

PINELLAS COUNTY PARK ADVISORY BOARD  
MEETING MINUTES  
April 16, 2015

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| PARK BOARD MEMBERS PRESENT:              | Ms. Mary Rogero<br>Mr. David Waddell<br>Mr. Shelby Freeman<br>Mr. David Kandz, Chair |
| PARKS & CONSERVATION RESOURCES DIRECTOR: | Mr. Paul Cozzie  |
| ASSISTANT COUNTY ATTORNEY:               | Mr. Brendan Mackesey   |
| ADVISORY BOARD SECRETARY:                | Ms. Cheryl DeCou   |
| PARKS & CONSERVATION RESOURCES STAFF:    | Mr. Lyle Fowler, South District Operations<br>Mr. Steve Harper, Resource & Asset     |

A regular meeting of the Pinellas County Parks and Conservation Resources Advisory Board was held at the Parks and Conservation Resources Administration Office, located at 12520 Ulmerton Road, Largo, FL 33774 on April 16, 2015.

**I. Open Meeting / Introductions:**

Chairman David Kandz opened the meeting at 9:35 a.m.

**II. Approval of Minutes – January 22, 2015:**

The minutes from the January 22, 2015 meeting were not approved and have been tabled until the next meeting. Mr. Freeman requested two scrivener's errors be corrected and Mr. Waddell requested a more detailed account of the comments and discussion of the Recreation MSTU for a presentation he will be making to the Board of County Commissioners on May 19 for a land use change. There is potential for provide recreational opportunities to Ridgecrest, Highpoint and Lealman. He will be asking the Board to change the land use to recreation and open space. Revised minutes will be sent to all members of the Board for review and be brought before this Board for approval at the next meeting.

**III. Citizens to be Heard:**

Mr. Louis Claudio of Safety Harbor and a recent retiree of Pinellas County came before the Board with a proposal for a name adjustment to reflect Native American (Tocobaga) presence at Philippe Park. The village at the Tocobaga site was the capital of the people. Mr. Claudio's presentation included an interesting and detailed history of the tribe's presence in Pinellas County from A.D. 900 to the late 1600's and he passed around some of the artifacts found at the site. Extensive discussion was held regarding the possibility of changing the name of the park or giving recognition to the Tocobaga tribe's settlement in Pinellas County such as more signage, renaming the main road of the park or walking tours in the park to highlight the history. Discussion was held regarding the time and expense involved with changing the name of a Park, including pamphlets and website changes. Mr. Claudio responded to questions from Board members and provided a handout with a review

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of his talking points which has been added to the record of the meeting. This item will be placed on the agenda for the next meeting.

**IV. Old Business:**

Park ordinance: A redline version of the ordinance was provided to board members for review with the presentation from Assistant County Attorney Brendan Mackesey. The Park ordinance was last updated in 2012/2013. Mr. Cozzie advised that the revised ordinance will be presented to the Board of County Commissioners for approval in May or June.

Mr. Freeman asked for clarification on a previous version of the ordinance, specifically Section 90-18(c) and Mr. Mackesey suggested substitute language to remove any confusion with regard to park activities and fees.

Mr. Cozzie talked about the changes to Section 90-1(a)(2) regarding appointment to the Park Advisory Board and the addition of two members with experience in environmental science and/or policy. Former County Administrator Steve Spratt created the Environmental Science Forum which was a group that addressed any environmental issues affecting County properties. The two positions added to the Advisory Board will represent that part of the community to bring forth those issues to the Advisory Board rather than having another entire committee or forum for this purpose. The forum was a County Administrator working group versus this Board being an Advisory Board appointed by the County Commissioners.

Mr. Mackesey provided discussion on the revised ordinance. The definition for County owned or managed lands was revised to include all department managed facilities. Definition of historic or prehistoric artifact was added, as well as vehicles/vessels and volunteer.

Section 90-6 (Protection of property, facilities, flora and fauna) was revised to allow protection to the County from any person or organization erecting any monuments, memorials, plaques or tributes. Section 90-6(f) was revised to prevent citizens from burying remains or scattering ashes in the parks. Discussion was held regarding when the department can permit utilization of a metal detector in the parks. An individual can request a permit for scientific research in a park.

Mr. Mackesey solicited the Board's feedback on activities in the parks, specifically Section 90-7 which outlines those issues. He advised that some of the activities were moved to other sections of the code and not removed from the code. The section that deals with fire clarifies where you can start a fire. Regulating smoking is preemptive to State law in many instances. Mr. Mackesey is currently reviewing the issue of whether lighting a cigarette is considered starting a fire and whether that interpretation would be preempted by statute. We currently do prohibit smoking in general in some areas of the parks and managed lands because of the threat of wildfires and there are designated smoking areas available. We cannot regulate smoking on the beach or playgrounds based on the state law because those issues are not related to fire, but related to air quality. Several bills have died in the legislature to further limit any smoking in public places.

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The next revision discussed was the definition of firearms that has been referenced in the ordinance. Firearms as defined in Florida Statute are exempt from the regulation in our ordinance and is preempted to State law. We prohibit weapons in the park, like slingshots, bb guns, paint guns, etc. and we do not have the right to prohibit people from lawfully carrying a firearm within the park. Further discussion was held regarding the size of a knife that people are permitted to carry for specific purposes, i.e. camping or fishing, in the parks and managed lands. To further clarify the possession of a knife, it was suggested adding the phrase “consistent with state law” to the prohibition section.

Mr. Kandz presented the issue of helium balloons being released in the parks for weddings or any other celebration. It is covered under Miscellaneous in Section 90-7. Mr. Cozzie informed the Board that we do have rules and regulations at the parks and individuals who rent the shelters and campsites are given the rules with their confirmation email. As an example, it is hard for the rangers to enforce the balloon rule once a party for a child is already started.

The next section of the revised ordinance discussed the restriction on possession or consumption of alcoholic beverages. Possession of alcohol is permitted at County boat ramp facilities and consumption is allowed at public marinas aboard private vessels.

Mr. Kandz asked about and a discussion ensued regarding the restriction on drones in the parks. Mr. Mackesey advised that an addition to the definition of aircraft will include drones. There is a chance that drones may be preempted by state or federal law. Mr. Cozzie said that the state is looking at allowing drones but restricting when they may be used and for what reasons.

Discussion was next held on Section 90-14 – Enforcement and penalties. This section deals with citing individuals who fail to comply with any prohibition, mandate, restriction or other declaration in the ordinance. A provision is added that the Parks Department could do enforcement through a Special Magistrate, a neutral third-party arbitrator hired by the County, to settle the citation in the same manner that traffic court is conducted.

The next item of the ordinance revised by Mr. Mackesey was Section 90-17 – Boating, docks and launching ramps. The definition of vessel in the ordinance has been changed to reflect every description of watercraft capable of being used as means of transportation on water. Our authority is limited in enforcement as to what is permitted in sovereign submerged state waters. A discussion was held regarding mooring fields and the regulation of same by the State. We do not have any designated mooring areas that would require a boater to anchor in a specific area. Discussion was held regarding various locations in the waters surrounding Pinellas County that are problem areas .

Public Access, hours, fees and regulations was next discussed and it was suggested that a definition of sunset be added.

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Mr. Kandz asked about how Chinese lanterns would be handled in the code as far as the concern as a potential fire source. Mr. Cozzie said that it could be looked at and gave an example of a company wanting to do a memorial release at Ft. DeSoto and we had the ability to deny this activity.

A motion was made by Ms. Rogero and seconded by Mr. Waddell to support the revisions and endorse the work performed by Attorney Mackesey and approved with a vote of 4 to 0. Mr. Kandz and other board members thanked him for his extensive work on the ordinance review.

**V. New Business:**

Sunshine Law Overview: Mr. Mackesey presented a PowerPoint outlining how the Sunshine Law as it applies to the Parks and Conservation Advisory Board. Discussion was held and questions answered with regard to the law and a printed copy of the PowerPoint presentation is part of the record. Board members were reminded that the sunshine law also has a component regarding Public Records and what can be redacted and exemptions which need to be requested. A public record request can involve requests for documents including the personal emails of the board members that discuss agency business.

**VI. Parks and Conservation Resources Director's Report:**

Fiscal Year 16 Budget has been submitted and the process will be ended in September when the budget is approved. There are 11 items in our budget decision package presented to the Commission. Mr. Cozzie distributed a summary of the items that are outside the normal budget that the department has requested to perform the work required by staff in the parks and managed lands of the County. A copy of the list provided by Mr. Cozzie has been made a part of the record.

Mr. Freeman asked if we use electric carts versus gas carts. Mr. Cozzie explained that the electric carts are a problem in our maintenance sheds given the chance of a storm that could cause a surge in power causing further problems.

Another item is reservation software standardization through our Business Technology Services department to centralize the reservations of shelters and campgrounds. The current system is not cost effective and needs to be brought into the 21<sup>st</sup> century.

The park trash haulers are not currently in the Vehicle Replacement Program and a request has been made to include them in the program. The department makes allocations to the Vehicle Replacement Program to replace equipment as needed. Utilization of the program ensures that the funds will be available when the equipment needs to be replaced.

Upgrading the part time positions to full time at Brooker Creek and Weedon Island will assist the department in meeting two of its strategic planning initiatives: maximize contributions

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of volunteers and improve organizational stability. The Curator at Heritage Village position has been reinstated and we are seeking funding.

With regard to recreation, the department has put in a request for \$145,000 for operational support for the youth sports programs active on county owned facilities to subsidize maintenance efforts. The proposal is a subsidy from \$1,700 to \$2,500 an acre to assist with maintenance expenses and enable them to redirect their efforts in other areas such as lower participant fees or capital improvements. Capital funding requested by partner youth sports organizations would require funding through future Penny for Pinellas campaigns.

Seventeen park residences are occupied by deputies and the maintenance of the properties requires a set aside for major repairs. Minor repairs are taken on by the resident; larger repairs require a \$250 deductible to be paid by the resident.

Replacement of electronic components and maintenance of the educational facilities at Brooker Creek and Weedon Island is another item in the budget decision package. The systems require an upgrade to keep up with the current technology.

Update on Project 2017: We are going to be rolling out the Park Ranger assignments on August 1<sup>st</sup> 2015. The classifications within Parks, whether it be spray tech, maintenance chief, etc. have been reclassified through Human Resources to Park Rangers 1, 2 and 3 and will allow us to assign people to a park on a permanent basis.

The School District contacted the County through Economic Development regarding the possibility of development 65 acres it owns in the Highpoint area. They would like to develop this land into a park similar to the City of St. Petersburg with ball fields and playgrounds. A meeting is occurring in the next few weeks to discuss the options and an update will be provided.

There being no other business, the meeting was adjourned at 11:56 a.m.