

**Pinellas County Charter Review Commission
Meeting Agenda
November 27, 2023
Palm Room-Pinellas County Communications Building
333 Chestnut Street
Clearwater, Florida 33756
6:00 PM**

- I. Call to Order - Brian Aungst, Chairman
- II. Roll Call
- III. Public Comment
- IV. Review/Approval of November 1, 2023 Meeting Minutes
- V. Background/Housekeeping Information:
 - a. CRC Member Email Address Migration-Any remaining issuers?
 - b. Operating Rules/Procedures & Information re: Public Participation in future CRC meetings via Zoom
- VI. Discussion with Pinellas County Attorney Jewel White re: Charter Section 4.02 County Attorney – Procedures for Appointment/Removal of County Attorney
- VII. Other Business
- VIII. Discuss & Set Upcoming Meetings – Propose 2 meetings per month through March 2024:
 - a. January 10th @ 6:00 PM
 - b. January 24th @ 6:00 PM
 - c. February 7th @ 6:00 PM
 - d. February 21st @ 6:00 PM – *Suggest this meeting as deadline/last date for inclusion of possible topics to be considered by the CRC*
 - e. March 6th @ 6:00 PM
 - f. March 20th @ 6:00 PM
- IX. New Business - CRC Commissioner Comments
- X. Adjournment

Special Accommodations - Persons with disabilities who need reasonable accommodations to effectively participate in this meeting are asked to contact Pinellas County's Office of Human Rights by e-mailing such requests to accommodations@pinellas.gov at least three (3) business days in advance of the need for reasonable accommodation. You may also call (727) 464-4882.

Appeals – Persons are advised that, if they decided to appeal any decision made at this meeting/hearing, they will need a record of the proceeding, and, for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is to be based.

**Charter Review Commission
Pinellas County
November 1, 2023 Meeting Minutes**

The Pinellas County Charter Review Commission (CRC), as created by Chapter 80-950, Laws of Florida, met in regular session at 6:07 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)
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
Wade Vose, Esquire, Vose Law Firm, CRC Legal Counsel
Doug Thomas, Strategic Government Resources, Inc.
Tammy Burgess, Board Reporter
Other interested individuals

CALL TO ORDER

Chair Aungst called the meeting to order at 6:07 PM and welcomed the members.

ROLL CALL

At the Chair's request, those in attendance introduced themselves.

PUBLIC COMMENT

In response to the Chair's call for public comment, Barbara Haselden, St. Petersburg, appeared and expressed her concerns.

REVIEW/APPROVAL OF MINUTES OF SEPTEMBER 20, 2023 MEETING

Commissioner Eggers made a motion to approve the minutes, which was seconded by Mr. Butler and carried unanimously.

BACKGROUND/HOUSEKEEPING INFORMATION

CRC Member Email Address Migration Update

Mr. Thomas confirmed that CRC emails can now be migrated to various platforms and provided contact information for Business Technology Services so that the members have access to technical support.

Operating Rules/Procedures and Information: Public Participation

Mr. Thomas discussed setting up Zoom for public participation and indicated that he is working on resolving the technology and logistics issues; and that he anticipates having more information available for the next meeting; whereupon, following brief comments and queries by Commissioner Eggers, Mr. Thomas provided clarifying comments and Chair Aungst clarified that the intent is for the CRC to follow the same rules used by the BCC for virtual participation.

FEEDBACK FROM VARIOUS PINELLAS COUNTY OFFICES REGARDING POSSIBLE CRC TOPICS

Board of County Commissioners

Commissioner Eggers related that he has shared the CRC minutes with the other Commissioners; and that they are aware of the various avenues of communication available to them to share their thoughts and input, including their ability to place items directly on the ballot, separate from the work of the CRC; whereupon, Chair Aungst indicated that the CRC values the input of the BCC.

Constitutional Officers

Mr. Twitty related that he has spoken with the various Constitutional Officers regarding proposals which have been brought forth so far; and that they do not have any new proposals to bring forward at this time.

In response to a query by Chair Aungst, Attorney Vose indicated that he has spoken with the County Attorney; that she may attend a future meeting to discuss a particular provision; and that he will provide updated information regarding the matter at the next meeting.

Mr. Thomas related that he has spoken with the County Administrator, Assistant County Administrator, and Ms. McKibben; and that he has nothing to report from them at this time.

PROPOSED CRC MAJOR GROUPINGS OF TOPICS ADVANCED TO DATE

Review and Discussion of topics to determine support by the CRC members to be advanced for further study

Following brief comments by Chair Aungst, Mr. Thomas referred to a list of proposed groupings included in the agenda packet and reported that the topics were arranged into four categories: governance issues, clean-up issues, possible new issues, and questions to be addressed; whereupon, he went through each item in the respective categories and solicited member feedback for purposes of organizing and prioritizing the items.

In response to a query by Attorney Vose, Commissioner Eggers indicated that the Commissioners were seeking clarification on County Commissioner At-Large Districts and appointments to determine whether Commissioner appointees to the Redistricting Board for At-Large Districts must reside within the same Districts as the appointing Commissioners; whereupon, Attorney Vose indicated that he has enough information to research the issue and will advise the Commission as to whether it is an issue related to the Charter, the Pinellas County Code, or something else.

During discussion, Mr. Thomas related that two emails have been submitted to the CRC general email supporting eight-year term limits for County Commissioners.

Discussion ensued regarding requirements for hiring and terminating the County Attorney and County Administrator and the potential for the County Administrator to be an elected position; whereupon, following comments from Attorney Vose and Mr. Twitty, Chair Aungst suggested that a memorandum containing information regarding the issue be provided to the CRC.

During discussion regarding clean-up issues, Attorney Vose indicated that the requirement to print financial impact statements on the ballot may be inconsistent and preempted by state election law based on a recent Division of Elections opinion; and that he is researching the issue further and will report back at a future meeting.

Discussion ensued regarding *Section 2.07 Environmental Lands*, wherein Attorney Vose explained that the Charter is written so that future environmental lands, designated as such by a BCC-adopted ordinance, will automatically receive Charter protections and cannot be removed without a referendum; whereupon, following input by Attorney Vose and Mr. Thomas, Chair Aungst indicated that there is consensus to move the item to the category which relates to questions to be addressed so that it is reflected in the CRC's final report.

Referring to *Section 5.02 Special Laws*, Attorney Vose related that he is conducting additional research and will report back to the CRC with a definitive legal recommendation; whereupon, he requested that the members advise him of any other boards created by Special Act that may need to be added to the Charter. Discussion ensued wherein Ms. Overend indicated that she feels that the section is outdated and questioned whether it should be eliminated, and Chair Aungst suggested adding a sentence to the section explaining that the Charter cannot amend or eliminate special districts created by Special Act; whereupon, Chair Aungst recommended that the item be kept on the list for further discussion and a more detailed presentation, and discussion ensued.

During discussion regarding *Section 6.05 Reconstitution of 2004 CRC*, Attorney Vose related that he did not see a legal reason to keep the provision in the Charter, and Mr. Thomas indicated that further research would help determine whether the provision needs to remain.

Referring to possible new issues, Chair Aungst related that he had suggested looking at potential changes and/or additions that other counties were making to their charters to possibly identify any emerging issues; and that he supports removing it from the list as local issues determine potential changes to the Charter.

Following brief discussion regarding *Section 2.02 Security of rights of citizens (e) Protection of human rights*, Attorney Vose provided information regarding existing protections established by the County's Code of Ordinances and indicated that he will further research the issue and report back, and Mr. Steck provided input.

Referring to *Section 6.02 Charter Initiative*, Chair Aungst referenced a document in the agenda packet from the Florida Association of Counties regarding methods to amend

charter amendments by petition, relating that the current threshold in Pinellas County for citizen-driven initiatives requires eight percent of registered electors to sign the petition and allows for 240 days for the petitions to be gathered; whereupon, following comments by Attorney Vose, Chair Aungst indicated that there is consensus to move the item under the governance issues category.

Referring to the category which relates to questions to be addressed, discussion ensued regarding the various topics, and Chair Aungst confirmed with Mr. Strickland that the question relating to unclassified employees under *Section 4.01 County Administrator (c)(2)* could be moved to the clean-up category. Attorney Vose related that he has spoken with the County Attorney regarding the issue; that staff is researching the definition of unclassified employees; and that he will report back on the issue; whereupon, following brief discussion, Mr. Thomas indicated that the item will remain under the questions to be addressed category.

In response to comments by Mr. Thomas, Mr. Jennings indicated that he raised a question regarding County Referendums; whereupon, Attorney Vose confirmed that the question is whether charter amendments should only be placed on the general election ballot.

Discussion ensued regarding consolidation of public services, wherein Attorney Vose indicated that he will prepare a memorandum outlining the distinction between consolidation of services versus preemption of regulatory power so that the CRC understands what action it may be able to take; and that he will review the matter with the CRC at a future meeting.

Following discussion regarding potentially limiting the annual increase in the County's budget and looking into whether other counties were also limiting budget growth in their charters, Attorney Vose provided information regarding ways that other counties have limited growth of millage in their charters, relating that he needs additional time to research the issue, and further discussion ensued.

PRIORITIZATION AND SCHEDULE OF TOPICS/SPEAKERS FOR UPCOMING MEETINGS

Following brief comments by Mr. Thomas, Chair Aungst conducted an informal vote regarding prioritization of suggested topics to be advanced for further study; whereupon, following the votes, Mr. Thomas indicated that he and Attorney Vose will work through the clean-up issues.

OTHER BUSINESS – NONE

CONFIRM UPCOMING MEETINGS

During discussion regarding scheduling conflicts, the members agreed to cancel the November 15 and December 20 meetings and reschedule the meetings for a date prior to the end of the year, which Mr. Thomas will coordinate scheduling with members and staff.

ADJOURNMENT

Chair Aungst adjourned the meeting at 7:49 PM.