

Clearwater, Florida, April 12, 2004

A meeting of the Pinellas County Charter Review Commission (CRC) (as created by Chapter 80-590, Laws of Florida) was held in Conference Room 211, Swisher Building, 509 East Avenue South, Clearwater, Florida at 8:05 A.M. on this date with the following members in attendance:

Robert C. Decker, Chairman
Louis Kwall, Vice-Chairman
John Bryan, City of St. Petersburg Councilmember
E. D. Armstrong, III
Ricardo Davis
Roy Harrell
Mayme Hodges
George Jirotko
Elizabeth Mannion
Roger Wilson

Late Arrivals:

Susan Latvala, County Commissioner
Everett S. Rice, Sheriff

Absent:

Jim Sebesta, State Senator

Also Present:

Karleen F. De Blaker, Clerk of the Circuit Court
Susan H. Churuti, County Attorney
James L. Bennett, Chief Assistant County Attorney
Dennis Long, Senior Assistant County Attorney
Sarah Richardson, Senior Assistant County Attorney
Betsy Steg, Senior Assistant County Attorney
Geoff Hamlin, Legal Assistant
Bob Adikes, Legal Assistant
David Terry, Legal Intern
Stephen M. Spratt, County Administrator
D. Gay Lancaster, Chief Assistant County Administrator
Chris Staubus, Assistant Director, Utilities
Katherine Burbridge, Intergovernmental Liaison
Brian K. Smith, Planning Director and Executive Director, Metropolitan
Planning Organization (MPO)
David P. Healey, Executive Director, Pinellas Planning Council (PPC)
Sue Berfield, representing Senator Jim Sebesta

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Robert Jackson, Mayor, City of Largo
Steve Ross, City of Largo
Bill Jonson, City of Clearwater Councilmember
Bob Bray, City of Pinellas Park
Roger Sweeney, Executive Director, Pinellas Suncoast Transit Authority
(PSTA)
Kurt Spitzer, KS&A
Other interested individuals
Dawn Rubio, Board Reporter

AGENDA

1. Call to Order
2. Approval of Minutes
3. Public Comment
4. Discussion of New Issues for Consideration by CRC
5. Special Districts and Local Boards -
Susan Churuti
6. Issues Review and Entertainment of Motions - Pinellas Planning Council
7. Initial Discussion of Transportation Services -
Roger Sweeney, PSTA
8. Other Business
9. Adjourn

CALL TO ORDER

Chairman Decker called the meeting to order at 8:05 A.M.

MINUTES OF MEETING OF MARCH 22, 2004 - APPROVED

Mr. Davis moved, seconded by Ms. Hodges and carried, that the minutes of the regular meeting of March 22, 2004 be approved.

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PUBLIC COMMENT - NONE

DISCUSSION OF NEW ISSUES FOR CONSIDERATION BY CRC

Ms. Mannion offered the following items for future consideration by the CRC:

- Independence of the CRC versus its role as an advisory board
- CRC meeting period extended to one year and held every eight years versus every six years
- Non-partisan election of County Commissioners, Supervisor of Elections, Tax Collector, Property Appraiser, and Clerk of the Circuit Court
- More frequent disclosure of election campaign donors during election years
- Establishment of forum for discussions between cities and the County

Councilmember Bryan requested more discussion concerning programming in regard to control of County-owned property.

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At this time, 8:15 A.M., Commissioner Latvala entered the meeting.

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In response to query by Chairman Decker, Mr. Spitzer commented that he will add the aforementioned items to the agenda for future discussion.

In response to query by Mr. Kwall, Attorney Churuti indicated that interpretation of the elections code requires a partisan primary for County Commissioners; and that Constitutional Officers are not governed by a similar provision and could run in a non-partisan race if their Constitutional status were abolished or if the Legislature allowed that change.

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Following further discussion, Mr. Kwall moved, seconded by Mr. Harrell, that a teleconference be available for the meetings in which the CRC votes on its final recommendations.

Following input by Attorney Churuti that a quorum must be assembled but that teleconference voting is in compliance with state law; and upon call for the vote, the motion carried unanimously.

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At this time, 8:25 A.M., Sheriff Rice entered the meeting.

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SPECIAL DISTRICTS AND LOCAL BOARDS

Attorney Churuti called attention to documents titled *Analysis of Special District Dissolution and Board, Authorities, Districts and Councils Created by Special Acts of the Legislature Listed in the County Charter*, copies of which have been filed and made a part of the record; and related that procedures for dissolution of special districts depend upon whether the district is independent or dependent; that charter commissions do not have the ability to create or abolish independent special districts; and that dissolution of dependent special districts requires a local referendum, and in some cases, a dual referendum.

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Referring to Ms. Mannion's earlier suggestions, Mr. Kwall moved, seconded by Commissioner Latvala and carried, that future Charter Review Commissions meet jointly with the legislative delegation at the second CRC meeting and at the end of the sessions for delegation input.

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In response to query by Councilmember Bryan, Attorney Churuti indicated that ballot questions would be effectuated only upon subsequent Legislature approval.

Following further discussion of special districts, Mr. Kwall moved, seconded by Councilmember Bryan and carried, that the Pinellas County Construction Licensing Board be examined for consideration of its continued existence.

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Following input from Sheriff Rice regarding the Police Standards Council, Mr. Kwall moved, seconded by Commissioner Latvala and carried, that the Pinellas Police Standards Council also be examined for consideration of its continued existence.

In response to query by Mr. Wilson, Attorney Churuti indicated that the Pinellas Sports Authority is an independent special district; and that the Department of Community Affairs (DCA) will probably take action due to the Sports Authority's inactive status.

ISSUES REVIEW AND ENTERTAINMENT OF MOTIONS

Pinellas Planning Council

Mr. Spitzer reported that the Board of County Commissioners (BCC) and the Pinellas Planning Council (PPC) met jointly on March 30 and are scheduled to meet again in June; and that no final decisions were made at the meeting.

In response to query by Mr. Harrell, Attorney Churuti indicated that the PPC was created by special act and is a dependent council; and that a dual referendum is required to transfer regulatory authority, powers, functions or duties.

Councilmember Bryan presented resolutions from ten municipalities, the PPC and the Mayors' Council in support of the PPC; whereupon, he moved, seconded for discussion purposes by Mr. Harrell, that the PPC remain as it is.

Discussion ensued regarding other forums for dialog between the cities and the County; whereupon, Commissioner Latvala reiterated the suggestion she made at the joint BCC/PPC meeting regarding establishment of a council of governments (COG); and Mr. Spitzer commented regarding a successful operation of a COG in Volusia County.

Mayor Jackson requested permission to speak; and indicated that the PPC is agreeable to updating its duties, but opposes elimination of the Council and replacement by another forum; whereupon, Mr. Armstrong related that he will not support the abolishment of the PPC, but that he believes that the PPC's function could be improved by adding more County Commissioners to the Council.

Mr. Harrell suggested that the CRC faces three options: (1) to leave the PPC as it is; (2) to eliminate the PPC; or (3) to find some interim position; whereupon, he reminded the members that a motion was made at the previous CRC meeting to table the issue.

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Thereupon, Councilmember Bryan amended his motion and moved that the issue be brought back to the table; and Mr. Harrell indicated that his second to the original motion was in agreement with the revised motion.

Commissioner Latvala indicated that the BCC has not discussed the disposition of the PPC; and that she will not support the motion to bring back the issue.

Upon call for the vote to bring back the issue, the motion carried 9 to 2 with Commissioner Latvala and Mr. Harrell casting the dissenting votes.

Chairman Decker called for Councilmember Bryan's earlier motion to leave the PPC as it is; Ms. Hodges seconded the motion; and the motion carried 7 to 4 with Commissioner Latvala, Mr. Harrell, Mr. Kwall and Mr. Wilson casting the dissenting votes.

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At the direction of the Chairman, there being no objection, the meeting was recessed at 9:20 A.M. and reconvened at 9:31 A.M.

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INITIAL DISCUSSION OF TRANSPORTATION SERVICES

Mr. Sweeney distributed a document titled *Pinellas Suncoast Transit Authority - Presentation to Pinellas County Charter Review Commission*, a copy of which has been filed and made a part of the record; and gave a brief history of the PSTA. He related that the MPO, the BCC and PSTA Board had met in 2003 and had recommended the following: (1) expanding PSTA's service area; (2) increasing the PSTA Board of Directors to allow more representatives from the BCC and the City of St. Petersburg; and (3) considering other tax revenue sources in addition to ad valorem taxes; and that the recommendations be submitted to the legislative delegation in time for the 2004 legislative session; whereupon, he acknowledged that the deadline for the 2004 legislative session was missed.

In response to queries by the members, Mr. Sweeney indicated that the two main recommendations for the 2005 legislative session are for a countywide referendum to bring the remaining five areas into the PSTA, and to increase the size of the PSTA Board to include three more County Commissioners and one more member from the City of St. Petersburg; whereupon, he related that in addition to the establishment of commuter

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express service to Tampa, the Board is exploring express service along major corridors, additional neighborhood types of specialized services and bus rapid transit.

Councilmember Bryan commented that transit governance includes designating an agency to make decisions regarding future transportation issues, such as a monorail system, and to receive federal transportation money, and whether the agency should be the PSTA, a newly created authority, or a new County department.

Attorney Churuti confirmed that the CRC cannot take away power from an independent special district, but can initiate a countywide transit authority.

Mr. Sweeney related that the next PSTA strategic planning session will be held on May 7; and that the strategic and visioning process has not been finalized.

Mr. Smith distributed documents titled *MPO Staff Report on Transit Governance and Recommendation Concerning Transit Governance for Pinellas County*, along with his memorandum of January 26, 2004 regarding the Transit Governance Task Force's recommendations pertaining to PSTA Board membership, copies of which have been filed and made a part of the record.

Mr. Smith provided information regarding the Pinellas Mobility Initiative (PMI), including the feasibility of a high-speed guideway system, the need for a countywide transit system, and revenue options including a personal tangible tax and a one-cent "transit surtax" sales tax.

Discussion ensued regarding ways to bring the five excluded communities into a countywide transit agency and the possibility of legislative action for a countywide referendum later this year; whereupon, Councilmember Bryan reminded the members that a parallel agency would not receive federal transportation funding; and Commissioner Latvala indicated that special sessions are called by the Governor for discussion of one issue only.

Thereupon, Mr. Harrell moved, seconded by Mr. Armstrong and carried, that the CRC support the recommendations for a countywide transit authority and to increase the membership of the PSTA Board of Directors.

OTHER BUSINESS

Mr. Decker noted that the next CRC meeting will be on April 26 at 5:00 P.M.

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Mr. Spitzer indicated that the CRC could authorize the establishment of a charter revision commission that would enable a future Charter Review Commission to repeal the Charter.

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At this time, 10:31 A.M., Ms. Hodges left the meeting.

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Ms. Lancaster commented that the previous Charter Review Commission had voted to amend the Charter in order to add two members to the BCC; and that the legislative delegation had changed the recommendation to include four single-member districts in the previously all at-large membership.

ADJOURNMENT

The meeting was adjourned at 10:43 A.M.