

**Charter Review Commission  
Pinellas County  
February 26, 2024 Meeting Minutes**

The Pinellas County Charter Review Commission (CRC), as created by Chapter 80-950, Laws of Florida, met in regular session at 6:02 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)  
Dave Eggers, County Commissioner, BCC Appointee  
Todd Jennings, Public At-Large Citizen Appointee  
Terri Lipsey Scott, BCC Appointee (Commissioner René Flowers) (appeared virtually)  
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

**Not Present**

Nick DiCeglie, Pinellas County State Legislative Delegation Appointee  
Ashley Overend, BCC Appointee (Commissioner Brian Scott)

**Others Present**

Nancy McKibben, County Staff Liaison, Assistant to the County Administrator  
Julie Marcus, Supervisor of Elections  
Jewel White, County Attorney  
Wade Vose, Esquire, Vose Law Firm, CRC Legal Counsel  
Doug Thomas, Strategic Government Resources, Inc.  
Tammy Burgess, Board Reporter, Deputy Clerk  
Other interested individuals

*All documents provided to the Clerk's Office have been filed and made a part of the record.*

**CALL TO ORDER**

Chair Aungst called the meeting to order at 6:02 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 JANUARY 22, 2024 MEETING**

Mr. Butler made a motion to approve the minutes. The motion was seconded by Mr. Twitty and carried unanimously.

## **DISCUSSION WITH SUPERVISOR OF ELECTIONS JULIE MARCUS**

Following brief opening comments, including overviews of her roles as Supervisor of Elections and Canvassing Board member, Supervisor Marcus requested that the CRC establish a proposed start date for the citizen initiative petition collection process.

Chair Aungst discussed certain aspects of the Pinellas County Charter and Florida Election Code, including the method for a citizen to bring a petition to a ballot and the lack of guidance regarding when citizens should begin the petition collection process; whereupon, Commissioner Eggers provided comments related to the benefits of setting a specific date and being consistent with dates set at the State level.

Attorney White provided input regarding citizen frustration due to the lack of a more solid initiative process; whereupon, at the request of Chair Aungst, she reviewed the BCC's process for advancing to a ballot any questions that the CRC brings forward.

Following brief remarks by Chair Aungst regarding the potential burden to the Supervisor of Elections' office related to certifying citizen petition signatures, Supervisor Marcus detailed the process utilized by the State.

Attorney Vose provided information related to additions which Orange County made to its citizen initiative process in 2016, noting that these could be utilized as a point of reference. A lengthy discussion ensued; whereupon, Supervisor Marcus referenced Florida's Initiative Petition Handbook as an informational source for the CRC.

Attorney White briefly discussed Section 2-2 of the Pinellas County Code. Chair Aungst requested that Attorney Vose add this as a topic for future discussion; and indicated that

he is interested in hearing more about Orange County's citizen initiative petition process; whereupon, Supervisor Marcus indicated that Florida Statute 106.03(1)(a) addresses political committees.

In response to comments and a query by Attorney Vose, Supervisor Marcus provided information regarding ballot deadlines. Attorney White indicated that July 30 is the last BCC meeting in that month; whereupon, Attorney Vose related that while the final report is not technically due to the BCC until July 31, his preliminary advice is not to wait until that date.

In response to a query by Mr. Steck, Attorney Vose provided information regarding the difference in the processes relating to proposed amendments submitted by the CRC and the steps required for citizen initiative petitions.

Chair Aungst expressed appreciation to Supervisor Marcus, noting that all Constitutional Officers and County Commissioners have been invited to attend CRC meetings; and that the Commissioners have provided feedback through their representatives and the County Administrator's office.

## **NEW BUSINESS**

### Overview of Constitutional Concepts Relating to Transfer of Powers and Consolidation of Services, and Discussion of Relevant Pinellas County Charter Provisions

Referring to a memorandum included in the agenda packet, Attorney Vose provided an overview of the requirements for transferring powers from one jurisdiction to another within the county and discussed provisions under the Florida Constitution and Pinellas County Charter relating to transfer of powers.

### General Overview of Case Law Relating to County Charter Amendments Affecting Budget and Millage

Attorney Vose referred to a memorandum included in the agenda packet and provided an overview regarding case law involving charter counties and amendments which attempted to affect, limit, or control a budget or millage.

Ms. Brooks suggested establishing a County budget officer who would work directly with the Commissioners. Following brief discussion, she requested that the topic be brought back for further discussion; whereupon, Mr. Jennings noted that he believes there are proposed House and Senate bills related to county budget officers.

Chair Aungst requested that Attorney Vose research the proposed legislation, as well as what other counties may be doing; whereupon, Mr. Twitty provided input regarding pending legislation relating to millage caps.

Additional County-Owned Lands Designated as Environmental Lands Subject to the Protections of Section 2.07

Referencing a memorandum included in the agenda packet, Attorney Vose advised that there is no legal requirement to add newly acquired or designated environmental lands to the Charter, as Section 2.07 provides for inclusion of additional environmental lands designated by the BCC; whereupon, he pointed out that environmental lands cannot be removed from the Charter without a referendum.

**OLD BUSINESS**

Charter Amendment Lowering Signature Percentage for Charter Amendment Petition Drives

Chair Aungst referred to draft language included in the agenda packet regarding reducing the percentage required for the certification of signatures on a citizen initiative petition from 8% to 5%; whereupon, Attorney Vose requested input from the members. A brief discussion ensued, and Chair Aungst clarified that the draft language does not amend the percentage of signatures related to at-large districts.

Charter Amendment Requiring Charter Referenda on General Election Ballot Only

Chair Aungst indicated that the proposed ballot language would eliminate the BCC's ability to schedule special elections for referenda, whether initiated by the BCC itself or by citizen initiative.

In response to a query by Commissioner Eggers, Mr. Thomas indicated that a majority vote of the CRC members present is required to move an item forward at the time of discussion; that an issue that is initially voted down could be reconsidered utilizing Robert's Rules of Order; and that an affirmative vote of the majority of the full membership is required for approval of the final report; whereupon, Attorney Vose spoke briefly regarding public hearing requirements.

Charter Amendment Revising Publication Requirements for County Charter Amendment Referenda to Conform to the Florida Election Code

Chair Aungst, with input by Attorney Vose, indicated that the proposed ballot language removes some additional notice requirements contained in the Charter in order to conform with the Florida Election Code.

Two Options for Charter Amendment Revising Thresholds for Appointment and Removal of County Attorney

Chair Aungst, with input by Attorney Vose, discussed the two options related to voting thresholds, including that Option A proposes a higher supermajority vote than Option B.

Mr. Steck and Commissioner Eggers indicated that the citizens previously voted to ensure that the Constitutional Officers have a voice regarding the choice of a County Attorney; whereupon, following a discussion regarding the two proposed options, Chair Aungst requested that the item be brought back for further discussion.

Proposed Florida Legislature Bills Regarding Term Limits for County Commissioners

Mr. Thomas provided a brief update, with input by Attorney Vose, regarding pending legislation addressing term limits. In response to comments and queries by the members, they discussed previous and current draft versions, progress of the current proposed legislation, and potential impacts; whereupon, Chair Aungst suggested that an update be given following the close of the current legislative session.

**OTHER BUSINESS – NONE**

**UPCOMING MEETINGS**

Chair Aungst indicated that the next CRC meeting is scheduled for Wednesday, March 6 at 6:00 PM. Following a brief discussion regarding conflicts with upcoming meeting dates, Chair Aungst requested that Mr. Thomas correspond with the members via email in order to resolve the issues.

**CRC COMMISSIONER COMMENTS**

Mr. Steck proposed the completion of budget comparisons to show the costs of maintaining individual cities as separate entities versus being part of the County, and that the information could be provided to the citizens.

**ADJOURNMENT**

Chair Aungst adjourned the meeting at 7:51 PM.