

COMMISSION

Pat Kemp, *Chair*
Lesley "Les" Miller, Jr., *Vice Chair*
Ken Hagan
Sandra L. Murman
Kimberly Overman
Mariella Smith
Stacy White



Executive Director

Janet L. Dougherty

General Counsel

Ricardo Muratti

Meeting time
9:00 a.m.

COMMISSION AGENDA
October 17, 2019

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. RECOGNITIONS**
 - Retirement of Beverly Waldron, County Human Resources Director
- 5. PUBLIC COMMENT - *Each speaker is allowed 3 minutes unless the Commission directs differently.***
- 6. APPROVAL OF CONSENT AGENDA**

Consent Agenda Items

- a. Approval of EPC Meeting Minutes –September 19, 2019 2
- b. Monthly Activity Reports – September 2019 6
- c. FY2019 Pollution Recovery Fund Budget..... 8
- d. Legal Case Summary 10
- e. Action Plans Quarterly Update 13
- f. Select Performance Measure Goals Quarterly Update 17

7. PUBLIC HEARING

None

8. REGULAR AGENDA

- a. Shoreline Stabilization: Mangroves and Seawalls 19
- b. Executive Director’s Annual Evaluation 20
- c. Executive Director’s Report

9. DISCUSSION OF FUTURE AGENDA ITEMS

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 # 6.a.

Date of EPC Meeting: October 17, 2019

Subject: Approval of September 19, 2019 EPC meeting minutes

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: Approve the September 19, 2019 EPC meeting minutes.

Brief Summary: Staff requests the Commission approve the meeting minutes from the Commission meeting held on September 19, 2019.

Financial Impact: No Financial Impact

List of Attachments: Draft copy of the September 19, 2019 EPC meeting minutes.

Background: None.

SEPTEMBER 19, 2019 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, September 19, 2019, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Pat Kemp and Commissioners Ken Hagan, Lesley Miller Jr., Sandra Murman, Kimberly Overman, Mariella Smith, and Stacy White.

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

▶ Chairman Kemp called the meeting to order at 9:02 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. RECOGNITIONS

Retirement of Richard Tschantz, Esquire, after 19 years of service with the EPC as General Counsel and Director of the Legal and Administrative Services Division

▶ Ms. Dougherty and Dr. Richard D. Garrity, University of South Florida, recognized Attorney Tschantz, ▶ who made remarks. ▶ Dialogue ensued.

5. PUBLIC COMMENT - ▶ None.

THURSDAY, SEPTEMBER 19, 2019

6. APPROVAL OF CONSENT AGENDA

CONSENT AGENDA ITEMS

- a. Approval of EPC Meeting Minutes - August 15, 2019
- b. Monthly Activity Reports - August 2019
- c. Fiscal Year 2019 Pollution Recovery Fund Budget
- d. Legal Case Summary
- e. Interlocal Agreement with Hillsborough County for Provision of Water Quality Sample Collection and Laboratory Services

▶ Commissioner Overman moved approval, seconded by Commissioner White, and carried seven to zero.

7. PUBLIC HEARING - None.

8. REGULAR AGENDA

- a. 2019 EPC Annual Report

▶ Ms. Dougherty expounded on a presentation. ▶ Remarks followed.

- b. Briefing on the Executive Director Evaluation Procedure

▶ Attorney Tschantz gave a briefing.

- c. Executive Director's Report

▶ Following remarks and recognizing Ms. Emily Preu, intern, ▶ Ms. Dougherty gave the report. ▶ Commissioner White inquired when Ms. Kim Tapley's, Senior Environmental Manager, Environmental Services, presentation would come before the Board and if Planning Commission staff had been provided with Ms. Tapley's work. Commissioner Smith made a recommendation for a future items spot on the EPC agenda for Commissioner ideas. Dialogue ensued.

▶ Ms. Dougherty made a correction to her presentation that the Spanish heritage event would be happening September 19, 2019.

THURSDAY, SEPTEMBER 19, 2019

ADJOURN

▶ There being no further business, the meeting was adjourned at 10:12 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: _____
Deputy Clerk

ms

DRAFT



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 6.b.

Date of EPC Meeting: October 17, 2019

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: Agency monthly report for September 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

FY19

		<u>September</u>	<u>FISCAL YEAR TO DATE</u>
A.	<u>Core Function: Citizen Support & Outreach</u>		
1	Environmental Complaints Received	103	1379
2	Number of Presentations/Outreach Events	10	90
3	Citizen Support (walk-ins, file reviews, email/letter correspondence, etc.)	538	6546
B.	<u>Core Function: Air & Water Monitoring</u>		
1	Air Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	94.7%	N/A
2	Water Quality Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	96.1%	N/A
3	Number of Noise Monitoring Events	4	31
C.	<u>Core Function: Environmental Permitting</u>		
1	Permit/Authorization Applications Received	155	1835
2	Applications In-house >180 days	6	N/A
3	Permits/Authorizations Issued	146	1685
4	Petroleum Cleanup Cases	126	1398
D.	<u>Core Function: Compliance Assurance</u>		
1	Compliance Inspections	437	4284
2	Compliance Test Reviews (NOTE: Wetlands reviews included under D.1)	64	1284
3	Compliance Assistance Letters Issued	301	3782
4	Warning Notices Issued	16	163
E.	<u>Core Function: Enforcement</u>		
1	New Cases Initiated	10	56
2	Active Cases	47	N/A
3	Tracking Cases	53	N/A



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 6.c.

Date of EPC Meeting: October 17, 2019

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 9/30/2019**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 752,608	Artificial Reef	\$ 93,339	Minimum Balance	\$ 120,000	
Interest	\$ 23,088	Open Projects	\$ 273,801	Est. FY 20 Budget	\$ 33,339	
Deposits	\$ 140,572			Asbestos Removal	\$ 5,000	
Total	\$ 916,268	Total	\$ 367,140	Total	\$ 158,339	\$ 390,789

PROJECT		Project Amount	Project Balance
FY 16 Projects			
TBW McKay Bay South Oyster Reef	10131.102063.582990.5370.1267	\$ 48,010	\$ 2,012
USF Fecal Pollution in Tampa Bay	10131.102063.581990.5370.1271	\$ 50,000	\$ 6,269
		\$ 98,010	\$ 8,281
FY18 Projects			
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	\$ 13,393
TBW MacDill AFB Living Shoreline	10131.102063.582990.5370.1294	\$ 49,324	\$ 43,340
UF Small Farms For Clean Water	10131.102063.581990.5370.1295	\$ 15,750	\$ 15,547
		\$ 135,074	\$ 122,280



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 6.d.

Date of EPC Meeting: October 17, 2019

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**

October 17, 2019

I. ADMINISTRATIVE CASES

Marvin Roush vs. Curtis Marks and EPC [19-EPC-014]: On October 1, 2019, Appellant Marvin Roush, filed a notice of appeal challenging the Executive Director's Intent to Issue MWP 68445 for the construction of an extension to an existing dock with a covered boatlift. The appeal was deemed insufficient and the Appellant has until October 21, 2019 to file an amended appeal in this matter.

Catherine Roush vs. Curtis Marks and EPC [19-EPC-013]: On October 1, 2019, Appellant Catherine Roush, filed a notice of appeal challenging the Executive Director's Intent to Issue MWP 68445 for the construction of an extension to an existing dock with a covered boatlift. The appeal was deemed insufficient and the Appellant has until October 21, 2019 to file an amended appeal in this matter.

Domain Homes, Inc. vs. EPC [19-EPC-012]: On August 28, 2019, Appellant Domain Homes, Inc. filed a request for an extension of time to file an appeal to challenge the Executive Director's Wetland Impact Denial, Review #68359. The request was granted and the Appellant has until November 4, 2019 to file an appeal.

Leo Caruso Estoppel Request [19-EPC-011]: On July 24, 2019, Leo Caruso filed a request for an estoppel determination regarding a permit denial for installation of a boatlift. The matter was assigned to a Hearing Officer to conduct a hearing.

Justin D. James and Elizabeth James vs. RJG Real Estate, LLC [19-EPC-010]: On August 13, 2019, the Appellants filed a request for an extension of time to file an appeal to challenge the issuance Minor Work Permit #65476 for the construction of a new dock. The request was granted and the Appellants had until October 14, 2019 to file an appeal. The application has been modified and a modification to the permit has been issued. The case will be closed based on it becoming moot with the new permit being issued.

Brenda Medina and Pablo Medina vs. EPC [19-EPC-009]: On June 26, 2019, the Appellants filed a Notice of Appeal challenging the Citation of Violation and Order to Correct, Case No. 2017-1035E, issued on June 6, 2019 for the unauthorized addition to an existing dock and the addition of material to existing rip rap. The Appeal was accepted and assigned to a Hearing Officer to conduct an administrative hearing.

Leo Caruso vs. EPC [19-EPC-001]: On January 30, 2019, Appellant filed a request for an extension of time to file an appeal to challenge EPC's denial of an application for a Minor Work Permit to construct a boatlift (#61541[R1]). Subsequent requests for extensions of time have adjusted the deadline to file an appeal to November 15, 2019.

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.

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. Additional assessment is being conducted at the property at this time. The plan is for the property to be conveyed to the City of Plant City who will conduct any assessment and remediation.

Daniel A. Stumbo [17-EPC-013]: On October 19, 2017, the EPC authorized staff to take appropriate legal action against Daniel 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 attempted unsuccessfully to serve the Defendant. The lawsuit has been amended to include previous owners as the most recent conveyance of the property may have been defective. The amended lawsuit has been served on one of the Defendants, however, the current owner/Defendant's whereabouts is unknown and a diligent search will be conducted prior to constructive notice by publication.

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 and no responsive pleading has been filed. The Clerk entered a Default on January 3, 2019 and the action was set for trial on June 26, 2019 but has been cancelled pending settlement discussions.

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 appealed the order granting the motion to dismiss. Oral argument was presented by EPC's outside counsel on August 6, 2019, and a decision is pending.

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. 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. On October 12, 2018 the Court referred the parties to non-binding Arbitration. The Arbitration hearing took place on February 14, 2019 and the arbitrator ruled in favor of the EPC. The Plaintiff is now seeking a trial at the circuit court.

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 # 6.e.

Date of EPC Meeting: October 17, 2019

Subject: 2019 Third Quarter Action Plan Updates

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: None – Informational Only

Brief Summary: For the past eight 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. The quarterly updates for all open action plans are listed. Two new action plans were initiated in 2019.

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 2019 Action Plans


Background: As part of the Agency's strategic planning process and philosophy of continuous improvement, staff has held periodic strategic planning sessions. 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 seventy 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 2019 on the status of the action plans that remain open from previous years.


During the most recent strategic planning meeting in January 2019 EPC staff proposed two new action plans for 2019: *Interdepartmental Familiarization* and *Technology Assessment and Improvement*. A quarterly update on the *Interdepartmental Familiarization* plan is provided. The *Technology* action plan is on-going with a recent change in action plan owner, and will appear in future quarterly report summaries.

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 2019 Action Plans

Strategic Objective	Action Plan	2019 -2020 Action Plan Goals	Status
Efficient customer service and fluent agency staff	Interdepartmental Familiarization	Set up committee with agency members from different divisions	Complete. Action plan committee members include: -Michael Gile: Wetlands -Jeff Sims: Air -Nita Osterman: Water -Yamil Davis: MIS -Gabby Nataline: Waste -Ron Cope: Waste
		Conduct Interviews with supervisors/managers to determine most useful cross familiarization methods	Complete. Action plan committee has identified the most useful methods for cross familiarization based on agency interviews
		Determine innovative ways to encourage staff members' self-education	Complete. The following ideas were developed amongst committee members: -Unmovable desktop icon with resources -Bi-weekly interactive intranet activities -Quarterly luncheons dedicated to each division -Mandatory new hire training organized by direct supervisor.
		Create/distribute survey monkey to allow measurable success of action plan	Partly completed. Questions created for agency distribution at the end of the year (Dec. 2019).
		Set deadlines for supervisors/managers to complete resources- Develop standards for mandatory new hire training	Ongoing. Anticipated Nov. 2019
		Conduct quarterly meetings dedicated to each division	Ongoing. Anticipated Jan 2020
		Electronic methods of interdepartmental familiarization	Ongoing. Anticipated Jan 2020
		Distribute second survey monkey	Ongoing. Anticipated June 2020
		Measure success of action plan	Ongoing: Anticipated July 2020

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 (Solar Co-Op, 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 end of 2019.

Quarterly Update for 2017 Action Plans

Strategic Objective	Action Plans	2019 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.
			Completed. Standardized Signature Block – approved and deployed to staff with guidelines and instructions in January. Completed. Sign proposal – obtained quote for installation and manufacture, initiated design, procured funding. Initiated research for the vehicles decals. Completed. Reviewed intranet and internet branding OFIs.
		Implement available immediate branding opportunities.	Completed. Ordered EPC website vehicle decals (thru Riz Graphix) – replaced on vehicles as fleet provides service. Completed. New, round EPC logo road signs (thru NTS) purchased and to be installed shortly. One additional small logo was produced for the building. Completed. Tablets updated with formsite survey questionnaire to use at events and field tested at outreach events. Completed. Gatefold brochures developed and printed for distribution. Ongoing. Internet forms updated with new logo. Publication link updates continue, most recently Waste fact sheets. Website committee is meeting on June 12 th .
		Set priorities on future action and other available branding opportunities.	Completed. Attended two communication courses to assist with emergency communications prospects and for ideas for the Communications Plan. Completed. Met with WFLA regarding Outdoor Expo – branding and PSA opportunity. WFLA proposal received. Evaluation by committee and advisor - cost vs benefit. Pending. Newsletter – develop a team with representatives 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. Prepare initial draft of Communication Plan by the end of June 2019.
		Future recommendations and Action Plan Closeout.	Targeted completion by Fall 2019.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 6.f.

Date of EPC Meeting: October 17, 2019

Subject: Select Performance Measure Goals for 2019

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 2019. These are tabulated and periodically presented to the Commission in the consent agenda.

Financial Impact: No Financial Impact.

List of Attachments: Table Titled 2019 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.

2019 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2016	2017	2018	2019 (3 rd Qtr)	2019 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	17 days	16 days	16 days	19 days	Less Than or Equal to 30 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	44 days	45 days	50 days	49 days	Less Than or Equal to 60 days
	Average Time EPC Permits were In-house	21 days	22 days	28 days	26 days	33 days	Less Than or Equal to 30 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	93%	85%	95%	92%	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	96% in 3 Days	Greater Than or Equal to 90% in 3 Days
Enforcement	Timely Initiation of Enforcement	73%	95%	100%	93%	89%	Greater Than or Equal to 90%



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 8.a.

Date of EPC Meeting: October 17, 2019

Subject: Shoreline Stabilization: Mangroves and Seawalls

Agenda Section: Regular Agenda

Division: Wetlands Management Division

Recommendation: Informational Presentation – No Commission Action Required

Brief Summary: Staff will give a brief informational presentation comparing and contrasting natural shorelines and hardened engineered shoreline stabilization. This topic was discussed December of 2017, and Commissioners have expressed interest in an update.

Financial Impact: No Financial Impact

List of Attachments: None

Background: In 2017, Commissioner White asked the EPC to present information regarding seawalls and living shorelines. The EPC staff presented the information at the December 14, 2017, Commission meeting. Commissioners have expressed interest in an update. Shoreline stabilization is a key component to protect coastal communities from boat wakes, increasing severe weather events and sea level rise. Implementing best management strategies for shoreline construction and activities can reduce risk and increase protection of resources and life. This is also important for the enhancement of the environment.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 8.b.

Date of EPC Meeting: October 17, 2019

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: The EPC Executive Director's performance is evaluated by the Commission annually. The evaluation forms for Ms. Dougherty were provided in the agenda packet dated September 19, 2019 and they were discussed at the EPC Commission meeting of the same date. Ms. Dougherty also supplied the Commission with a self-evaluation packet. Subsequently, most of the Commissioners provided scores which the EPC staff compiled on the attached table.

Financial Impact: No Financial Impact outside the approved budget.

List of Attachments: 2019 Executive Director Assessment Scores

Background: Pursuant to the Section IX of the Employment Agreement (as amended) between Janet Dougherty and the EPC, the Commission "shall review and evaluate the Executive Director at least annually during the month of October or the next regular meeting of the Commission after October." This is an annual opportunity to evaluate the performance of the EPC's Executive Director.

The Executive Director's evaluation criteria are linked to goals that the Commission establishes annually. The Executive Director's goals were most recently approved by the Commission on January 17, 2019 and are updated quarterly as part of the agenda backup. Many of those goals were highlighted in the 2019 EPC Annual Report presented by Ms. Dougherty to the Commission on September 19, 2019. The assessment ranking criteria and blank evaluation forms were provided to each Commissioner in their agenda packet dated September 19, 2019, and the evaluation process was presented by Rick Tschantz at the September Commission meeting.

Ms. Dougherty also supplied the Commission with a self-evaluation packet on October 3, 2019, to further assist in the Commission's review of her performance. Most of the Commissioners individually provided their scores and any comments on the evaluation forms and returned them to the Chair's office. EPC staff compiled the scores on the attached table. The Commission will have an opportunity at this meeting to discuss the Executive Director's performance and provide any evaluation and guidance.

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
2019 ASSESSMENT**

BEHAVIORS								
	Leadership	Communication	Responsiveness	Respect & Fair Treatment	Quality of Staff Work	Service to the Community	Problem Solving	Management of Organization
Hagan								
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
Overman	5	5	5	5	5	5	5	5
Smith	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
Hagan					
Kemp	5	5	5	5	5
Miller	5	5	5	5	5
Murman	5	5	5	5	5
Overman	5	5	5	5	5
Smith	4	5	5	5	5
White	5	5	5	5	5
Average	4.8	5.0	5.0	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
Hagan						
Kemp	5	5	5	5	5	5
Miller	5	5	5	5	5	5
Murman	5	5	5	5	5	5
Overman	5	5	5	5	5	5
Smith	5	5	4	4	5	5
White	5	5	4	4	5	5
Average	5.0	5.0	4.7	4.7	5.0	5.0