

Clearwater, Florida, April 26, 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 5:59 P.M. on this date with the following members present:

Ronnie E. Duncan, Chairman
Ricardo Davis, Vice-Chairman
Diane Nelson, Pinellas County Tax Collector
Andy Steingold, City of Safety Harbor Mayor
Kenneth T. Welch, County Commissioner
James Angle
Gerald A. Figurski
William B. Harvard, Jr.
Raymond H. Neri

Late Arrivals:

Paul Bedinghaus
Melissa B. Jagger
Deborah Kynes

Not Present:

Ed Hooper, State Representative

Also Present:

Susan H. Churuti, Bryant Miller Olive P.A.
Kurt Spitzer, Kurt Spitzer and Associates, Inc.
Elithia V. Stanfield, Assistant County Administrator
Other interested individuals
Michael P. Schmidt, Deputy Clerk

AGENDA

- I. Welcome
- II. Approval of Minutes of April 13, 2010 Meeting
- III. Public Comment
 - Audience
 - Website Submittals

April 26, 2010

- IV. Issues Discussion
 - Countywide Mayor
 - Future Charter Review Commissions
- V. Consideration for Placement on Decision Agenda
 - Nonpartisan Election of Supervisor of Elections (SOE)
 - Fire and Emergency Medical Services (EMS)
 - Ethics/Lobbying Policy
 - Pinellas Planning Council (PPC)
- VI. Open Discussion
 - CRC Schedule
- VII. Adjournment

WELCOME

Chairman Duncan called the meeting to order at 5:59 P.M. and welcomed those in attendance.

MINUTES OF THE MEETING OF APRIL 13, 2010

Chairman Duncan related that the minutes of the meeting of April 13, 2010 are not yet available.

PUBLIC COMMENT

Audience

In response to the Chairman's call for individuals wishing to be heard, Beth Rawlins, Clearwater, appeared and expressed her concerns on the topic of a strong mayor versus a council manager.

Website Submittals

Chairman Duncan related that no website submittals have been received.

ISSUES DISCUSSION

Countywide Mayor

Mr. Spitzer gave a PowerPoint presentation titled *Overview of Executive Branch Structure* and, noting that there can be many variations of each option, presented an overview of the following:

- Head of Executive Branch
- Elected Chair
- Elected Mayor
- Elected Executive

Chairman Duncan suggested that following discussion of each issue, the members decide whether to: (1) dispose of the item because of lack of interest, (2) make a recommendation to the citizens and the Board of County Commissioners (BCC) that the issue be considered, perhaps through a Blue Ribbon Panel, or (3) move the item forward, and begin looking at ballot language, and no objections were noted.

Members in support of the issue indicated that a change in local government would:

- √ Facilitate redevelopment, transportation, commerce and tourism.
- √ Ease conflict between cities and county.
- √ Ease inter-commission squabbles.
- √ Provide a point person for the county.
- √ Empower leadership and vision.
- √ Resolve difficulties caused by lack of formal structure of BCC chairman duties.

Members in opposition to a change in local government indicated that:

- √ There is no compelling reason for a change.
- √ It would add an additional layer of government.
- √ There is no groundswell of support to change the form of government.
- √ Pinellas County Government is not broken.
- √ The BCC has a good mix of single-member and at-large member districts.
- √ It would result in a concentration of power.
- √ A change to an elected mayor would weaken the BCC.
- √ The present form of government creates checks and balances.

April 26, 2010

During discussion, Mr. Spitzer indicated that he could not locate a list of benefits an elected mayor would provide as was requested at the last meeting; and Attorney Churuti indicated that she has researched the various county charters in the state about each of the options; and advised that it would be a complicated issue to draft and to get a consensus.

Thereupon, Vice-Chairman Davis moved that the CRC not further consider the County Mayor form of government, and Mr. Bedinghaus seconded the motion.

In response to query by Commissioner Welch, Chairman Duncan requested that, regardless of the outcome of the vote, the issue not be brought back for discussion unless there is compelling evidence and a degree of comfort that the result would be overturned, and no objections were noted.

Following discussion, the motion was approved (vote 9-3, with Ms. Kynes, and Messieurs Steingold and Harvard dissenting).

* * * *

The meeting was recessed at 7:16 P.M. and reconvened at 7:23 P.M.

* * * *

Future Charter Review Commissions

Chairman Duncan asked that the members decide whether to change, alter, or enhance the CRC process.

Mr. Spitzer gave a PowerPoint presentation, discussed the importance of the CRC, and compared the practice in Pinellas County to the practices in other charter counties, noting that charters are important because they are adopted or amended by a vote of the people and cannot be changed by the county commission or by the legislative delegation.

During discussion and in response to queries by the members, Attorney Churuti advised that there is a state law provision for the single-subject rule, but it does not apply to charter commissions; and that the CRC can place items directly on the ballot except for those that were retained as a state power, which must go through the legislative delegation.

April 26, 2010

Mr. Spitzer identified the CRC practice issues to consider; whereupon, each issue was discussed and various motions were made and amended. The final action on each issue was as follows:

Frequency and Duration

Mr. Figurski moved, seconded by Ms. Kynes and carried unanimously, that the maximum duration of the CRC be 12 months, or one year, from August 1 to July 31, occurring at the time of the presidential election (vote 12-0).

Membership

Mr. Figurski moved, seconded by Tax Collector Nelson and carried unanimously, that the membership of the CRC remains the same (vote 12-0).

Public Hearings

Mr. Figurski moved, seconded by Tax Collector Nelson and carried unanimously, that the CRC hold no less than two public hearings at intervals of not less than 10 days but not more than 21 days immediately prior to transmittal of recommendations to the BCC (vote 12-0).

Single-Subject Rule

Mayor Steingold moved, seconded by Mr. Davis and carried unanimously, that the CRC not address changing the language in the current Charter regarding the single-subject rule (vote 12-0).

Appointment Process

Mr. Figurski moved, seconded by Mayor Steingold and carried unanimously, that the appointment process remains the same (vote 12-0).

During discussion and in response to query by Mr. Bedinghaus, Commissioner Welch indicated that issues that have come before the CRC that he was not expecting were the County Mayor and the ethics/lobbyist.

Thereupon, Mr. Steingold moved, seconded by Mr. Davis, that the CRC recommend to the BCC that a survey be taken at least three months prior to the initial appointment of a new CRC to determine issues of interest to the community; whereupon, Chairman Duncan suggested that staff prepare language for the recommendation and bring it back to the Commission for approval, and the motioner and seconder concurred. Upon call for the vote, the motion carried unanimously (vote 12-0).

CONSIDERATION FOR PLACEMENT ON DECISION AGENDA

Chairman Duncan asked that the members decide whether to dispose of the issue, to recommend further discussion outside of the CRC, or to continue discussion and make the issue part of the work program, and no objections were noted.

Nonpartisan Election of Supervisor of Elections

Mr. Davis moved, seconded by Tax Collector Nelson and carried, that no further action be taken on the nonpartisan election of the Supervisor of Elections (vote 9-3, with Ms. Kynes, Mr. Neri and Commissioner Welch dissenting).

Fire and EMS Services

Mr. Angle moved, seconded by Mr. Steingold, that no further action be taken on the Fire and EMS Services issue; whereupon, Commissioner Welch stated for the record that another study is in progress and a collaborative process is moving forward.

Thereupon, upon call for the vote, the motion carried unanimously (12-0).

Ethics/Lobbying Policy

Referring to previous queries and requests by the members, Attorney Churuti indicated that she has defined "lobbyist," that the current county ordinance does not include telephone conversations and the statewide provisions do; that one unintended consequence could be that the CRC would unintentionally violate statewide provisions on issues that have county implications, i.e., the red light cameras; that the CRC can recommend that the BCC have a better process to determine the identity of a lobbyist and who he is lobbying; that lobbyists can be debarred if they violate the county lobbying ordinance; and that the county can allow lobbyists to register online; whereupon, she advised that the ethics/lobbying policy not be codified in the Charter, but rather, if the CRC decides to go forward with the ethics policy, it make recommendations for the BCC to consider as part of its ordinance adoption process.

Thereupon, Mr. Steingold moved, seconded by Mr. Figurski and carried unanimously, that the proposals defined by Attorney Churuti be recommended to the BCC (vote 12-0).

Pinellas Planning Council

Mr. Figurski moved, seconded by Mr. Steingold, that no further action be taken on the Pinellas Planning Council; whereupon, Commissioner Welch stated for the record that a collaborative process is moving forward.

April 26, 2010

Upon call for the vote, the motion carried unanimously (vote 12-0).

OPEN DISCUSSION

CRC Schedule

Chairman Duncan indicated that the schedule would be revised and sent to the members; and in response to query by Mayor Steingold, indicated that the Sports Authority issue would be on the next agenda.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:40 P.M.