

Pinellas County Charter Review Commission
Meeting Agenda
January 22, 2024
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 27, 2023 Meeting Minutes**
- V. New Business:**
 - a. Review & Discussion Re:**
 - i. Sec. 6.02 (Charter Initiative) – Citizen Initiative Persons and Referenda – Signature Percentage and Time Period for Charter Amendment Petition Drives**
 - ii. Proposed Pinellas County Charter Amendments on General Elections vs. Other Elections**
- VI. Old Business:**
 - a. Draft Ballot and Charter Language – Charter Amendment Revising Thresholds for Appointment and Removal of County Attorney**
 - b. Initial Draft Ballot and Charter Language – County Charter Cleanup Amendment**
 - i. Remove Sec. 6.05 (Reconstitution of 2004 Charter Review Commission)**
 - ii. Remove sentence in Sec. 4.02 (County Attorney) exempting retired County Attorney from County Attorney Oversight Committee**
 - iii. Remove gender references**
 - iv. Remove Pinellas County Industry Council from Sec. 5.02 (Special Acts) – Special act repealed**
 - c. Proposed Florida House Bill 57 & Senate Bill 438 Re: Term Limits for County Commissioners**
- VII. Other Business**
- VIII. Upcoming Meetings:**
 - a. Wednesday, January 31, 2024 @ 6:00 PM**
 - b. Propose Returning to 1st & 3rd Wednesdays (Unless Quorum challenges):**
 - February 21, 2024 @ 6:00 pm**

- March 6, 2024 @ 6:00 PM
- March 20, 2024 @ 6:00 pm
- April 3, 2024 @ 6:00 pm
- April 17, 2024 @ 6:00 pm
- Note: CRC Report Deadline: NLT July 31, 2024

IX. 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 27, 2023 Meeting Minutes**

The Pinellas County Charter Review Commission (CRC), as created by Chapter 80-950, Laws of Florida, met in regular session at 6:05 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 (appeared virtually)
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
Rob Posavec, BCC Appointee (Commissioner Dave Eggers)
Mark Strickland, BCC Appointee (Commissioner Janet Long)
Mike Twitty, Property Appraiser, Constitutional Officers Appointee

Not Present

Anne-Marie Brooks, Municipal Elected Official Appointee
Terri Lipsey Scott, BCC Appointee (Commissioner René Flowers)
Ashley Overend, BCC Appointee (Commissioner Brian Scott)
Tom Steck, BCC Appointee (Commissioner Charlie Justice)

Others Present

Nancy McKibben, County Staff Liaison, Assistant to the County Administrator
Jewel White, County Attorney
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 6:05 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, David Ballard Geddis, Jr., Palm Harbor, appeared and expressed his concerns.

REVIEW/APPROVAL OF MINUTES OF NOVEMBER 1, 2023 MEETING

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

BACKGROUND/HOUSEKEEPING INFORMATION

CRC Member Email Address Migration

In order to provide the members with technical support through Business Technology Services, Mr. Thomas requested that anyone still having issues with migrating their CRC email to contact him after the meeting.

Operating Rules/Procedures and Information Regarding Public Participation in Future CRC Meetings via Zoom

Mr. Thomas discussed setting up Zoom for public participation and indicated that it is now operational, allowing citizens to appear virtually; whereupon, following brief comments and queries by Commissioner Eggers, Mr. Thomas provided clarifying comments and indicated that the intent is for the CRC to follow the same procedures used by the BCC for virtual participation, but that there was not enough time to do so prior to the meeting.

Thereupon, Chair Aungst related that members of the public wishing to appear virtually for future meetings should register on the CRC website by 5:00 PM on the business day prior to the meeting.

DISCUSSION WITH PINELLAS COUNTY ATTORNEY JEWEL WHITE REGARDING CHARTER SECTION 4.02 COUNTY ATTORNEY – PROCEDURES FOR APPOINTMENT/REMOVAL OF COUNTY ATTORNEY

Attorney Vose indicated that the members previously expressed interest in reviewing provisions in *Charter Section 4.02, County Attorney*, regarding the appointment and removal of the County Attorney; that the Board's discussions on the matter thus far have been related to the County Attorney Oversight Committee (CAOC) established by the 2016 CRC's efforts; and that there were some lingering questions regarding potentially

applying the standards for the appointment and termination of the County Administrator to the County Attorney.

Attorney White provided information on the representation that the County Attorney's Office (CAO) provides to the BCC and Constitutional Officers and indicated that Charter Section 4.02 currently does not address the requirements for terminating the County Attorney; that a majority vote from the CAOC members would likely be required for termination in the absence of any given directive; and that she believes it would be fair for the County Attorney to have the same termination-related protections as the County Administrator.

In response to comments and queries by Chair Aungst and Attorney Vose, Attorney White related that under the current Charter provisions, the BCC could terminate the County Attorney regardless of the wishes of the Constitutional Officers; and that if the intent of the CAOC is to provide Constitutional Officers with a fair footing, the CRC may want to consider modifying the procedure for termination of the County Attorney through requiring a supermajority vote from the CAOC instead of a simple majority vote or by adding a successive meeting vote requirement; whereupon, she provided clarifying comments regarding the CAOC, including its rules of procedure and methods for providing legal advice to its members, and discussion ensued.

In response to a query by Commissioner Eggers, Attorney Vose related that Florida Statutes do not define supermajority for the purpose of voting at the city and county levels, and Attorney White noted that the current Charter provisions for the County Administrator specifically identify the number of votes required for termination. In response to comments by Mr. Jennings, Commissioner Eggers indicated that establishing a specific number of votes required from the BCC and the Constitutional Officers, separately, to establish a majority and a supermajority vote for the termination of the County Attorney may be confusing on a ballot; and that designating a number of total votes required for a majority and supermajority vote may be more effective.

Chair Aungst related that issues related to pronouns will be fixed and uniform throughout the Charter, and in response to his queries, Attorney White indicated that she believes it is fair for the Constitutional Officers to have the ability to weigh in on the hiring and retention of the County Attorney, as the CAO provides them with legal representation. Regarding other thoughts or concerns related to the Charter, she remarked that a question that arises often is whether a board can have fully remote attendance; and that in an effort to reduce the number of advertisements required before an election, the Board may want to consider adjusting the Charter's requirements for advertising referendums to be more consistent with the State's requirements.

Mr. Thomas summarized the topics for the Board to potentially review based on Attorney White's comments, including aligning the procedures for the appointment and termination of the County Attorney with those for the County Administrator, identifying the number of votes required for majority and supermajority votes under *Charter Section 4.02, County Attorney*, and modifying Charter provisions related to advertisements for referendums to be more consistent with State law. Brief discussion ensued, with input by Attorney Vose; whereupon, Chair Aungst added that Attorney White mentioned that she would provide Attorney Vose with additional information regarding the State's advertising requirements.

OTHER BUSINESS – NONE

DISCUSS AND SET UPCOMING MEETINGS

During discussion regarding scheduling conflicts, the members agreed that Mr. Thomas and Ms. McKibben would coordinate with members and staff to schedule meeting dates for the next three months.

NEW BUSINESS – CRC COMMISSIONER COMMENTS

Chair Aungst related that input from the BCC and Constitutional Officers related to charter review is still welcome

In response to comments by Mr. Butler, Mr. Thomas indicated that he has been working with the County Administrator's Office to identify any potential issues impacting the County that may be caused by Charter provisions; and that the County Administrator may attend a future meeting to address the matter, as well as other topics identified by staff.

ADJOURNMENT

Chair Aungst adjourned the meeting at 6:46 PM.



GRETCHEN R.H. (“BECKY”) VOSE ‡
WADE C. VOSE†‡
NANCY A. STUPARICH
PAUL R. WATERS
GARRETT M. OLSEN
STEPHANIE M. VELO
CHLOE E. BERRYMAN

†BOARD CERTIFIED IN CITY, COUNTY &
LOCAL GOVERNMENT LAW

‡RATED AV PREEMINENT BY MARTINDALE-HUBBELL

OFFICES
WINTER PARK
FORT MYERS
BRADENTON
COCOA BEACH

M E M O R A N D U M

TO: 2024 Pinellas County Charter Review Commission
FROM: Wade C. Vose, General Counsel
DATE: January 14, 2024
SUBJECT: Background Information – Signature Percentage and Time Period for Pinellas County Charter Amendment Petition Drives

This brief memorandum provides background information concerning the signature percentage and time period applicable to petition drives to propose Pinellas County charter amendments.

Petition drives to propose Pinellas County charter amendments are governed by Section 6.02 of the charter, a copy of which is attached as Exhibit “A”. This section was amended in 2016 pursuant to a charter amendment proposed by the 2016 Pinellas County CRC. That amendment lowered the number of signed petitions necessary to propose an amendment to the Pinellas County Charter from ten (10) percent of the registered voters in the county to eight (8) percent, and expanded the length of time during which petitions can be gathered from 180 days to 240 days. The ballot title and ballot summary for that charter amendment is attached as Exhibit “B”.

All 20 Florida charter counties provide a process by which county voters may place charter amendments on the ballot by petition. An excerpt of the “County Charter Provision Comparisons – Updated December 2020” spreadsheet prepared by the Florida Association of Counties is attached as Exhibit “C”, providing a summary of the various signature percentages, time limits, and other provisions governing charter amendments by petition among the 20 charter counties.