	5	5
White	5	5	5	5	5
Average	5.0	5.0	4.9	5.0	5.0

PERFORMANCE MEASURES ON CORE FUNCTIONS						
	Timely Delegated State Permitting Processing	Timely Port Authority Permitting Processing	Timely Local EPC Permitting Processing	Timely Compliance	Timely Complaint Investigations	Timely Enforcement Resolution
Crist	4	4	4	4	4	4
Hagan	5	5	5	5	5	5
Higginbotham	5	5	5	5	5	5
Kemp	5	5	5	5	5	5
Miller	5	5	5	5	5	5
Murman	5	5	5	5	5	5
White	5	5	5	5	5	5
Average	4.9	4.9	4.9	4.9	4.9	4.9

Comments: