

Clearwater, Florida, February 7, 2005

A meeting of the Pinellas County Charter Review Commission (CRC) (as created by Chapter 80-950, Laws of Florida) was held in the Swisher Building, First Floor Conference Room, 509 East Avenue South, Clearwater at 5:04 P.M. on this date with the following members in attendance:

Robert C. Decker, Chairman  
Louis Kwall, Vice-Chairman  
James F. Coats, Sheriff  
Susan Latvala, County Commissioner  
John Bryan, City of St. Petersburg Councilmember  
Alan Bomstein  
Karen Burns  
Katie Cole  
Ricardo Davis  
Roy Harrell  
George Jirotko  
Roger Wilson

Absent:

Jim Sebesta, State Senator

Also Present:

Susan H. Churuti, County Attorney  
James L. Bennett, Chief Assistant County Attorney  
Betsy Steg, Senior Assistant County Attorney  
Dennis Long, Senior Assistant County Attorney  
Geoff Hamlin, Legal Assistant  
Bob Adikes, Legal Assistant  
Chris Staubus, Assistant Director, Utilities  
Kurt Spitzer, KS&A  
Other interested individuals  
MaryAnn Penhale, Board Reporter

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AGENDA

1. Welcome and Introduction of Members and Staff
2. Review of Florida's "Sunshine" Law
3. Elections of Chair and Vice-Chair
4. Overview of Florida County Charters
5. Review of Role and Scope of the Reconstituted CRC
6. Discussion of Process for the CRC
7. Meeting Dates, Times, and Locations
8. Other Business

WELCOME AND INTRODUCTION OF MEMBERS AND STAFF

Chairman Decker welcomed those in attendance; and at his request, the members and staff introduced themselves; whereupon, he circulated a chart of contact information and requested that any necessary corrections be made regarding addresses and phone numbers.

REVIEW OF FLORIDA'S "SUNSHINE" LAW

Attorney Churuti referred to a handout document titled *Pinellas Charter Review Commission, February 7, 2005*, a copy of which has been filed and made a part of the record; and provided a brief overview of the Sunshine Law with reference to public meetings and public records; whereupon, she informed the members that they are not required to file financial disclosure. Responding to queries by Mr. Kwall, she discussed issues related to e-mail communications.

ALAN BOMSTEIN ELECTED CHAIRMAN; RICARDO DAVIS ELECTED VICE-CHAIRMAN

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Chairman Decker indicated that if nominated, he would not accept the chairmanship; whereupon, Commissioner Latvala nominated Mr. Bomstein to serve as Chairman; seconded by Mr. Kwall. No one responded to the Chairman's call for other nominations;

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and upon call for the vote, the motion carried unanimously; and he declared the election of Mr. Bomstein as Chairman by acclamation.

Chairman Bomstein assumed the gavel and entertained nominations for the election of a Vice-Chairman; whereupon, Mr. Kwall suggested selection of an individual from South County.

Thereupon, Mr. Harrell nominated Mr. Davis for the office of Vice-Chairman; seconded by Mr. Kwall and carried.

#### OVERVIEW OF FLORIDA COUNTY CHARTERS/REVIEW OF ROLE AND SCOPE OF THE RECONSTITUTED CRC/DISCUSSION OF PROCESS FOR THE CRC

Mr. Spitzer conducted a PowerPoint presentation titled *Charter Government Overview, Pinellas County Charter Review Commission, February 7, 2005*, a copy of which has been filed and made a part of the record. In response to query by Mr. Kwall, he indicated that it would be difficult to meet with the legislative delegation at the present time; and that meetings could begin soon after the current session is ended. Responding to a request by Ms. Burns, he indicated that he would provide a copy of the presentation.

In response to query by Chairman Bomstein, Mr. Kwall confirmed that consideration of whether to actively pursue home rule is one of the key issues to be addressed at future meetings. Discussion ensued regarding the role of the legislative delegation and the issue of transportation authority, with historical background information provided by the members regarding the governance structure of the Pinellas Suncoast Transit Authority (PSTA), the differences between special charter and home rule charters, and the one charter amendment which had not been not approved by the voters.

Referring to the document distributed earlier in the meeting, Attorney Churuti reviewed section IV, "Role, Scope and Process of Charter Review Commission – Original Charter," as outlined in items A through R; Resolution No. 3 related to continuing the engagement of the current consultant and directing that meetings be held with municipal governments, the Mayors' Council and the legislative delegation; and Charter Amendment No. 5 regarding reconstitution of the CRC. Responding to query by the Chairman, she discussed the parameters of the requirement regarding meetings with municipal officials and the legislative delegation. Discussion ensued regarding the issues of achieving consensus, obtaining input, and addressing the matter of communication.

Responding to query by Chairman Bomstein, Mr. Spitzer related that the previous CRC had considered a majority plus one of those members present as constituting a voting

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majority for votes regarding amendments; whereupon, the members provided additional input regarding the voting procedures of last year, including attendance by telephone.

Further discussion ensued; whereupon, Councilmember Bryan moved that the same voting procedure as last year be followed; and that a majority of members must be present for the final vote. Pursuant to additional deliberations, Councilmember Bryan amended his motion to require two-thirds of the members to be present at the final meeting. Chairman Bomstein indicated that a majority plus one, with a minimum of eight, should constitute a voting majority; whereupon, Councilmember Bryan amended his motion to encompass a minimum of eight. Chairman Bomstein restated the motion to indicate that voting on all matters, including procedural items and issues for consideration, discussion, and amendment, shall require a simple majority of those present; and that votes regarding moving forward with amendments for consideration shall consist of a majority plus one, with an absolute minimum of eight; seconded by Sheriff Coats and carried.

At the request of Chairman Bomstein, the members offered their comments regarding the 2004 CRC, including any suggested changes, as follows:

- need to address meaningful subjects
- presentation re update of MGT report
- presentation re economic development and redevelopment
- disappointment in Pinellas Assembly process
- time constraints
- proposed charter amendment to have CRC session last 18 months
- need to emphasize transportation matters
- inviting all seven county commissioners to make a presentation to the CRC
- consideration of engaging a neutral attorney from outside the area
- scheduling a “catch-up” meeting for new members
- scheduling meetings approximately every three weeks
- prioritizing the agenda
- special acts and home rule issues

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- short- and long-term issues related to communication and consensus
- the Pinellas County charter and countywide authority
- fire service issues
- appointing smaller subcommittees to work on specific issues

Mr. Kwall requested that at the next meeting Mr. Spitzer provide a list of potential attorneys and their hourly rates for the members' consideration.

Mr. Wilson suggested that meetings be held twice a month initially and then once a month later on; that the members identify and prioritize issues at the next meeting; and that the municipalities be notified of meeting dates, times, and agendas, and be invited to attend.

Commissioner Latvala indicated that all members should have a copy of the charter to reread; and referring to comments by Councilmember Bryan, indicated that the county commissioners may not wish to provide direction to the citizens group reviewing the charter.

Mr. Harrell reiterated concerns regarding the best means of obtaining input from the cities; and in response to query by Ms. Burns, Mr. Staubus indicated that the county website contains information regarding the CRC. Alluding to Mr. Harrell's comment, Mr. Spitzer stated that a workable mechanism is needed to facilitate ongoing dialog with the cities; and referring to the Mayors' Council, indicated that a somewhat smaller designated group meeting on a regular, frequent basis might be feasible.

#### MEETING DATES, TIMES AND LOCATIONS

Chairman Bomstein discussed time constraints related to the work of the CRC; whereupon, Mr. Kwall moved that meetings be held twice a month until further vote of the members. During discussion, Chairman Bomstein announced his intention to have meetings of two hours duration; and Mr. Harrell expressed a preference for creating subcommittees as suggested by Mr. Kwall. Following discussion, Chairman Bomstein noted consensus to meet twice a month at 5:00 P.M. on Mondays; and indicated that a preliminary calendar will be published.

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OTHER BUSINESS

Chairman Bomstein requested that at the next meeting, Mr. Spitzer present an overview of special acts; and that he report regarding the feasibility of obtaining an update of the MGT study to be provided within a reasonable time at a reasonable cost. Noting the consensus of the members, he requested that Mr. Spitzer also present options regarding engaging another attorney.

Mr. Harrell raised the issue of location of future meetings; whereupon, Mr. Kwall moved that the members continue to meet at the present location, seconded by Commissioner Latvala. During discussion, Mr. Harrell suggested some rotation of meeting locations; and Councilmember Bryan offered several suggestions; whereupon, Chairman Bomstein indicated that he will look into the matter and present proposed action at the next meeting.

Following discussion, Chairman Bomstein announced that the next meeting will be held on Monday, February 28 at 5:00 P.M. at the same location.

ADJOURNMENT

The meeting was adjourned at 7:16 P.M.