

Clearwater, Florida, May 3, 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, Second Floor Conference Room, 509 East Avenue South, Clearwater at 5:05 P.M. on this date with the following members in attendance:

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

Late Arrival:

Roy Harrell

Absent:

Jim Sebesta, State Senator
Katie Cole
Louis Kwall

Also Present:

Robert B. Stewart, County Commissioner
Susan H. Churuti, County Attorney
James L. Bennett, Chief Assistant County Attorney
Steve Spratt, County Administrator
Chris Staubus, Assistant Director, Utilities
Deborah Kynes, Chairperson, Pinellas Suncoast Transit Authority
Kurt Spitzer, KS&A
Roger Sweeney, Executive Director, Pinellas Suncoast Transit Authority
Other interested individuals
Cathy Fickley, Deputy Clerk

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AGENDA

1. Welcome
2. Approval of Minutes
3. Commissioner Presentations
 - Bob Stewart
4. Presentations
 - PSTA
 - Annexation
5. MGT Scope of Services
 - Kurt Spitzer
 - Steve Humphrey
6. Discussion of Schedule, Locations and Issues
7. Other Business
 - Approval of Expenses
8. Adjournment

WELCOME

Chairman Bomstein called the meeting to order and noted the presence of a quorum; whereupon, Mr. Spitzer confirmed that Senator Sebesta, Mr. Kwall and Ms. Cole would not be in attendance.

MINUTES OF MEETINGS OF MARCH 22 AND APRIL 18, 2005 – APPROVED

Chairman Bomstein presented the minutes of the meetings of March 22 and April 18, 2005, and after receiving no response to a request for changes, corrections or modifications, declared the minutes approved by acclamation.

MGT OF AMERICA, INC. SCOPE OF SERVICES

Deviating from the agenda and at the Chairman's request, Mr. Spitzer provided a review of the proposed changes to the MGT of America, Inc. scope of services and suggested that the changes be presented to the Fire Chiefs Association and the fire fighter union members for review and input prior to finalizing the contract; whereupon, Stephen F. Humphrey, Jr., Senior Partner, MGT of America, Inc., presented an overview of a

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comprehensive study undertaken to address the county fire service issue. He stated that he met with representatives of the interested parties; and related that the cost of the fire study has increased to \$157,500 as a result of additional requests and a major alternative funding component not included in the original proposal. Mr. Humphrey indicated that the building permit study would remain at \$25,000; and that \$148,000 has been authorized by the Board of County Commissioners (BCC) for both studies.

In response to query by the Chairman regarding the increased cost, Mr. Humphrey noted that the original request directed that three areas be addressed; that the proposed changes include approximately 35 areas; and that alternative funding is a huge task which will necessitate a review of taxation issues; whereupon, discussion ensued wherein Councilmember Bryan suggested that building services be deleted in an effort to conduct a comprehensive fire study; and Mr. Wilson requested that a study include examination of the need for multiple fire administrations when a countywide fire service is in existence.

Mr. Spratt reviewed several aspects of the proposed study, agreed that the study should be complete enough to be meaningful, and indicated that staff will obtain input by the fire chiefs to ascertain important issues in an effort to reach a compromise; whereupon, in response to query by the Chairman, Mr. Spratt related that staff has copious data at their disposal which could be utilized to address the alternative funding matter.

Discussion continued regarding the cost and proposed components of the study; whereupon, Mr. Spratt stated that the focus should be fire and rescue services; that staff will continue to work to reduce the scope prior to requesting additional funding from the BCC; and that funding may also be available for the building services issue.

Thereupon, Councilmember Bryan moved that staff continue with the allocation approved by the BCC; that staff work with the consultant to reduce the study cost to \$148,000; and that building services be deleted; whereupon, the motion died for lack of a second. During discussion, Mr. Spitzer suggested that he work with Messrs. Spratt and Humphrey and the fire chiefs in an attempt to reach consensus with regard to the scope of services; whereupon, in response to query by Mr. Decker, Mr. Humphrey reviewed the timeline required for both studies. Expressing concern with regard to the time available to complete both studies, Mr. Decker suggested that they be prioritized; and requested that staff review the exorbitant cost increase.

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At this time, 5:33 P.M., Mr. Harrell entered the meeting.

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In response to Mr. Decker's comment regarding the timeline, Chairman Bomstein discussed opportunities for presenting the issue to the legislature; whereupon, it was the consensus of the members that Mr. Spitzer meet with the interested parties and provide a revised proposal for the members review at the next meeting.

PRESENTATION BY COUNTY COMMISSIONER ROBERT B. STEWART

Commissioner Stewart thanked the members for volunteering their time and for allowing the county commissioners an opportunity to address the commission members. He stated that his goals for the presentation are (1) a brief history lesson; (2) to identify what he sees as the issues and; (3) to identify what he sees as the needs. He provided an historical review of Pinellas County and noted that the population has grown from approximately 30 residents in the late 1880s to 941,000 permanent residents today. Commissioner Stewart discussed the responsibilities of governmental agencies that allow population growth; and related that he believes in voluntary annexation and the referendum process; whereupon, he referred to the four c's, coordination, cooperation, communication, and consolidation, as a potential solution to countywide issues.

Referring to a vision for a better community, Commissioner Stewart suggested the following:

- creation of a regional entity to be in charge of regional issues; (recommended BCC as they are elected countywide officials)
- a true home rule charter
- elimination of the dual vote
- continuation of protection of the Constitutional Officers

Commissioner Stewart pointed out that the CRC has received no citizen input regarding important issues that the citizens will ultimately vote upon; and suggested that a forum or strategic planning session involving the public be conducted.

ANNEXATION PRESENTATION

Deviating from the agenda, Chairman Bomstein requested that the annexation item be presented; whereupon, Chief Assistant County Attorney James L. Bennett referred to his memorandum dated May 3, 2005, a copy of which has been filed and made a part of the record, and discussed county control over voluntary annexations, and responded to query by Mr. Wilson regarding a process whereby the county would control all annexation issues on a countywide basis. Mr. Bennett pointed out that the county has the ability to

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establish annexation areas; that a change to the general law plus a charter amendment or special act would be required to enable the county to have control over all annexation matters; and in response to queries by Sheriff Coats and Councilmember Bryan, described enclave parameters.

Mayor Dottie Reeder, Seminole, indicated that she concurs with Commissioner Stewart with regard to obtaining citizen input; whereupon, she described her role as President of the Florida League of Cities in appointing a committee to investigate coordination of annexation statewide; and conceded that it would be virtually impossible to create a state law that would satisfy everyone. Mayor Reeder distributed a packet titled *Timeline for Travis Annexation*, a copy of which has been filed and made a part of the record; and described a recent annexation experience, pointing out discrepancies in opinions between county staff. She related that boundary changes have caused animosity and hard feelings between the municipalities and the county; and described the municipalities' opinion should the county have total control over annexation.

Mr. Spratt stated that annexation is a statewide issue; that the county experiences issues with only four or five cities; that annexation relates to fiscal stability and strength of tax base; and that the county's position is not anti-annexation, but rather pro-orderly annexation. Referring to a map, he pointed out that inefficient government service jurisdictions have been created as a result of annexation activity; and suggested that the process be avoided in the future. Mr. Spratt indicated that duress is placed upon citizens occasionally in an attempt to get them to agree to annex; and that citizens appeal to the county for assistance. He discussed referendum annexation and noted that an orderly annexation process does not exist from a layman's point of view; and suggested that the CRC decide whether to support local charter authority over annexation. He explained that bills are pending in Tallahassee that would strip charter county governments of the ability to manage voluntary annexations; and that the county feels that it is important to handle annexation issues locally. Mr. Spratt indicated that the CRC can decide how the charter would frame the control, stated that the citizens should be given the opportunity to decide the issue; and suggested that the unincorporated communities be allowed to choose to remain unincorporated.

In response to Commissioner Latvala's request, Mr. Spratt explained that Lealman was experiencing a great deal of high-value land annexation activity that caused weakening of the tax base of the Lealman Fire District; whereupon, the Lealman citizens appealed to the BCC and the state legislature for protection, which resulted in the passing of the Farkas Bill. He related that following a series of public hearings, the BCC moved the boundary lines as provided for in the referendum and Ordinance No. 00-63.

In response to query by Mr. Harrell, Mr. Spitzer indicated that the annexation discussion is scheduled for May 23, 2005.

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PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA) PRESENTATION

Mr. Sweeney introduced PSTA board members Commissioner Bill Jonson, City of Clearwater; Councilmember Bryan; and Commissioner Deborah Kynes, City of Dunedin, Chairperson of the PSTA. Referring to a PowerPoint program titled *Pinellas Suncoast Transit Authority Presentation to Pinellas County Charter Review Committee May 3, 2005*, a copy of which has been filed and made a part of the record, Mr. Sweeney presented historical background information, indicated that PSTA serves 21 of 24 municipalities; and that policy is set by 11 board members appointed by all of the 24 cities and county government. He reviewed the bus routes and pointed out that PSTA provides a demand response service to comply with the Americans With Disabilities Act; indicated that demand has grown significantly over the last ten years; and provided rider statistics and trip purpose information, and discussed funding. Mr. Sweeney related that the PSTA board has provided new direction by increasing service; that the bus design and employee uniforms have changed; that a new facility is being constructed in mid-county; that premium high-speed bus service is being explored; that a preliminary engineering study along the Central Avenue corridor in St. Petersburg will be scheduled in the near future; and that a PSTA animated television commercial has been very successful.

Mr. Sweeney related that there has been no change regarding the governance issue presented to the members last year; whereupon, he provided brief background information pertaining to board appointments. He indicated that last year the PSTA, BCC, CRC and Metropolitan Planning Organization (MPO) voted to increase the size of the board to 15 members; that the issue was presented to the legislative delegation; and that it was not carried forward. He related that a vote was taken two years ago by the same four groups to alter the method by which PSTA membership is changed; and related that the legislative delegation advised that the bill was not received in a timely manner and was dropped; whereupon, he indicated that the PSTA, nor any other group to his knowledge, has since resurrected the matter. He noted that the PSTA Board of Directors recently adopted a resolution that places a moratorium on requesting that the five cities join the authority in an attempt to clarify that the main issue is board composition; and that he is hopeful that meetings with the communities will be conducted in the future to discuss the increased board member issue; whereupon, Commissioner Kynes added that the moratorium was a symbolic gesture; and that the issues were bifurcated.

Discussion ensued and in response to the Chairman's comment regarding federal funding for a rapid transit system, Mr. Sweeney indicated that a countywide authority is not required in order to obtain funding; and Mr. Spratt added that typically a contract is executed with a local sponsor; whereupon, during additional discussion, Mr. Bryan suggested that the CRC review home rule issues in an effort to determine who will run the transit authority.

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During further discussion, Mr. Harrell suggested that a county presentation be conducted pertaining to the status of the rapid transit issue; whereupon, Chairman Bomstein requested that Planning Director Brian Smith present a rapid transit update at the May 23, 2005 meeting, and Mr. Smith concurred.

DISCUSSION OF SCHEDULE, LOCATIONS AND ISSUES

Chairman Bomstein referred to a document titled *Pinellas County Charter Review Commission Timeline 04/29/2005*, a copy of which has been filed and made a part of the record, and reviewed various topics to be discussed at upcoming meetings. He indicated that the June 20 meeting will be devoted solely to the legislative delegation; and that Mr. Spitzer will advise if the Tampa Bay Regional Planning Council office is available on that date.

In response to the Chairman's request, Ms. Burns referred to a League of Women Voters issue and requested that the members explore whether the Supervisor of Elections should be a non-partisan position; whereupon, discussion ensued with regard to addressing the Constitutional Officers designation. Following input by Attorney Churuti and Mr. Spitzer, Chairman Bomstein sought input by the members with regard to discussing the matter; whereupon, Mr. Harrell stated that since a CRC member has made the request, the issue should be heard. Following discussion, it was determined that the matter would be scheduled for the July 18 meeting in order that Supervisor of Elections Deborah B. Clark may attend.

Mr. Harrell suggested that the strategic planning issue not be scheduled for several months in an effort to obtain input by the cities and/or the county. Chairman Bomstein noted that several speakers had recommended citizen involvement in the process; and that he would like to acquire the services of a public relations representative and meet with Mr. Spitzer to discuss ways in which citizens could become more involved in the charter process; whereupon, Mr. Spitzer suggested that the county may be doing opinion research or focus groups in conjunction with its strategic planning process; and that CRC material may be included in that regard.

Mr. Harrell discussed the possibility of scheduling a visioning session, and Commissioner Latvala remarked that the purpose of the commission is to address the charter; whereupon, Chairman Bomstein indicated that the charter deals with the governance of the county; and that time may be available after the August 15 meeting in which the matter may be addressed.

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OTHER BUSINESS

Chairman Bomstein requested approval of Mr. Spitzer's monthly expenses; whereupon, Ms. Burns indicated that the members had authorized the Chairman to handle the matter.

ADJOURNMENT

The meeting was adjourned at 7:09 P.M.