

**Charter Review Commission
Pinellas County
August 16, 2023, Meeting Minutes**

The Pinellas County Charter Review Commission (CRC), as created by Chapter 80-950, Laws of Florida, met in organizational session at 6:01 PM on this date in the Palm Room at the Pinellas County Communications Building, 333 Chestnut Street, Clearwater, Florida.

Present

Brian Aungst, Jr., Pinellas County Board of County Commissioners (BCC) Appointee (Commissioner Chris Latvala), Chair
Linsey Grove, Public At-Large Citizen Appointee, Vice-Chair
Anne-Marie Brooks, Municipal Elected Official Appointee
Richard Butler, BCC Appointee (Commissioner Kathleen Peters)
Nick DiCeglie, Pinellas County State Legislative Delegation Appointee
Dave Eggers, County Commissioner, BCC Appointee
Todd Jennings, Public At-Large Citizen Appointee
Terri Lipsey Scott, BCC Appointee (Commissioner René Flowers)
Ashley Overend, BCC Appointee (Commissioner Brian Scott)
Rob Posavec, BCC Appointee (Commissioner Dave Eggers)
Tom Steck, BCC Appointee (Commissioner Charlie Justice) (appeared virtually)
Mark Strickland, BCC Appointee (Commissioner Janet Long)
Mike Twitty, Property Appraiser, Constitutional Officers Appointee

Others Present

Nancy McKibben, County Staff Liaison, Assistant to the County Administrator
Brian Lowack, Assistant to the County Administrator
Wade Vose, Esquire, Vose Law Firm, CRC Legal Counsel
Doug Thomas, Strategic Government Resources, Inc.
Shirley Westfall, Board Reporter, Deputy Clerk
Other interested individuals

CALL TO ORDER

Commissioner Eggers called the meeting to order at 6:01 PM and welcomed the members. He indicated that he will act as Chair until a Chair has been elected.

VIRTUAL PARTICIPATION VOTE

Commissioner Eggers indicated that CRC member Tom Steck has requested to participate in the meeting virtually.

Mr. Aungst made a motion to approve the virtual participation of Mr. Steck. The motion was seconded by Mr. Twitty and carried unanimously. It appeared, however, that due to technical difficulties, Mr. Steck was unable to participate.

INTRODUCTIONS

At the request of Commissioner Eggers, the members introduced themselves.

PUBLIC COMMENT – NONE

ELECTION OF CHAIR OF THE CRC

Commissioner Eggers called for nominations for the position of Chair; whereupon, Linsey Grove nominated herself, and Brian Aungst, Jr. nominated himself. Upon request by Ms. Lipsey Scott, the nominees discussed their qualifications. Following a paper ballot vote, Brian Aungst, Jr. was elected to serve as Chair.

ELECTION OF VICE-CHAIR OF THE CRC

In response to a query by Commissioner Eggers, Ms. Grove indicated that she would be willing to serve as Vice-Chair.

Thereupon, Ms. Grove was elected to serve as Vice-Chair by a unanimous vote.

PURPOSE OF THE COMMISSION

Attorney Vose conducted a PowerPoint presentation titled *Purpose of the CRC* and provided an overview of why the CRC is meeting and its responsibilities, noting that per the Pinellas County Charter, every eight years the BCC appoints a 13-member CRC to review the operation of the County government on behalf of its citizens in order to recommend any amendments to the Charter. He indicated that this is the organizational meeting; that a final report must be submitted by July 31, 2024; that for any proposed amendments to the Charter, it is required to have two public hearings held not less than 10 days and not more than 21 days immediately prior to the submittal of the final report; and that amendments to the Charter must be approved by a majority vote of the electors.

Thereupon, he pointed out that an amendment to the Florida Constitution occurred since the last CRC convened, wherein the County Charters no longer have the authority to abolish constitutional offices and transfer those powers to another County office.

PRESENTATION ON SUNSHINE LAW AND PUBLIC RECORDS ACT

Attorney Vose conducted a PowerPoint presentation titled *Sunshine Law & Public Records Training for Local Government Board Members* and discussed the Florida Sunshine and Public Records Laws and their applicability to the CRC; whereupon, he cautioned the members regarding sanctions for violation of the Sunshine Law.

Attorney Vose remarked that CRC is not an advisory board, and decisions regarding proposed Charter amendments submitted in the final report are final, noting that the BCC would take the ministerial action of placing them on the ballot.

Attorney Vose indicated that the County has provided CRC emails for all the members; that the CRC email should be used for CRC-related business; and that the County will handle any public records requests regarding emails; whereupon, in response to a query by Commissioner Eggers, Attorney Vose provided clarification regarding the use of text messages and social media.

DISCUSSION AND APPROVAL OF DRAFT RULES OF THE COMMISSION

Attorney Vose referred to a document titled *2023-2024 CRC Operating Rules* and discussed speaker and citizen sign-in and appearance cards, public comment requirements, CRC voting requirements, recorded votes, expenses, and virtual attendance at meetings; whereupon, in response to queries by the members, he provided additional details regarding Robert's Rules of Order and extraordinary and unavoidable circumstances for appearing virtually, pointing out that Mr. Steck's request for virtual appearance today was based on unavoidable business-related absence; and that a minimum of seven votes is required to approve the final report.

Mr. Strickland made a motion, seconded by Mr. Twitty, that the operating rules be approved as presented. Upon call for the vote, the motion carried unanimously.

SELECTION OF A FACILITATOR

Chair Aungst indicated that the proposed CRC Facilitator Agreement is included in the agenda packet; whereupon, Mr. Thomas conducted a PowerPoint presentation titled *Charter Review Commission Facilitation Services Overview* and discussed Strategic

Government Resources, Inc.'s (SGR) background and staff, its national and Florida presence, its collaboration with Alliance for Innovation, CRC timeline requirements and process, and the firm's projected service fees and expenses.

Mr. Thomas indicated that in addition to administrative duties, such as scheduling and guiding the meetings, ensuring preparation of agendas, and arranging any guest speakers' visits, the facilitator will be working closely with the CRC toward producing the final report due July 31, 2024.

In response to a query by Chair Aungst, Ms. McKibben related that Requests for Proposals (RFPs) were released for the facilitator position, but no responses were received to the first advertisement; that it was re-advertised, and SGR was the sole respondent; and that the BCC will have an opportunity to approve the RFP should the CRC approve it.

During discussion and in response to comments and queries by Commissioner Eggers, Mr. Thomas provided information regarding potential additional charges and related that SGR has not been engaged yet; that the County staff is in process of setting up a CRC web portal; and that if hired, he would coordinate with the County's Information Technology (IT) department regarding the content and information, but that the County IT staff would be responsible for hosting the site; whereupon, in response to comments by Chair Aungst, Ms. McKibben indicated that staff will work with the facilitator to leverage opportunities for transparency and access.

In response to comments and queries by the members, Mr. Lowack explained that the CRC is not a County-run body; that having a facilitator and independent counsel keeps the CRC independent; that the Pinellas CRC has always had a facilitator; and that the facilitator and the attorney will submit invoices for payment through the County's Purchasing Department; whereupon, in response to a query by Chair Aungst, Mr. Thomas indicated that the expenditure cap of \$121,550.00 listed in the SGR agreement includes reimbursables and expenses.

Ms. Lipsey Scott made a motion, seconded by Mr. Butler, to approve the facilitator selection. Upon call for the vote, the motion carried unanimously.

DEVELOP AND APPROVE A MEETING SCHEDULE

In response to queries by Chair Aungst, Attorney Vose indicated that the final report will reflect the Charter amendment language and questions for the potential referendum ballots; that the language will be developed by the CRC throughout its process; and that a series of public hearings will take place, followed by the adoption of the final report.

Chair Aungst suggested that the members schedule the next four meetings and then revisit the item, and discussion ensued regarding potential meeting locations and times, including considerations for live-streaming or televising the meetings; whereupon, Ms. Grove indicated that holding the meetings after 5:00-6:00 PM may be better for the citizens wishing to attend.

Ms. Lipsey Scott related that she will be unable to attend the next meeting; whereupon, following discussion, Chair Aungst indicated that there is consensus for the next four meetings to be held on the third Wednesday of each month at 6:00 PM in the Pinellas County Communications Building Palm Room.

DISCUSSION OF POTENTIAL TOPICS OF INTEREST

Chair Aungst inquired about the members' desire to go through the entire Charter to get familiar with it, and discussion ensued, wherein Attorney Vose provided a brief history of the County Charter.

In response to the Chair's call for potential topics of interest, the following items were brought up:

- Term limits for County Commissioners
- Hiring and firing specifics for County Attorney
- The ability of the County to have special referendum elections
- Definition of Commissioners-At-Large districts
- Cleanup of irrelevant items
- Emerging issues, including what other Counties are adding to their charters

In response to Mr. Thomas's request for clarification, Chair Aungst indicated that a brief overview of the Charter and its history should be part of the next meeting agenda, and discussion ensued wherein Attorney Vose provided additional details regarding communications under the Sunshine Law. Chair Aungst provided input, reiterating that the members are welcome to communicate with Attorney Vose, staff, and Mr. Thomas via their CRC emails; that the emails are public record; that they should not copy Commissioners on the emails nor communicate with one another on business outside of the meetings, and Attorney Vose offered to be a resource to the members on any CRC-related issues, noting that he is available for telephone calls as well.

OTHER BUSINESS

Chair Aungst requested that staff ensure that CRC email is set up for all the members, so that everyone receives pertinent communications and everything is retained on the County server.

ADJOURNMENT – 8:02 PM