

Clearwater, Florida, January 25, 2010

A meeting of the Pinellas County Charter Review Commission (CRC) (as created by Chapter 80-950, Laws of Florida) was held at the Mid-County Tax Collector's Office Training Room, 13025 Starkey Road, Largo, at 4:01 P.M. on this date with the following members present:

Ronnie E. Duncan, Chairman
Ricardo Davis, Vice-Chairman
Ed Hooper, State Representative
Diane Nelson, Pinellas County Tax Collector
Andy Steingold, City of Safety Harbor Mayor
Kenneth T. Welch, County Commissioner
James Angle
Paul Bedinghaus
Gerald A. Figurski
William B. Harvard, Jr.
Melissa B. Jagger
Deborah Kynes
Raymond H. Neri

Also Present:

James L. Bennett, County Attorney
Elithia V. Stanfield, Assistant County Administrator
Other interested individuals
Tammy L. Burgess, Deputy Clerk

AGENDA

- I. Welcome
- II. Approval of Minutes of January 5, 2010 Meeting
- III. Rules of the Charter Review Commission
- IV. Public Comment
 - A. Audience
 - B. Website Submittals
- V. Presentations
 - A. J. Thomas McGrady, Chief Judge, Sixth Judicial Circuit
 - B. Robert S. LaSala, County Administrator

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- VI. Status of Contract Negotiations with Consultant and Legal Counsel
- VII. Discussion of Items for Exploration
 - A. Recap of 2004 and 2006
- VIII. Meeting Schedule
- IX. Website Update
- X. Open Discussion
- XI. Adjournment

WELCOME

Chairman Duncan called the meeting to order at 4:01 P.M. and welcomed those in attendance.

MINUTES OF THE MEETING OF JANUARY 5, 2010 – APPROVED

Chairman Duncan presented the minutes of the meeting of January 5, 2010; whereupon, Commissioner Welch moved, seconded by Ms. Kynes, that the minutes be approved as submitted. Mr. Angle called attention to page seven of the minutes, pointed out that a discrepancy exists between the backup documentation for today’s meeting and the minutes and backup for the January 5 meeting relating to the rules adopted by the 2010 CRC; and requested clarification. Following discussion, Chairman Duncan indicated that the consensus of the Commission had been that if an issue has initially been voted down, it can be reconsidered later in the process; and that the word “not” should be stricken from bullet number five under “Additional Rules Adopted by the 2010 CRC” on page 17 of the back-up documentation for today’s meeting.

Thereupon, Chairman Duncan called the question and the maker of the motion and the seconder accepted the clarification regarding the backup documentation. Upon call for the vote, the motion carried unanimously (Vote 13-0).

RULES OF THE CHARTER REVIEW COMMISSION

During discussion and in response to comments and queries by Representative Hooper and Ms. Kynes, Attorney Churuti stated that, generally speaking, the CRC has the authority to adopt any rules and procedures it chooses; whereupon, alluding to the rule relating to

reconsideration of an issue initially voted down, Chairman Duncan indicated that anyone should be permitted to request reconsideration of an issue, not just the prevailing party, and no objections were noted.

PUBLIC COMMENT

Audience

No one appeared in response to the Chairman's call for individuals wishing to be heard; whereupon, Chairman Duncan welcomed those in attendance and discussed future opportunities for public comment.

Website Submittals

Chairman Duncan pointed out that copies of the website submittals are included in the agenda packet; and Ms. Stanfield noted that copies have been provided to the Clerk's office to be made part of the record, and discussion ensued wherein Commissioner Welch provided input regarding the Supervisor of Elections being a nonpartisan office.

PRESENTATIONS

J. Thomas McGrady, Chief Judge, Sixth Judicial Circuit

Chief Judge McGrady explained the legal relationship between the County and the courts, the courts responsibilities for those who come before the court, and the County's responsibilities under Article V, Section 14; whereupon, he noted that the court is a separate branch of government; and that it is crucial for the court to have the full support of the county in order to carry out its mission to the citizens.

Chief Judge McGrady discussed the need for additional courtroom facilities, noting that all of the current facilities are maxed out; and that a centralized traffic court facility with four to six courtrooms would be useful. He related his preference that the Charter not be amended in any way that would decrease or limit the counties' current statutory obligations to the courts; and requested that the Charter not be made more restrictive than it is currently.

Robert S. LaSala, County Administrator

Mr. LaSala thanked the members for the opportunity to provide input and discussed his perceived role of the members, the extraordinary issues local and county governments are currently facing, and the value of professional management in local and county government; whereupon, he distributed supporting documentation, copies of which have been filed and made a part of the record. He related that the current commissioner-administrator form of government has served the County successfully for over forty years; and invited the members to contact him regarding any comments or questions they may have, noting that he is agreeable to attending future meetings.

Mr. LaSala responded to comments and queries by Mayor Steingold regarding what he feels, from a County Administrator perspective, the CRC should address in the Charter and indicated that how services are delivered to the community is an issue that needs further discussion and a formal meeting to determine what the relationship should be between the providers of service, the constituents, and the services going forward. In response to comments and queries regarding the need to establish a County mayor, he directed the members' attention to the documents distributed and related that members of the International City County Management Association, such as himself, subscribe to a code of ethics that far exceeds those of the Florida Ethics Commission; whereupon, he discussed the existing tourism boards and Attorney Churuti provided input.

During discussion and in response to comments and queries by the members, Mr. LaSala stated that he is a firm believer in local control and home rule; and that he believes home rule, in terms of revenue, should be as broad a power as possible, even in the face of statewide amendments to constrain revenues and expenditures.

Discussion ensued regarding efforts to consolidate services and Mr. LaSala indicated that consideration must be given to the redundancies in facilities, the array of operating policies, practices, and rules of procedure and compensation, and the investments required, noting that instant economies of scale will not be realized. He commented that consolidation would not likely be achievable through the Charter alone and would require bottom-up collaboration; and that absent some form of mandate or public petition, consolidation will not likely be achieved; whereupon, he related that the County is currently working with city administration and a consultant to address emergency medical services; and Chairman Duncan pointed out that later in the agenda, the Commission will review the items addressed previously, which includes the issue of consolidation.

During further discussion and in response to comments and queries by the members, Mr. LaSala agreed that phasing consolidation and tiered levels of service at a local level or on an area-wide basis, as opposed to countywide, are viable options to be considered, noting that the current relationship between the cities and the County is mediocre, as the mere suggestion of consolidation invites polarizing ideas; whereupon, he related that the County is looking at a shortfall of upward of \$100 million over the next 15 years absent a structural change; and Ms. Nelson pointed out that the economy may encourage collaboration and allow for some issues to be resolved.

In response to comments and queries by Mr. Bedinghaus, Attorney Churuti provided input regarding the Board of County Commissioners' code of ethics and the lobbying and disclosure rules, noting that there is an existing lobbying ordinance; whereupon, she suggested that a copy of the existing lobbying ordinance be obtained and the item placed on a future agenda.

Following brief discussion, Chairman Duncan stated for the record that the amendment to clarify the authority of the County Administrator to terminate exempt employees was voted down twice by the citizens; whereupon, he requested that Mr. LaSala give consideration to whether there are any amendments to the Charter that would assist him in accomplishing what needs to be done with the County budget; and that Mr. LaSala allow the CRC to call upon him to attend future meetings.

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The meeting was recessed at 5:21 P.M. and reconvened at 5:28 P.M.

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CONTRACT NEGOTIATIONS WITH CONSULTANT AND LEGAL COUNSEL – STATUS

Chairman Duncan stated that the contracts with the CRC's consultant, Kurt Spitzer and Associates, Inc., and legal counsel, Bryant Miller Olive P.A., have been signed; whereupon, he requested that the record reflect his appreciation for the assistance of Sarah M. Bleakley, Esquire, Nabors Giblin & Nickerson, in getting the CRC to its current point.

DISCUSSION OF ITEMS FOR EXPLORATION

Recap of 2004 and 2006

Chairman Duncan called the members' attention to the matrix of items discussed by the 2004 and 2006 Charter Review Commissions in the agenda packet and requested that Mr. Spitzer go through the list and provide input on each of the items; and that as each item is presented, the members indicate whether or not there is any interest in further discussing the item, noting that the items of interest identified will be placed on future agendas for further discussion; whereupon, Mr. Davis suggested that the rationale be given for any item that has previously failed, noting that it appears the voters have spoken, but that the CRC is not listening.

Mr. Spitzer provided background information regarding the Charter and reviewed the matrix of items previously discussed by the 2004 and 2006 Charter Review Commissions, providing input regarding the purpose for review and the outcome for each item, and discussion ensued amongst the members following each item.

During discussion of the item relating to the potential for efficiencies in fire services and in response to comments by Mayor Steingold, Chairman Duncan indicated that the results of the Office of Program Policy Analysis and Government Accountability (OPPAGA) study requested by House Representative James C. Frische to look at the potential for consolidating the fire and emergency management services (EMS) systems have not yet been received; and recalled that Mr. LaSala indicated that the County has commissioned a consultant to look at the EMS system; whereupon, he introduced Director of Public Safety Services Dick Williams.

Mr. Williams distributed a document summarizing the studies being conducted on the EMS and fire systems, a copy of which has been filed and made a part of the record, discussed the previous studies conducted relating to the fire and EMS systems, jointly and separately, and highlighted some of the efficiencies and functional consolidation currently in place. Mr. Angle pointed out that the \$20 million reflected in the previous study was not substantiated; and that pursuing the issue without the results of the studies may result in actions inconsistent with the study recommendations; whereupon, following discussion, Mr. Figurski moved, seconded by Mayor Steingold, that the CRC not include fire and EMS consolidation on its list. Upon call for the vote, the motion carried by a vote of 12 to 1, with Mr. Neri dissenting.

Following lengthy discussion amongst the members, with input by Ms. Stanfield and Attorney Churuti, and at the request of Chairman Duncan, Mr. Spitzer confirmed that the items of interest from the 2004 and 2006 CRC matrix identified by the members for further

discussion include (1) the authority, duties, and structure of the PPC; (2) whether there should be a non-partisan election of the Supervisor of Elections; and (3) the policies relating to future Charter Review Commissions.

Discussion ensued regarding other potential items of interest raised during today's meeting; whereupon, Mr. Hooper moved, seconded by Ms. Nelson, that the CRC not pursue a County Mayor position. Upon call for the vote, the motion carried by a vote of 12 to 1, with Ms. Kynes dissenting.

Mayor Steingold moved, seconded by Mr. Figurski, that the CRC review the Board of County Commissioners' (BCC) code of ethics and following brief discussion, Mayor Steingold clarified that his motion is that the CRC review the BCC code of ethics relating to lobbying and is subject to amendment, and the seconder concurred. Upon call for the vote, the motion carried unanimously.

Thereupon, Chairman Duncan suggested that Mr. Spitzer compile a list of the issues identified for further discussion and distribute it to the members prior to the next CRC meeting, and no objections were noted.

MEETING SCHEDULE

Chairman Duncan called the members' attention to the proposed meeting schedule in the agenda packet and following brief discussion, Ms. Nelson moved, seconded by Mr. Angle, that the meeting schedule be approved as it stands, and discussion ensued.

In response to queries by Ms. Jagger, Chairman Duncan indicated that there is an opportunity at every meeting for citizens to bring issues before the Commission for consideration; and that public comment at the public hearings will be limited to only the items on the CRC's list of recommendations, and Ms. Stanfield and Attorney Churuti provided input.

Following further discussion regarding public hearing dates, Mr. Angle amended his second to the motion by designating Monday, June 14, 2010, as the CRC public hearing date, and in response to query by Mr. Neri, indicated that he would accept the friendly amendment to reserve Monday, June 21, 2010 as the CRC's second public hearing, should it be needed; whereupon, Mr. Figurski called the question. Upon call for the vote, the motion, as amended, carried unanimously.

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Thereupon, Chairman Duncan requested that Mr. Spitzer send meeting requests to all of the members via Outlook to reserve the future dates as outlined in the meeting schedule.

WEBSITE UPDATE

Following discussion regarding placing the member's photographs on the CRC website, Chairman Duncan indicated that staff will look into the possibility of having members of the County's Communications staff attend a future meeting to take the members' photographs for the CRC website; and in response to query by Commissioner Welch, related that he will follow up on the status of placing the public service announcement on the County and municipal television stations, as discussed at the last meeting.

OPEN DISCUSSION

In response to queries by Messrs. Spitzer and Angle, Chairman Duncan confirmed the consensus of the members to continue to meet at 4:00 p.m. at the Tax Collector's Mid-County Office on the dates outlined in the meeting schedule, as approved.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:36 P.M.