

Clearwater, Florida, November 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 Tampa Bay Regional Planning Council Conference Room, Suite 100, 4000 Gateway Centre Boulevard, Pinellas Park at 3:33 P.M. on this date with the following members in attendance:

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

Late Arrival:

Katie Cole

Absent:

Jim Sebesta, State Senator
Karen Burns
George Jirotko

Also Present:

Stephen M. Spratt, County Administrator
D. Gay Lancaster, Chief Assistant County Administrator
Chris Staubus, Assistant Director, Utilities
James L. Bennett, Chief Assistant County Attorney
Kurt Spitzer, KS&A
Stephen F. Humphrey, Jr., Senior Partner, MGT of America, Inc
Other interested individuals
Cathy Fickley, Deputy Clerk

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AGENDA

1. Welcome
2. Approval of Minutes
3. Fire Services Study – Final Report
 - ✓ MGT
 - ✓ Comments
4. Discussion of Options
5. Consideration of Motions on Options
6. Other Business
7. Adjourn

WELCOME

Chairman Bomstein called the meeting to order; and confirmed that Senator Sebesta would not be in attendance; whereupon, he related that the Fire Districts/Fire Services issue is the only topic scheduled for discussion.

MINUTES OF MEETING OF SEPTEMBER 13, 2005 – APPROVED

Chairman Bomstein presented the minutes of the meeting of September 13, 2005, and after receiving no response to a request for corrections, declared the minutes approved by acclamation.

MGT OF AMERICA, INC. FINAL REPORT

Stephen F. Humphrey, Jr., Senior Partner, MGT of America, Inc., referred to the *Fire and Fire Rescue Services Improvement Study for the Pinellas County Charter Review Commission Final Report*, a copy of which has been filed and made a part of the record; and indicated that a revision had been made pertaining to automatic aid information; whereupon, Chairman Bomstein pointed out the correction reflected on page 1-16 of the report. Mr. Humphrey related that the report addresses the following three recommendations:

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- ✓ Create a single fire district for Pinellas County.
- ✓ Establish a priority dispatch system.
- ✓ Incorporate current mixture of paramedics and emergency medical services into an overall planning system.

In response to queries by the Chairman, Councilmember Bryan and Mr. Harrell, Mr. Humphrey discussed the use of expensive equipment utilized by the cities, explained the mutual aid process; and related that the overall system is very good, but that the focus of the study is cost, efficiency and the priority dispatch issue.

Chief James Angle, President, Pinellas County Fire Chiefs and John Little, Pinellas County Council of Fire Fighters conducted a PowerPoint presentation titled *Response to the Report "Fire and Fire Rescue Services Improvement Study" for the Pinellas County Charter Review Commission*, a copy of which has been filed and made a part of the record, and presented highlights of the following topics:

- ✓ Initial Concerns – key areas of the system not included in study; no defined minimum service delivery level.
- ✓ Scope of Work – final report does not include many of the tasks identified.
- ✓ Final Report – demographics; major study areas lack substantial research.

During his presentation, Chief Angle offered the following recommendations:

- ✓ Do not accept the final report as it is incomplete and inaccurate.
- ✓ If the report is accepted, remove areas as recommended during discussion.
- ✓ Accept the report but include the joint position paper as part of the report.

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Alluding to a letter he had received from Commissioner Seel pertaining to fire and emergency medical services issues agreed upon by the American Assembly, Chief Angle suggested that a panel be formed to address the fire service issues.

Mr. Little provided historical background information regarding the Pinellas County Council of Firefighters; described the work that the Council performs; and suggested that the fire study is misleading and the recommendations are based on assumptions, personal opinions, and systems that have no common ground with Pinellas County. He requested that the Council be able to readdress the members with suggested solutions; whereupon, in response to query by Mr. Kwall regarding the unification of fire departments, Mr. Little stated that several local departments have been consolidated internally; and Chief Angle added that the unification process addressed union locals and not fire service operations.

Thereupon, Chief John R. Leahy, Jr., Pinellas Suncoast Fire Rescue District, Chief William Stout, City of Safety Harbor, Chief Bud Meyer, City of Dunedin, Chief William Naylor, City of South Pasadena, and Chief Jim Callahan, City of St. Petersburg, provided an historical overview of fire department operations; related that the departments have live fire capability for training purposes as a result of action taken by the Board of County Commissioners (BCC) and Penny for Pinellas funding; indicated that most of the small cities have modern equipment that can handle emergency situations; and addressed how funding is distributed within planning districts.

During discussion pertaining to acceptance of the study by the members, Mr. Kwall moved, seconded by Commissioner Latvala, that the Fire Chiefs' comments be included with the final MGT report, without verification by the members should it be disseminated to the public; whereupon, following further discussion and upon call for the vote, the motion carried unanimously.

During additional discussion and in response to query by Mr. Kwall, Chief Angle acknowledged that 9-1-1 emergency assistance cannot be accessed utilizing the Internet phone service; related that it is important that the public be made aware of the issue; and that the matter is being addressed.

Mr. Spratt provided historical background information regarding the special act adopted in 1973 that established the county's Fire Protection Authority (FPA). He described the purpose of the act and the resultant powers bestowed upon the BCC which sits as the FPA; and indicated that a cohesive fire protection plan has never been formulated; and that staff has attempted to ascertain if a cost effective system could be implemented; whereupon, in response to query by Mr. Kwall, he clarified the BCC powers outlined in the special act. Mr. Spratt reiterated that the act clearly intended that there be a countywide system and plan to ensure coordination; and that it needs to be accomplished;

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whereupon, he referred to the need for countywide system planning and control and described how the process is currently utilized in the Emergency Management Services (EMS) system. He indicated that the county funds over a third of the system through EMS ad valorem taxes and unincorporated area tax levies; and discussed methodology for improving system productivity; whereupon, he reported that staff has outlined five regions consisting of cost effective groupings of agency responders; that a cost effective budget analysis was conducted to determine how it relates to what currently exists; and that the findings conclude that \$15 to 18 million in potential savings could be realized by the creation of performance budgets within the regions. Mr. Spratt addressed the unification of tax rates; provided an overview of various millage rates; and suggested that an aggregate countywide millage may stabilize widely swinging rates in various regions. Referring to the aforementioned system plan, Mr. Spratt indicated that staff has drafted proposed amendatory language to the special act that would provide the FPA with the ability to set standards in an effort to work towards a more efficient system; whereupon, discussion ensued with regard to the proposed legislation.

Thereupon, Mr. Spitzer indicated that following a meeting with the County Attorney's Office, a revision has been made to the proposed legislation; whereupon, he distributed a document reflecting amendments to the Charter, Section 2.04, Special Powers of the County, a copy of which has been filed and made a part of the record, and provided clarification of the amendments.

During further discussion and in response to queries by Councilmember Bryan, Michael Cooksey, Pinellas County EMS and Fire Administration, indicated that savings were realized by the pooling of resources in his department; that chief and officer level positions were reduced; but that no stations were closed. In response to query by Councilmember Bryan pertaining to Mr. Spitzer's memorandum of November 5, 2005, a copy of which has been filed and made a part of the record, Mr. Spitzer addressed potential charter changes and the resulting authority that would be granted to the BCC; whereupon, Mr. Spratt added that the special act could be amended to clarify that one of the duties of a FPA is to establish a system plan and system standards; that the BCC has indicated that it would not support a singular countywide authority; but that it would support consolidation if cost effectiveness is achieved.

Responding to queries by the Chairman and Councilmember Bryan regarding a unitary unincorporated area tax rate, Mr. Spratt outlined the reasons why a unified tax rate has not yet been formulated, and reiterated that the amendatory language to the FPA code and special act would give the FPA the ability to establish and impose standards; whereupon, Mr. Spitzer read the proposed language that would determine the powers and duties of the FPA. Responding to query by the Chairman, Attorney Bennett provided an overview of Chapter 62 of the Pinellas County Code; discussed the county's limitations of power in amending special acts; and related that a Charter amendment would be required to

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effectuate revision of the FPA's Charter powers; whereupon, Attorney Long commented that an ordinance cannot be amended until the Charter is amended.

Thereupon, Mr. Spitzer referenced his memorandum of November 5 and read the third version of the proposed amendment to the Charter; whereupon, Chairman Bomstein suggested that the ballot questions contain more user-friendly language, and discussion continued.

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The meeting was recessed at 5:28 P.M. and reconvened at 5:53 P.M.; whereupon, Katie Cole entered the meeting.

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DISCUSSION OF OPTIONS

At the Chairman's request, Mr. Spitzer provided a review of the options outlined in his memorandum dated November 5; and at the request of Commissioner Latvala, he defined the proposed advisory council and indicated that its function would be to provide advice to a governing body; whereupon, discussion ensued with regard to the make-up of the governing district board and independent and dependent districts. Sheriff Coats suggested that another option could be the consolidation of the county fire districts under the authority of the Sheriff's Office; and related that it has been done in other jurisdictions.

Discussion continued regarding the population figures for the 12 dependent districts, the possibility of citizens passing a referendum, and the third amendment option authorizing the BCC to establish regulatory standards on a countywide basis; whereupon, in response to query by Councilmember Bryan, Mr. Spitzer related that the BCC currently has the power to determine minimal standards; and that the proposed amendment would change the wording to maximum standards.

In response to the Chairman's call, Winthrop Newton, St. Petersburg Association of Firefighters Local 747, representing the Lealman Fire District discussed collective bargaining issues pertaining to the independent fire districts; and Attorney Long explained how employee negotiations would take place. Mr. Wilson expressed concern with regard to the proposed transition provision; whereupon, Chairman Bomstein commented that general law would provide for the inclusion of bargaining unit agreements.

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Thereupon, Scott Sanford, President, Local 2980 representing Palm Harbor and Oldsmar Firefighters appeared and expressed his concerns with regard to the claim of existing deficiencies, and the proposed change in standards; and suggested that the interested parties meet to discuss the issues; whereupon, in response to Mr. Wilson's request for communication by the fire chiefs and firefighters, Mr. Sanford stated that the Council of Firefighters and the Fire Chiefs Association would like the opportunity to present a plan to the members; and Mr. Little concurred.

Bill Israel, Gulfport, appeared, provided historical background information pertaining to a South Pasadena fire district referendum, and urged the members to have political courage and treat everyone fairly in the decision-making process.

During further discussion, and in response to query by Mr. Harrell, Chief Assistant County Administrator D. Gay Lancaster indicated that it has been determined that the unincorporated area fire service district is not practical; that Mr. Spratt had suggested leaving current providers in place and allowing the FPA to set standards; and that during the American Assembly process, it was recommended that all fire services consider a regional delivery posture; whereupon, Mr. Harrell stated that he favors the countywide standards; and suggested that the county and local municipalities be given two years to resolve the issues; and that the CRC can be reconvened if the issues cannot be resolved.

Discussion continued wherein Mr. Kwall pointed out that the voters would make the final decision and Chairman Bomstein and Commissioner Latvala concurred; whereupon, C. T. "Chuck" Kearns, Director of EMS and Fire Administration, suggested that a possible monetary incentive could be utilized to bring the departments together under a Joint Powers Agreement.

Chief Jeff Bullock, Cities of Largo and Belleair Bluffs, related that his cities work well together in a spirit of cooperation; that resources are shared and the stations have merged thereby creating a very efficient system; whereupon, discussion continued with regard to the first responder and transport process.

Deliberation ensued with the following suggestions provided by the members:

Councilmember Bryan – discontinue discussion of the fire service issue completely and let the voters decide.

Mr. Harrell – discontinue discussion regarding the single unincorporated area fire protection district option as the county has indicated that it is not appropriate; requested discussion pertaining to minimum standards; suggested

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members review the standards option before a decision is made.

Mr. Wilson – does not favor a countywide fire department; consider consolidation of three or four fire departments; would like additional input by fire chiefs and firefighters; suggested that independent legal counsel may be able to assist with referendum.

Mr. Davis – would like consideration of county's presentation regarding regionalization and authority to implement standards; does not believe it is structurally possible to consolidate into one fire district; believes that the mission of the CRC is to provide the voters with options it believes is best for county government and let the voters decide.

Commissioner Latvala – supports the establishment of countywide standards.

Thereupon, Commissioner Latvala referred to option number two, Countywide Fire Policy, and moved, seconded by Mr. Harris, that the second bullet, development of countywide standards of coverage, be approved; whereupon, she requested that both options be discussed.

Chiefs Callahan and Sanford provided input pertaining to the setting of standards; and at the request of Commissioner Latvala, Ms. Lancaster discussed the funding issue and pointed out that the purpose of setting standards is to serve all people with equity by making intelligent decisions regarding the utilization of resources.

Chairman Bomstein requested that the members address the issues; whereupon, Mr. Harrell referred to the county's proposal of regionalization, and suggested that all interested parties meet to determine if a plan can be agreed upon; that a deadline be established; and that the matter be revisited by the CRC if nothing is accomplished. Mr. Kwall commented that professional people are expected to have certain qualifications and it is not unusual to have professional standards. Commissioner Latvala pointed out that the mission of the CRC is to place a referendum on the ballot for the voters to decide if county government would be improved; and that the standards issue pertains to a small change of language and a law that is in existence; and Chairman Bomstein concurred. Councilmember Bryan stated that the members have just received the standards option; and that he cannot support it without clear legislative language and an opportunity to study the proposal; whereupon, Mr. Kwall moved to table the issue; Commissioner

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Latvala pointed out that there was a motion on the floor; and Chairman Bomstein requested that the motion and second stand.

Belleair Bluffs Mayor Chris Arbutine related that he has successfully consolidated two fire departments and merged his administration with the City of Largo; and that MGT did not approach him to determine how this was accomplished; whereupon, he suggested a process in which regionalization may be successful. During discussion, Mr. Davis suggested that if the motion is adopted, Mayor Arbutine's approach may be helpful to the BCC in its request to the cities to voluntarily attempt to work together in an effort to create the five zones; whereupon, Commissioner Latvala commented that the county does not have the authority to instruct the cities to work together to consolidate the fire departments. Ms. Cole suggested that the county impart regulatory standards within the regions in an effort to achieve regional delivery of services at a lower cost for every citizen of the county; whereupon, Chairman Bomstein pointed out that the requirements and best interests of each district should be taken into consideration when formulating the plan; and that Ms. Cole's suggestion is to have regional plans that would promote cohesiveness within the regions and encourage the districts and departments to work together.

Thereupon, Ms. Cole offered a friendly amendment to the motion to include the additional language as stated by Chairman Bomstein; and the maker of the motion concurred. In response to query by Chairman Bomstein and at Commissioner Latvala's request, Ms. Lancaster provided several examples that illustrate the inequity of standards countywide; and related that the county strives to adhere to the highest level of national standards; whereupon, following additional discussion, Mr. Harrell moved to table the issue until the following meeting in order to provide the cities and county an opportunity to return to the CRC on the singular issue; and to allow the county to submit more definitive information with regard to regionalization.

Thereupon, Chairman Bomstein indicated that the motion to table does not require a second; whereupon, upon call for the vote, the motion carried 8 to 2, with Chairman Bomstein and Mr. Kwall casting the dissenting votes. Chairman Bomstein noted that the topic of the next meeting is annexation; and that the fire study issue would be rescheduled to the following meeting.

Mr. Kearns referred to a packet titled *Pinellas County Charter Review Commission Fire and Fire Rescue Services Study Pinellas County Analysis of the MGT America, Final Report*, a copy of which has been filed and made a part of the record; and requested that the report be included with the MGT report; whereupon Commissioner Latvala moved, seconded by Mr. Kwall and carried, that the request be approved.

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OTHER BUSINESS

Chairman Bomstein reiterated that the annexation issue will be discussed at the November 21 meeting; that the fire study issue will be discussed at the meeting following annexation; and that the motion made by Commissioner Latvala will be revisited at that time; whereupon, discussion ensued, and in response to query by Ms. Cole, Chairman Bomstein indicated that the unincorporated single fire district issue remains open; and that the members will appear at the December 1, 2005 legislative meeting to discuss other issues.

Discussion resumed with regard to the scheduling of upcoming meetings; whereupon, several members indicated that they would be unavailable for the November 21 meeting. Chairman Bomstein indicated that Mr. Spitzer would notify the members via email regarding the meeting schedule.

ADJOURNMENT

At the direction of the Chairman, there being no objection, the meeting was adjourned at 7:42 P.M.