

MEMORANDUM

TO: Members, Pinellas County Charter Review Commission –

Honorable Jim Sebesta
Honorable James Coats
Honorable John Bryan
Honorable Susan Latvala
Alan Bomstein
Karen Burns
Katie Cole
Ricardo Davis
Robert C. Decker
George Jirotko
Roy Harrell
Louis Kwall
Roger Wilson

FROM: Kurt Spitzer

DATE: May 21, 2005

RE: Annexation/PSTA Follow-up Information

The purpose of this Memorandum is to identify policy options for your consideration concerning annexation and transportation. Most potential actions that could be initiated by the CRC will likely take the form of recommendations to the Legislature.

Annexation Policy

General law controls procedure and policy on involuntary or referendum annexations. General law also authorizes county charters to address voluntary annexation policy. A few charters have done so, Pinellas being one of them.

The Pinellas charter currently authorizes the Board of County Commissioners to adopt an ordinance establishing the exclusive method and criteria for voluntary annexation. Thus, possible policy changes to the charter concerning voluntary annexations include:

- Leave the charter unchanged. The current policy represents a significant step forward. The BCC is broadly authorized to adopt implementing policy in this area.
- Amend the charter. The charter could be amended to add specificity as relates to voluntary annexations. For example, whether a parcel is “contiguous” for the purpose of voluntary

Memorandum
May 21, 2005
Page two

annexations could be defined in the charter. However, such measures that add specificity will serve to limit the authority of the BCC to adopt policy different from that contained in the charter.

- Repeal subsection 2.04(t) of the charter. Repealing the subsection of the charter concerning voluntary annexation will cause such procedures to be governed by general law, which is basically limited to public notice.

Concerning referendum or involuntary annexations, your options are limited to requesting that policy changes be adopted by the Legislature. Possible policy changes include revising general law as applies to municipal annexations in all counties or revising general law as applies to charter counties. In the latter example, one possible recommendation would include delegation of authority to adopt policy on involuntary annexations to the charter county as approved by the electorate of the county via a charter amendment.

PSTA

The CRC has heard testimony from the PSTA in 2004 and also within the past month. Recommendations concerning changes to the PSTA's governance were not adopted during the 2005 Session.

After Mr. Sweeney's presentation on May 3rd, the PSTA Board of Directors has requested that the CRC postpone its discussion on the PSTA so that the PSTA Board could discuss future recommendations for this issue at its May 25th Board meeting. However, remember that the CRC is scheduled to meet with the Legislative Delegation on June 20th, with no other meetings currently planned before that time.

If you wish to take action on May 23rd, copies of the Resolutions that were adopted by the CRC in 2004 are attached for your review.

Attachments

Pinellas Suncoast Transit Authority

(Recommendations taken from
Final Report of 2004 CRC)

1. PSTA Governance Structure

RECOMMENDATION: The Charter Review Commission recommends that four additional members of the PSTA Board of Directors be added, with three appointed from the membership of the Pinellas County Commission and one from the City Council of the City of St. Petersburg.

The PSTA Board of Directors, the Pinellas County Metropolitan Planning Organization and the Pinellas County Board of County Commissioners established a special task force to examine governance of the PSTA. The Transit Governance Task Force recommended changes to the size and composition of the PSTA Board of Directors so that an additional three members would be appointed from the Pinellas County Board of County Commissioners and an additional member from the St. Petersburg City Council.

Revenue for new types of mass transit (such as light rail systems) will likely come from sources under the control of the Board of County Commissioners. The recommended changes to the PSTA governing structure recognizes the County's expanding role in providing mass transit services.

2. PSTA Authority Powers

RECOMMENDATION: The Charter Review Commission recommends that the Special Act creating the PSTA be amended to provide for countywide transit service.

In addition to the recommendations concerning the structure of the PSTA, the Transit Governance Task Force recommended changes to the powers of the PSTA so that it may provide services on a countywide basis.

Currently, a number of cities and some unincorporated areas of the county are not within the service area of the PSTA. In order to have a truly countywide transit service, all parts of Pinellas County must be within the jurisdiction of the PSTA.

Implementing the recommended change concerning transit services requires a countywide vote of approval and reflects a fundamental question of whether transit services are to be viewed as a countywide service. The CRC supports the recommendations of the PSTA Governance Task Force.