

CAPTIONING
APRIL 30, 2010
CHARTER REVIEW BOARD

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***following meeting. It should be used for informational
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***that did not translate.

>>MITCHELL THROWER: GOOD MORNING.

I WANT TO CALL THIS CHARTER REVIEW BOARD MEETING TO ORDER.
PLEASE RISE.

MR. PRESEAU IS GOING TO LEAD US IN THE PLEDGE OF
ALLEGIANCE.

[PLEDGE OF ALLEGIANCE]

NEXT UP WE HAVE PUBLIC COMMENT.

WE HAVE MR. AL DAVIS.

GOOD MORNING.

>> GOOD MORNING, MR. CHAIRMAN AND OTHER MEMBERS OF THE
CHARTER REVIEW BOARD ON THIS BRIGHT --

>>MITCHELL THROWER: PLEASE INTRODUCE YOURSELF.

>> AL DAVIS, 3717 EAST WILDER AVENUE 33610, CITY OF TAMPA.

I'M HERE THIS MORNING, MR. CHAIRMAN, BECAUSE I DO HOPE THAT
BY THE TIME THAT THIS CHARTER REVIEW BOARD COMPLETES ITS
WORK IT WILL PRESENT TO THE CITIZENS OF HILLSBOROUGH COUNTY
A CLEAR DOCUMENTATION ON THE DIVISION BETWEEN THE
LEGISLATIVE BRANCH OF THIS COUNTY AS WELL AS THE EXECUTIVE

BRANCH.

AS YOU KNOW, THE LEGISLATIVE BRANCH HAS CO-OPED, HAVE TAKEN AWAY FROM THE EXECUTIVE BRANCH THAT SEPARATION OF POWER, AND THE INTRUSION OF ONE BRANCH INTO THE OTHER IS NOT GOOD FOR GOOD ADMINISTRATION FOR NUMBER ONE, AND I WOULD HOPE THAT THIS CHARTER REVIEW BOARD SESSION WILL ALLOW YOU TO TAKE A CAREFUL LOOK AT THAT AND FIX IT, AND IN FIXING IT, I THINK WE WILL HAVE BETTER GOVERNANCE.

THERE'S TWO THINGS THAT I'M CONCERNED ABOUT, MR. CHAIRMAN AND MEMBERS.

THE LEGISLATIVE BRANCH HAS CO-OPED THE EXECUTIVE BRANCH BY TAKING AWAY ITS ATTORNEY.

THE LEGISLATIVE BRANCH HAS CO-OPED THE EXECUTIVE BRANCH BY CREATING THIS SO-CALLED PERFORMANCE AUDI.

YOUR CLERK OF COURT IS YOUR AUDITOR, AND THE LAST TIME I LOOKED AT CHAPTER 28 OF THE CIRCUIT COURT PROVISION, IT SAID THAT THE CLERK HAS RESPONSIBILITY FOR YOUR MINUTES OR FOR YOUR RECORDS AND AS YOUR ACCOUNTANT, AND SO WE DON'T NEED A SEPARATE ENTITY UNDER THE CONTROL OF THE LEGISLATIVE BRANCH FOR THAT PURPOSE.

SO I'M GOING TO BE LOOKING FORWARD TO IT, MR. CHAIRMAN.

I AWAIT ANXIOUSLY TO SEE JUST WHAT THIS CHARTER REVIEW BOARD WILL COME UP.

THANK YOU AND BEST WISHES.

>>MITCHELL THROWER: THANK YOU.

NEXT UP ON OUR AGENDA, WE -- ACTUALLY, I'D LIKE TO HAVE EACH OF THE BOARD MEMBERS INTRODUCE THEMSELVES, STARTING WITH COMMISSIONER PLATT, AND GIVE THE NAME OF THE COMMISSIONER THAT APPOINTED YOU.

>>JAN PLATT: JAN PLATT, AND I'VE BEEN APPOINTED BY ROSE FERLITA.

>>JOSEPH ROBINSON: JOE ROBINSON, AND I'VE BEEN APPOINTED BY KEVIN WHITE.

>>JAMES TOKLEY: JAMES TOKLEY, AND I'M ATTEMPTING TO RECALL WHO APPOINTED ME.

>>JAN PLATT: KEVIN BECKNER.

>>JAMES TOKLEY: KEVIN BECKNER.

>>MITCHELL THROWER: MITCH THROWER.

I WAS APPOINTED BY COMMISSIONER HAGAN.

>>GREG PRESEAU: GREG PRESEAU.

I WAS APPOINTED BY AL HIGGINBOTHAM.

>>GERALD WHITE: GERALD WHITE, APPOINTED BY COUNTYWIDE COMMISSIONER MARK SHARPE.

>>BETH LEYTHAM: BETH LEYTHAM, APPOINTED BY COMMISSIONER SHARPE.

>>DAVID SULLIVAN: DAVID SULLIVAN, APPOINTED BY COMMISSIONER HIGGINBOTHAM.

>>JOE AMON: JOE AMON, APPOINTED BY COMMISSIONER NORMAN.

>>MITCHELL THROWER: OKAY.

I JUST WANTED TO MENTION FOR THE RECORD, EDITH STEWART WAS

CONTACTED OR NOTIFIED BY MRS. GRIMES, MRS. REBACK, AND MR. FISHER THAT THEY WILL NOT BE IN ATTENDANCE TODAY.

THEY'RE UNABLE TO ATTEND TODAY'S MEETING.

ALSO, MR. REDDICK IS FLYING IN, SO HE'S GOING TO BE RUNNING A LITTLE BIT LATE, SO I JUST WANTED TO MENTION THAT FOR THE RECORD.

ALSO, I WANTED TO -- WELL -- THAT'S IT.

I JUST WANTED TO MENTION IF ANY OF YOU ARE GOING TO BE MISSING A MEETING, IF YOU CAN NOTIFY EDITH, WE CAN AT LEAST READ IT INTO THE RECORD THAT YOU HAVE NOTIFIED US THAT YOU ARE UNABLE TO ATTEND FOR WHATEVER REASON.

SO NEXT UP, RECEIVING OF THE CLERK'S OFFICIAL MINUTES. EVERYONE SHOULD HAVE RECEIVED A COPY OF THE APRIL 12th MINUTES FROM THE CLERK'S OFFICE.

>>GERALD WHITE: MAKE A MOTION TO APPROVE.

>> SECOND.

>>MITCHELL THROWER: OKAY.

DO WE HAVE A SECOND?

ANY DISCUSSION?

ACTUALLY, I DO HAVE ONE ITEM THAT I NOTICED.

ON PAGE 3, UNDER MR. BARNES' COMMENTS, IT HAS NOTED FIVE AUDITS/STUDIES COMPLETED.

I BELIEVE -- IF YOU COULD CHECK TO SEE, I BELIEVE IT WAS NOTED FIVE AUDITS AND FIVE STUDIES, SO IT WOULD -- BECAUSE THIS IMPLIES IT'S FIVE AUDITS AND STUDIES TOTAL.

I BELIEVE IT'S FIVE AUDITS AND FIVE -- AND FIVE STUDIES.
THE WAY YOU WORDED IT, IT SAID FIVE AUDITS AND POSSIBLY
FIVE STUDIES, SO --

>> YES, SIR, MR. CHAIRMAN.

WE'RE AWARE OF THE ISSUE, THE MANAGER HAS REVIEWED IT, AND
WE'LL MAKE THAT CHANGE.

>>MITCHELL THROWER: OKAY.

SO CAN YOU AMEND YOUR MOTION TO BE -- TO RECEIVE THE
MINUTES AS APPROVED -- AS CORRECTED?

>>GERALD WHITE: YES, THAT THE MOTION REQUEST A CHANGE.

>> SECOND.

>>MITCHELL THROWER: SECOND?

ALL IN FAVOR PLEASE RAISE YOUR RIGHT HAND.

ANYONE OPPOSED?

THOSE MOTIONS ARE APPROVED UNANIMOUSLY.

OKAY.

NEXT UP -- WELL, WE HAVE A TIME CERTAIN FROM MR. WHITE FROM
THE FLORIDA CITY AND COUNTY MANAGEMENT ASSOCIATION AT 9:30.
PRIOR TO HIM COMING, I WOULD LIKE TO MENTION A COUPLE
ITEMS.

EVERYBODY SHOULD HAVE RECEIVED A COPY OF THE RULES OF
ORDER, AND I JUST WANTED TO MENTION -- LET ME PULL OUT MY
RULES OF ORDER REAL QUICK.

SINCE EVERYONE WAS PROVIDED RULES OF ORDER, I THINK IT'S
IMPORTANT THAT WE ALL FOLLOW THEM, AND AS CHAIRMAN, I WANT

TO MAKE SURE I COMPLY WITH THE RULES OF ORDER TOO.

SPECIFICALLY, I WANTED TO -- I'VE GOT SOME NOTES -- TO MENTION RULE 4, PRESIDING OFFICER.

AS CHAIR, I CAN REFUSE TO RECOGNIZE FRIVOLOUS OR DILATORY MOTIONS.

I JUST WANT YOU GUYS TO KNOW THAT.

I'M GOING TO TRY TO ENFORCE THAT FROM NOW ON BECAUSE WE HAVE -- AND I JUST WANT TO STRESS WE HAVE SO MUCH THAT WE NEED TO COVER AND WE HAVE SO MANY SPEAKERS THAT WE'VE INVITED, I THINK IT'S CRITICAL THAT WE KEEP TO THE TOPIC OF CHARTER REVIEW BOARD, OF LOOKING AT THE CHARTER AND LOOKING AT ISSUES THAT IMPACT THE CHARTER.

I THINK THAT'S CRITICAL, SO BASICALLY UNDER RULE 4, I'M -- LETTER "G" -- AND I THINK IT'S ALL IMPORTANT, BUT LETTER "G," REFUSING TO RECOGNIZE FRIVOLOUS AND DILATORY MOTIONS AND ALSO REFUSING TO RECOGNIZE MOTIONS OUT OF ORDER, LETTER "H."

ALSO LETTER "C," AS CHAIR I HAVE THE RESPONSIBILITY FOR RECOGNIZING MEMBERS OF THE BOARD TO SPEAK, AND I THINK AS A BOARD WE'VE BEEN COMPLYING WITH THAT PRETTY GOOD, BUT I THINK IT'S IMPORTANT AS A BOARD WE DO.

MR. TOKLEY.

>>JAMES TOKLEY: MR. CHAIRMAN, MIGHT I ASK --

>>MITCHELL THROWER: YES.

>>JAMES TOKLEY: -- THE DEFINITION OF THE TERMS "FRIVOLOUS"

AND "DILATORY" FOR THE RECORD.

>>MITCHELL THROWER: WHEN I SEE DILATORY, IF SOMEBODY IS JUST BRINGING UP A MOTION THAT WE'VE ALREADY DISCUSSED OR IT JUST -- IT SEEMS LIKE IT'S JUST, YOU KNOW, REHASHING THE SAME OLD THING AND JUST TAKING UP TIME, I MEAN, I THINK THAT'S WHERE DILATORY -- AND FRIVOLOUS IS THE SAME.

FRIVOLOUS IS KIND OF A JUDGMENT CALL.

AS CHAIRMAN I'M NOT GOING TO TRY TO RESTRAIN OR SUPPRESS SPEECH BECAUSE I WANT EVERYBODY TO HAVE A FAIR OPPORTUNITY TO SPEAK ON TOPICS.

I JUST DON'T WANT TO SIT HERE AND REHASH THE SAME THING OVER AND OVER AND OVER AGAIN BECAUSE I'M AFRAID WE WON'T -- WE WON'T -- AT THE VERY END OF THIS YEAR, YOU KNOW -- WE HAVE A SET SCHEDULE.

AT THE END OF THIS YEAR, IF WE CONTINUE TO DO THAT, WE'RE GOING TO FIND OURSELF SHORT ON TIME.

>> SO THE CHAIRMAN WOULD DEFINE?

>>MITCHELL THROWER: YES.

LIKE I SAID, I DON'T EXPECT -- MY INTENTION IS NOT TO SUPPRESS SPEECH, I MEAN, YOU KNOW.

I JUST WANT TO MAKE SURE THAT I FEEL -- IF I FEEL LIKE WE'RE REHASHING THE SAME THING, I'M GOING TO -- I'M GOING TO JUST SUGGEST THAT WE MOVE ON, SO MR. WHITE.

>>GERALD WHITE: YES, MR. CHAIRMAN.

I DON'T KNOW IF YOU WERE PROVIDED WITH ROBERT'S RULES OF

ORDER, NEW EDITION, BUT I BELIEVE IN OUR RULES WE ARE TO ABIDE BY THE ROBERT'S RULES OF ORDER, AND IF YOU HAVEN'T BEEN GIVEN A COPY BY THE COUNTY, I WOULD REQUEST THAT YOU RECEIVE A COPY OF THE ROBERT'S RULES OF ORDER.

>>MITCHELL THROWER: ACTUALLY, RULE 2 SPECIFICALLY SAYS THE ROBERT'S RULES OF ORDER, NEWLY REVISED, ARE ADOPTED AS PARLIAMENTARY AUTHORITY FOR THE CONDUCT OF ALL MEETINGS OF THE BOARD EXCEPT WHEN THEY ARE INCONSISTENT WITH THESE RULES OF ORDER OR ANY OTHER PROVISIONS OF THE LAW WHICH APPLY TO THIS BOARD, SO THAT'S RULE 2, SO THESE --

>>GERALD WHITE: HAVE YOU RECEIVED A COPY?

>>MITCHELL THROWER: YES.

WELL, I HAVE MY OWN COPY THAT I BOUGHT LAST CHARTER REVIEW BOARD MEETING.

>>GERALD WHITE: OKAY.

WELL, YOU KNOW, WE ALL RESPECT THE CHAIR AND WE --

>>MITCHELL THROWER: YEP.

>>GERALD WHITE: WE ELECTED YOU CHAIR, AND WE EXPECT YOU TO CHAIR THE MEETING, AND SO HOPEFULLY YOU WON'T HAVE ANY PROBLEMS.

>>MITCHELL THROWER: I DON'T EXPECT TO.

I JUST -- LIKE I SAID, I JUST WANT TO BE -- I WANT TO MOVE THE MEETINGS ON AND KEEP US ON TOPIC AND FOCUSED, AND LIKE I SAID, I DON'T WANT TO SUPPRESS ANYONE'S SPEECH.

>>GERALD WHITE: WELL, I SHARE YOUR FEELINGS ABOUT MOVING

THE MEETING ALONG AND GETTING TO THE COMPREHENSIVE STUDY OF THE CHARTER.

>>MITCHELL THROWER: I DO WANT TO STATE RULE 2 SPECIFICALLY SAYS IF THERE IS A CONFLICT BETWEEN THESE -- OUR RULES AND ROBERT'S RULES, THESE TAKE -- THESE WOULD BE WHAT I WOULD COMPLY WITH.

>>GERALD WHITE: AND THE ONLY THING RELATED TO ORDER OF MEETINGS THAT -- THAT CITIZENS HAVE SHARED A CONCERN TO ME ABOUT IS WHEN THERE IS A CALL FOR A POINT OF ORDER.

THE WAY I UNDERSTAND THE ROBERT'S RULES, WE ALL ARE TO STOP AND YOU ARE TO RULE ON THE CALL OF ORDER, AND SO IT'S YOUR CALL ONCE THAT PERSON -- BOARD MEMBER HAVE MADE -- MADE THAT, AND SO I WOULD REQUEST AS A MEMBER THAT EVERYONE RESPECT THE CHAIR TO RULE WHEN THERE'S BEEN A CALL FOR ORDER, AND SO --

>>MITCHELL THROWER: OKAY.

AND I'LL TELL YOU, I'M NOT AN EXPERT ON PARLIAMENTARY PROCEDURE.

I'M LEARNING.

I MEAN, I'VE HAD EXPERIENCE.

THIS IS THE MOST FORMAL BOARD I'VE SERVED ON, AND I'VE SERVED ON A NUMBER OF BOARDS.

THIS IS MORE FORMAL THAN YOUR SPECIAL TAXING DISTRICT THAT I WAS PRESIDENT OF, INSTITUTE OF INTERNAL AUDITORS, LOCAL CHAPTER, THAT I WAS INVOLVED IN.

THIS IS A MORE FORMAL BOARD, SO IF I HAVE TO ASK ATTORNEYS OR LEGAL STAFF'S OPINIONS AT TIMES, YOU KNOW, I WILL, BUT LIKE I SAID, I'M NOT AN EXPERT ON PARLIAMENTARY PROCEDURE AND I'M THE FIRST TO ADMIT THAT, SO -- COMMISSIONER PLATT.

>>JAN PLATT: WELL, AND MR. CHAIRMAN, IF ANYONE FEELS THREATENED BY YOUR RULING AT ANY TIME, THEY CAN ALWAYS MOVE TO OVERRULE --

>>MITCHELL THROWER: YES.

>>JAN PLATT: -- OVERRULE THE CHAIR, AND IT WOULD TAKE A SECOND, AND EVERYBODY COULD VOTE.

THAT'S IN ROBERT'S RULES OF ORDER, SO YOU DON'T HAVE TO FEEL THREATENED.

>>MITCHELL THROWER: LIKE I SAID, I'M NOT EXPECTING -- I DON'T WANT TO SUPPRESS ANYONE'S SPEECH.

I WANT US TO COMMUNICATE AND HAVE A GOOD CONVERSATION ON EVERY TOPIC.

THAT'S MY INTENTION, AND I WANT TO MAKE SURE WE HEAR FROM THE PUBLIC WHEN THE PUBLIC'S HERE, SO -- MR. ROBINSON.

>>JOSEPH ROBINSON: YEAH.

ON THIS ITEM 6, MR. WHITE TIME CERTAIN AT 9:30, HOW ARE WE GOING TO HANDLE THAT?

HE'S GOING TO PRESENT, AND HOW MUCH TIME ARE WE GOING TO HAVE FOR ASKING QUESTIONS IF WE'RE GOING TO BE ABLE TO ASK QUESTIONS AT ALL?

>>MITCHELL THROWER: WE HAVE -- MR. WHITE IS TIME CERTAIN

AT 9:30.

WE HAD -- MR. PORTER WAS SCHEDULED TO SPEAK AFTER MR. WHITE.

HE WAS -- HE GOT CALLED TO I BELIEVE A TRIAL AT THE LAST MINUTE.

I BELIEVE HE NOTIFIED EDITH YESTERDAY, SO WE DO HAVE MORE TIME AVAILABLE.

>>JOSEPH ROBINSON: SO THAT'S A CHANGE IN THE AGENDA, SO ITEM 7 IS NO LONGER ON THE AGENDA?

>>MITCHELL THROWER: ON THIS -- YEAH.

IF YOU HAVE A COPY OF THE OLD ONE, MR. PORTER IS NO LONGER ON THAT.

>>JOSEPH ROBINSON: OKAY.

>>MITCHELL THROWER: AND THE NEXT TIME CERTAIN IS 11:00, MS. -- THE CLERK OF THE COURT, PAT FRANK, SO WE DO HAVE A LITTLE MORE TIME, AND I WOULD EXPECT THAT WE PROBABLY WOULD HAVE QUITE A FEW QUESTIONS FOR THE FLORIDA CITY AND COUNTY MANAGER, THE REPRESENTATIVE FROM THEIR GROUP, SO WE WILL HAVE MORE TIME ALLOWED TO DEDICATE, AND AS CHAIR, MY SUGGESTION IS -- I THINK WE VOTED ON TEN MINUTES PER PERSON.

WE HAVE A LITTLE BIT MORE TIME HERE.

IF THEY WANT TO GO ON, MY THOUGHT IS WE MAY WANT TO LET THEM GO ON SINCE WE HAVE THE NEXT TIME CERTAIN AT 11:00, JUST SINCE WE HAVE AN HOUR AND A HALF BETWEEN THE TWO, SO -

- MRS. STEWART.

>>EDITH STEWART: MEMBERS, I'VE HAD A REQUEST THAT YOU-ALL TAKE SPECIAL CARE TO SPEAK INTO THE MICROPHONE. IT'S NOT BROADCASTING YOUR WORDS UNLESS YOU DO SO. THANK YOU.

>>MITCHELL THROWER: OKAY.

COMMISSIONER PLATT.

>>JAN PLATT: YOU KNOW, AND MR. CHAIRMAN, SINCE YOU DO HAVE THAT CANCELLATION, ITEM 7 WITH PAT FRANK AND DAN, THE DIRECTOR OF COUNTY AUDIT, THAT COULD EVEN PROBABLY BE MOVED UP BY GIVING THEM A SIMPLE PHONE CALL SO THAT WE DON'T HAVE TO STAY HERE LONGER THAN, YOU KNOW -- WE DON'T HAVE TO SIT AND THINK UP STUFF TO TALK ABOUT BETWEEN 9:30 AND 11:00. AND I THINK WE COULD MAYBE DO THAT RIGHT NOW.

>>MITCHELL THROWER: I COULD SEE IF -- MRS. STEWART, CAN YOU CHECK TO SEE IF THEY POSSIBLY COULD COME A LITTLE BIT EARLIER?

THANK YOU.

GOING DOWN THE RULES OF ORDER -- AND IF ANYONE HAS ANY QUESTIONS, DON'T HESITATE TO STOP ME.

THE ONES -- THE NEXT RULE OF ORDER THAT I THOUGHT WAS IMPORTANT -- I MEAN, I THINK THEY'RE ALL IMPORTANT, BUT I WANTED TO MENTION NUMBER 7, BASICALLY NO MATTER MAY BE OFFICIALLY ACTED UPON THE BOARD UNLESS A MOTION HAS BEEN MADE BY A BOARD MEMBER TO TAKE SUCH ACTION AND SAID MOTION

HAS BEEN SECONDED BY ANOTHER BOARD MEMBER.

I WANT TO MAKE SURE WE FOLLOW THAT, AND I THINK WE HAVE,
BUT I JUST WANTED TO STRESS THAT.

I ALSO WANTED TO STRESS THAT IN THE PAST MEETINGS I HAVE
NOT ALLOWED FOR RECESS.

IF ANYONE -- I'LL TELL YOU, HONESTLY I GET TALKING AND WE
START THE MEETING, AND, YOU KNOW, I'M -- SOMETIMES I FORGET
ABOUT THE RECESS.

IF ANYONE FEELS LIKE WE SHOULD JUST HAVE AN AUTOMATIC
RECESS AT AN HOUR AND A HALF, LET ME KNOW, AND -- ANY
DISCUSSION ON THAT?

IF YOU THINK WE SHOULD HAVE AN HOUR AND A HALF RECESS, I
COULD JUST HAVE AN HOUR AND A HALF RECESS -- NOT AN HOUR AN
A HALF, TEN-MINUTE RECESS AFTER WE MEET FOR AN HOUR AND A
HALF AT EVERY MEETING AUTOMATICALLY.

I JUST -- I'LL TELL YOU HONESTLY, I START WORKING, AND, YOU
KNOW, SOME OF OUR MEETINGS LAST TWO HOURS AND I'M KIND OF -
- MY THOUGHT IS IF WE CAN FINISH WITHIN TWO HOURS AND GO --
MY PERSONAL OPINION, UNLESS WE NEED TO, I WOULD PREFER TO
JUST WORK THROUGH THE TWO HOURS AND THEN WE CAN ADJOURN,
BUT --

>>JAMES TOKLEY: MR. CHAIRMAN.

>>MITCHELL THROWER: YES, MR. TOKLEY.

>>JAMES TOKLEY: I WOULD SUGGEST THAT A TEN-MINUTE RECESS
IS ALWAYS GOOD.

>>MITCHELL THROWER: ALWAYS GOOD?

>>JAMES TOKLEY: IT'S ALWAYS GOOD TO ALLOW ONE TO RECOLLECT ONE'S THOUGHTS.

>>MITCHELL THROWER: OKAY.

ANY OTHER COMMENTS CONCERNING THAT?

ACTUALLY, IF THERE'S NO OTHER COMMENTS, I'LL JUST AUTOMATICALLY AT -- IF WE START AT 6:00 SIX, THE EVENING MEETINGS, AT 7:30 I'LL CALL A TEN-MINUTE RECESS.

IF WE GET BACK EARLIER, WE CAN START BACK EARLIER, BUT JUST SO EVERYONE CAN HAVE A CHANCE TO TAKE A BREAK.

MR. WHITE.

>>GERALD WHITE: I HAVE A QUESTION ABOUT THE AGENDA.

IT'S NOT GOING TO BE STANDARD THAT THE COUNTY ATTORNEY BE -- AND THE STAFFPERSON BE PLACED ON THE AGENDA JUST IN CASE WE HAVE AN ISSUE?

>>MITCHELL THROWER: WELL, THE COUNTY -- THE REPRESENTATIVE FROM THE COUNTY ATTORNEY'S OFFICE AND STAFFPERSON ARE ALWAYS AVAILABLE.

MY THOUGHT IS -- I MEAN, UNLESS WE HAVE SOMETHING FORMAL WE WANT TO ASK THEM, WE CAN ALWAYS CALL THEM UP AND ASK THEM QUESTIONS.

>>GERALD WHITE: WELL, YOU KNOW, WHAT I'M SAYING IS EVERYTHING HAS A SLOT HERE, AND AT LEAST YOU NEED TO HAVE THE COUNTY ATTORNEY AND THE STAFFPERSON ON THE AGENDA OR --

>>MITCHELL THROWER: FOR AN UPDATE OR SOMETHING, COUNTY

ATTORNEY UPDATE, STAFF UPDATE?

>>GERALD WHITE: AND WE HAVE AN OPPORTUNITY TO RAISE A QUESTION, OR YOU AT LEAST NEED TO HAVE NEW BUSINESS ON THE AGENDA.

HOW ARE WE GOING TO INTRODUCE NEW ISSUES AND CONCERNS IF THERE'S NO PLACE ON THE AGENDA IN WHICH WE ARE TO DO IT?

>>MITCHELL THROWER: I'LL TALK TO EDITH ABOUT ADDING A NEW BUSINESS LINE FOR THE AGENDA IN THE FUTURE.

>>GERALD WHITE: I WOULD LIKE TO MAKE THAT DECISION NOW THAT WE HAVE A SPOT FOR NEW BUSINESS AND HAVE THE COUNTY ATTORNEY AND THE STAFFPERSON ON THE AGENDA.

>>JAN PLATT: NEW AND OLD BUSINESS.

>>GERALD WHITE: NEW AND OLD BUSINESS.

>>JAN PLATT: IF THAT'S A MOTION, I'LL SECOND IT.

>>GERALD WHITE: THAT'S A MOTION.

>>JAN PLATT: I'LL SECOND IT.

>>MITCHELL THROWER: WE'VE GOT A MOTION.

ANY DISCUSSION ON ADDING ROUTINELY ON A REGULAR BASIS NEW AND OLD BUSINESS ON THE AGENDA?

ANY DISCUSSION?

ALL IN FAVOR RAISE YOUR RIGHT HAND.

OKAY.

WE'LL MAKE SURE WE ADD THAT.

THANK YOU, MR. WHITE.

>>GERALD WHITE: OKAY.

>>MITCHELL THROWER: OKAY.

LET ME JUST CONTINUE.

WE STILL HAVE FIVE MINUTES, AND THERE ARE A COUPLE OTHER ITEMS I WANTED TO MENTION ON RULES OF ORDER, AND IF ANYONE ELSE HAS ANY ADDITIONAL COMMENTS THAT THEY WANT TO MENTION, PLEASE -- OR ANY ADDITIONAL RULES THAT THEY WANT TO DISCUSS, PLEASE CHIME IN.

THE NEXT ITEM I WANTED TO MENTION WAS RULE NUMBER 11.

THIS BASICALLY IS SCHEDULING OF AGENDA ITEMS.

AT EACH MEETING -- JUST AS MR. WHITE HAS MENTIONED, AT EACH MEETING -- WELL, THIS IS THE AGENDA, BUT AT EACH MEETING, IF YOU WANT SOMEBODY ADDED -- OR SOMETHING ADDED TO A FUTURE AGENDA, WE CAN MAKE A MOTION, AND IF IT'S SECONDED AND APPROVED, WE CAN ADD IT TO A FUTURE AGENDA.

IF YOU THINK OF SOMETHING BEFORE -- YOU KNOW, IF WE HAVE TWO WEEKS BETWEEN MEETINGS, YOU CAN COMMUNICATE WITH EDITH IF THERE'S SOMETHING YOU'D LIKE TO BE ADDED TO THE AGENDA FOR A FUTURE MEETING AS LONG AS IT'S ONE WEEK IN ADVANCE.

IF I SEE IT AND IT -- YOU KNOW, I FEEL IT'S APPROPRIATE TO ADD IT TO THE AGENDA, WHICH I SAID IN MOST CASES I'M GOING TO ADD IT UNLESS IT'S SOMETHING THAT'S NOT EVEN RELATED TO THE CHARTER.

I MEAN, IF IT'S NOT RELATED TO THE CHARTER, THERE'S A GOOD CHANCE I'M NOT GOING TO ADD IT, BUT IF IT'S RELATED TO THE CHARTER, I'LL ADD IT.

I JUST WANTED TO COMMUNICATE THAT BECAUSE I THINK IT WILL HELP IN TERMS OF CORRESPONDENCE, BUT IF YOU HAVE AN ITEM, GET IT TO EDITH AT LEAST A WEEK BEFORE THE NEXT MEETING AND SHE'LL COMMUNICATE WITH ME, AND WE'LL LOOK AT ADDING ANY ISSUES THAT YOU'D LIKE ADDED TO THE AGENDA, SO --

>>GERALD WHITE: RELATED TO THE AGENDA AND OUR GUEST SPEAKERS, WASN'T THERE SUPPOSED TO BE A FLOW CHART OF SCHEDULED SPEAKERS THAT WE WERE SUPPOSED TO RECEIVE BECAUSE IT'LL BE A GREAT HELP TO ME AS FAR AS PLANNING.

>>MITCHELL THROWER: WE -- I'LL TELL YOU.

ACTUALLY, EDITH HAS BEEN SENDING LETTERS OUT.

SOME OF THE INDIVIDUALS SHE'S HAD DIFFICULTY CONTACTING.

SHE'S -- I MEAN, IT'S -- AS YOU CAN IMAGINE, COMMUNICATING WITH INDIVIDUALS, SENDING LETTERS, COMMUNICATING, SCHEDULING EVERYBODY, AND THEN -- LIKE, YOU KNOW, YOU GET CANCELLATIONS TOO.

SHE'S HAD SOME ISSUES.

LIKE MR. DAWSON SHE'S STILL TRYING TO REACH.

SHE'S COMMUNICATED THAT TO ME.

SHE'S STILL TRYING TO REACH HIM.

WE DON'T HAVE -- WHAT I'M TRYING TO SAY, BASICALLY WE DON'T HAVE OUR SCHEDULE SET OUT COMPLETELY.

WE'VE GOT A LOT OF LETTERS OUT THERE, AND PERSONALLY I THINK EDITH HAS BEEN DOING A GREAT JOB TRYING TO COMMUNICATE AND SCHEDULE EVERYBODY, BUT IT'S KIND OF A WORK

IN PROCESS, AND WE ARE TRYING TO MAKE IT SOMEWHAT NOT CONSISTENT, BUT WE'RE TRYING TO HAVE SOME STRUCTURE IN TERMS OF WHO WE INVITED ON CERTAIN DAYS.

AS YOU'LL SEE, AS WE MOVE FORWARD, THAT MAY NOT ALWAYS BE THE CASE.

WE MAY HAVE, YOU KNOW, MAYOR OF ONE OF THE -- ONE OF THE LOCAL MAYORS AND A COUNTY COMMISSIONER ON A DAY OR WHATEVER; WHEREAS, MY INTENTION ORIGINALLY WAS TO HAVE ALL THE MAYORS COME AT THE SAME TIME, MAYOR OF TEMPLE TERRACE, MAYOR OF PLANT CITY, AND MAYOR OF TAMPA COME AT THE SAME TIME AT THE SAME MEETING.

I THOUGHT THAT WOULD BE A GOOD WAY OF RUNNING THE MEETING, BUT THAT MAY NOT BE THE CASE IN THE END.

>>GERALD WHITE: MR. CHAIRMAN, AS --

>>MITCHELL THROWER: YES, MR. WHITE.

>>GERALD WHITE: -- AS IT RELATES TO MAYOR PAM IORIO -- AND I WANTED TO SAY FOR THE RECORD AND FOR THE PRESS THAT I HAD A TALK WITH MAYOR PAM IORIO, AND HISTORICALLY SINCE SHE'S LEFT A COUNTY POST, SHE HAS JUST TOLD THE CHARTER REVIEW BOARD THAT, YOU KNOW, SHE'S TESTIFIED BEFORE THE CHARTER REVIEW BOARD IN THE PAST AND JUST REFLECT ON THAT RECORD, AND HER POSITION HAS NOT CHANGED, BUT I TALKED WITH THE MAYOR PERSONALLY, AND I TOLD HER THAT I REALLY PERSONALLY WANTED HER TO COME BEFORE THE CHARTER REVIEW BOARD FOR A DEEP CONCERN THAT I HAVE RELATED TO THE AFRICAN-AMERICAN

CITIZENS IN THAT THE AFRICAN-AMERICAN CITIZENS OF HILLSBOROUGH COUNTY REALLY TRUST HER AND RESPECT HER JUDGMENT AND WHAT SHE HAD TO SAY RELATED TO THE ISSUES THAT WE FACE TODAY WAS IMPORTANT, EXTREMELY IMPORTANT TO ALL OF THE CITIZENS, BUT -- AND SO I REALLY WANTED HER TO COME BEFORE THE CHARTER REVIEW BOARD.

I ASKED HER PERSONALLY TO COME, AND SO SHE JUST WANTED ME TO MAKE THAT CLEAR THAT SHE WAS GOING TO COME, BUT SHE WAS COMING, OF COURSE, AT THE GENERAL INVITATION OF THE CHARTER REVIEW BOARD BUT SPECIFICALLY BECAUSE I HAD REQUESTED HER TO COME BECAUSE I WANTED HER TO ADDRESS SOME CONCERNS RELATED TO THE AFRICAN-AMERICAN CITIZENS OF HILLSBOROUGH COUNTY, SO SHE HAS AGREED TO COME.

SO EDITH, WOULD YOU MAKE SURE YOU SCHEDULE IT WITH HER OFFICE FOR HER TO COME BEFORE THE CHARTER REVIEW BOARD?

>>MITCHELL THROWER: EDITH IS DOING THAT, SO -- ANY OTHER DISCUSSION?

WE'VE GOT, IT LOOKS LIKE, TWO MINUTES BEFORE MR. -- LET'S SEE WHO THE -- MR. WHITE -- MR. JOHN WHITE IS SCHEDULED IN A COUPLE MINUTES TO COME.

HE'S GOING TO BE REPRESENTING THE FLORIDA --

>>JAN PLATT: [INAUDIBLE]

>>MITCHELL THROWER: IS HE HERE?

OH, MR. WHITE.

>>JAN PLATT: THAT'S HIM.

>>MITCHELL THROWER: ARE THERE ANY OTHER DISCUSSIONS BEFORE I INTRODUCE MR. WHITE?

>>GERALD WHITE: I DID HAVE SOMETHING THAT WILL HELP RELATED TO COMMUNICATION.

YOU KNOW, I NOTICE ON THE COMMISSION MEETINGS THEY SCROLL INFORMATION AND ANNOUNCEMENTS AND THINGS LIKE THAT.

IT WOULD BE GREAT IF THEY CAN SCROLL UNDER THE CHARTER REVIEW BOARD MEETINGS OUR WEB SITE, OUR PHONE NUMBER, AND POSSIBLY OUR NEXT MEETING DATE.

>>MITCHELL THROWER: YOU CAN HAVE EDITH CHECK TO SEE IF THAT'S EVEN POSSIBLE.

>>GERALD WHITE: CAN THAT BE DONE?

I'VE SEEN THAT DONE AT THE COUNTY COMMISSION.

THAT'S A GREAT COMMUNICATION TOOL.

>>MITCHELL THROWER: OKAY.

>>GERALD WHITE: AND ALSO, MR. CHAIRMAN, AS WE TAKE IN PUBLIC COMMENT, I KNOW THEIR COMMENTS ARE REFLECTED IN THE MINUTES, BUT IT WOULD BE GREAT TO COMPILE THE LIST OF CITIZEN ISSUES THAT HAS BEEN BROUGHT TO US.

>>MITCHELL THROWER: THERE IS A -- ON THE CHARTER REVIEW BOARD WEB SITE, ANY OF THE E-MAILS THAT ARE RECEIVED ARE ACTUALLY LISTED BY DATE ON THE -- ON THE CHARTER REVIEW BOARD WEB SITE.

I'VE GONE THROUGH AND I'VE LOOKED AT THEM MYSELF.

I'VE SEEN THE ONES MR. COSENTINO HAS SUBMITTED, AND I THINK

THERE'S SOME OTHERS, BUT I THINK THE LAST TIME I LOOKED THERE WERE, LIKE, EIGHT OR NINE E-MAILS, AND IT'S AN ACTUAL E-MAIL AND THE ISSUES THAT THEY BROUGHT UP, AND I THOUGHT THAT WAS GOOD.

IF PEOPLE ARE INTERESTED IN SEEING WHAT ISSUES HAVE BEEN E-MAILED TO US AS A BOARD, THEY CAN SCROLL THROUGH THOSE.

>>GERALD WHITE: OKAY.

AND ALSO, YOU KNOW, HOW DO WE -- I WANTED TO MAKE SURE WE HAD A MECHANISM OF ADDRESSING.

I JUST DON'T WANT THE CITIZENS TO BRING AN ISSUE -- COME BEFORE THE PUBLIC AND PUT THEIR ISSUE ON THE RECORD OR VIA E-MAIL, PHONE CALL.

WE NEED TO FIGURE OUT A WAY TO ADDRESS THE CITIZENS' ISSUES, SO --

>>MITCHELL THROWER: AS A BOARD, ONCE WE HEAR -- LISTEN TO PUBLIC COMMENT, YOU KNOW, THAT'S PART OF OUR DISCUSSION.

WE TAKE WHAT PEOPLE BRING TO US AND WE DISCUSS IT AS A BOARD AND WE BRING UP THE TOPICS, AND IT'S KIND OF -- IT'S JUST KNOWLEDGE THAT'S BROUGHT TO US, SO I THINK AS -- THROUGH OUR COMMUNICATION WE'LL ADDRESS THOSE VARIOUS ISSUES HOPEFULLY.

>>GERALD WHITE: OKAY.

I JUST WANT THE PUBLIC TO KNOW WHEN THEY BRING AN ISSUE TO US, IT'S NOT FALLING ON DEAF EARS, AND WE NEED TO HAVE A FORMAL PROCESS AND -- SOMETHING IN ORDER TO LET THEM KNOW

WHETHER WE ARE GOING TO TAKE IT IN OR NOT TAKE IT IN OR
SOMETHING, SO YOU CAN THINK ABOUT THAT.

>>MITCHELL THROWER: OKAY.

MR. WHITE.

LET ME INTRODUCE MR. JOHN WESLEY WHITE.

OH, MRS. FARRIS.

>>MARY HELEN FARRIS: GOOD MORNING.

MARY HELEN FARRIS WITH THE COUNTY ATTORNEY'S OFFICE.

I CONTACTED PAT FRANK'S OFFICE, AND SHE AND DAN POHTO CAN
BE HERE AT 10:30.

THAT SHOULD WORK WELL WITH YOUR SCHEDULE.

IF IT'S OKAY WITH THE BOARD, I'LL CALL BACK AND --

>>MITCHELL THROWER: IS THAT OKAY WITH EVERYBODY?

THAT SOUNDS GOOD.

OKAY.

THANK YOU.

NOW WE HAVE MR. JOHN WESLEY WHITE.

HE IS A REPRESENTATIVE FROM THE FLORIDA CITY AND COUNTY
MANAGEMENT ASSOCIATION.

WELCOME.

>> GOOD MORNING.

>>MITCHELL THROWER: GOOD MORNING.

>> GOOD MORNING.

>> THANK YOU FOR INVITING ME TO SPEAK TO YOU THIS MORNING
ON BEHALF OF THE FLORIDA CITY AND COUNTY MANAGEMENT

ASSOCIATION.

I'M JOHN WESLEY WHITE.

I'M A LONG-TIME MEMBER OF FCCMA AND A FORMER CITY, COUNTY,
AND STATE MANAGER.

AS YOU MIGHT EXPECT, FCCMA AND ITS NATIONAL COUNTERPART,
THE INTERNATIONAL CITY AND COUNTY MANAGEMENT ASSOCIATION,
SUPPORT PROFESSIONAL MANAGEMENT OF LOCAL GOVERNMENT
SERVICES.

TYPICALLY THIS MEANS THAT ICMA AND FCCMA SUPPORT THE
COUNCIL MANAGER PLAN CURRENTLY IN USE BY HILLSBOROUGH
COUNTY; HOWEVER, THE HALLMARKS OF PROFESSIONAL LOCAL
GOVERNMENT MANAGEMENT ARE FOUND IN MANY VARIATIONS OF THE
PLAN, AND SO MY PURPOSE TODAY IS NOT TO SUPPORT OR TO
PROMOTE ANY SACROSANCT PLAN BUT TO STIMULATE A DISCUSSION
OF WHAT PROFESSIONAL MANAGEMENT MEANS TO YOU AND TO THE
CITIZENS OF HILLSBOROUGH COUNTY.

BY WAY OF INTRODUCTION, I'VE WORKED IN BOTH OF THE TWO MAIN
ALTERNATIVE FORMS OF LOCAL GOVERNMENT, COUNCIL MANAGER FORM
AND THE STRONG MAYOR FORM.

FOR TEN YEARS I WAS THE COUNTY ADMINISTRATOR OF SARASOTA
COUNTY, FLORIDA, WORKING FOR THE BOARD OF COUNTY
COMMISSIONERS.

FOR FOUR YEARS BEFORE THAT I WAS CHIEF ADMINISTRATIVE
OFFICER OF PRINCE GEORGE'S COUNTY, MARYLAND, A LARGE SUBURB
OF WASHINGTON, D.C., AND WORKED FOR AN ELECTED COUNTY

EXECUTIVE WHO WAS NOT A MEMBER AT THE SAME TIME OF THE COUNCIL.

I HAD THE GOOD FORTUNE IN BOTH OF THOSE POSITIONS TO WORK FOR OUTSTANDING ELECTED OFFICIALS, BOTH POLITICAL PARTIES AND WITH VERY DIVERSE POLITICAL PHILOSOPHIES.

MY PERSONAL VIEW IS THAT THE RIGHT PEOPLE CAN MAKE ANY GOVERNMENT FORM WORK WELL.

THE ESSENTIAL QUESTION, HOWEVER, IS WHICH SYSTEM OF GOVERNMENT IS MOST LIKELY TO PRODUCE THE RESULTS THAT YOU WANT.

MOST OF THE LITERATURE BY HISTORIANS AND BY OBJECTIVE ANALYSTS OVER THE LAST HUNDRED YEARS OF THE COUNCIL MANAGER PLAN IN THOUSANDS OF CITIES AND COUNTIES ACROSS THE COUNTRY HAVE CONCLUDED THAT THE COUNCIL MANAGER PLAN MOST CONSISTENTLY LEADS TO GOOD GOVERNANCE AND ETHICAL CONDUCT.

MY OWN VIEW BASED ON SOMETHING LESS THAN A HUNDRED YEARS BUT -- IS THAT I STRONGLY AGREE WITH THAT CONCLUSION.

BEFORE ADDRESSING THE ASPECTS OF BOTH FORMS, I WOULD LIKE TO PREFACE A DISCUSSION WITH SOMEWHAT OF A RHETORICAL QUESTION, WHAT OBJECTIVE WOULD ONE BE TRYING TO ACCOMPLISH IF YOU WERE TO SUGGEST CHANGING THE FORM OF GOVERNMENT IN HILLSBOROUGH COUNTY?

HILLSBOROUGH HAS HAD A LONG AND SUCCESSFUL EXPERIENCE WITH THE COUNCIL MANAGER FORM OF GOVERNMENT.

HILLSBOROUGH COUNTY ADMINISTRATORS GENERALLY HAVE HAD --

ENVIABLE REPUTATIONS AS ETHICAL AND COMPETENT PUBLIC SERVANTS.

OVER THE YEARS YOU HAVE AVOIDED MANY OF THE ETHICAL AND DIVISIVE POLITICAL ISSUES EXPERIENCED ELSEWHERE.

YOU CAN BE RIGHTFULLY THANKFUL FOR YOUR APPOINTED OFFICIALS, SO PLEASE FORGIVE ME IF I'M A BIT PRESUMPTUOUS BY SAYING HILLSBOROUGH COUNTY SHOULD FIRST ADDRESS THAT QUESTION, WHAT PROBLEM DO YOU WANT TO FIX BEFORE YOU TURN TO THE RELATIVE MERITS OF THE ALTERNATIVES?

IN EVERY COMMUNITY THAT EXAMINES THE FORM OF GOVERNMENT, THE DEBATE WITH GENERALLY CENTERS ON A FEW KEY POINTS, AND IT'S INTERESTING HOW THAT REPEATS ITSELF IN MOST OF THESE INSTANCES.

ADVOCATES OF AN ELECTED EXECUTIVE TYPICALLY TALK ABOUT ACCOUNTABILITY AND LEADERSHIP, THE ABILITY TO ELECT AND HOLD ACCOUNTABLE A PERSON WITH STRONG COMMUNITY TIES WHO CAN CREATE A VISION FOR ADDRESSING WHATEVER ARE THAT COMMUNITY'S CHALLENGES.

I ACKNOWLEDGE THAT THIS PROSPECT IS NOT ONLY POSSIBLE, BUT IT'S VERY APPEALING; HOWEVER, NOTHING IS GUARANTEED.

ON THE OTHER SIDE, ADVOCATES OF THE COUNCIL MANAGER PLAN POINT TO THE ADVANTAGES OF SELECTING AN EXECUTIVE FROM A NATIONWIDE POOL OF PEOPLE WITH EDUCATIONAL QUALIFICATIONS AND PROFESSIONAL EXPERIENCE AS A CHIEF EXECUTIVE AS WELL AS BY SELECTING A PERSON FROM A PROFESSION THAT IS SERIOUS

ABOUT ENFORCING A STRICT CODE OF ETHICS, YET THESE ATTRIBUTES OF THE COUNCIL MANAGER SYSTEM DO NOT CREATE AN ABSOLUTE ASSURANCE OF AN EXECUTIVE THAT IS FREE FROM HUMAN FOIBLES OR MANAGERIAL WEAKNESSES.

LET'S FOCUS FOR A MOMENT ON ACCOUNTABILITY.

MY VIEW IS THAT I WAS ALWAYS ACCOUNTABLE IN SARASOTA COUNTY FOR THE MANAGEMENT OF COUNTY GOVERNMENT.

IN FACT, I USED TO TELL MY BOARD LIGHTLY THAT I WAS ON TUESDAY-TO-TUESDAY PROBATION, BUT IT'S NOT A JOKE.

THE REASON THAT MY COLLEAGUES IN THE PROFESSION OF CITY AND COUNTY MANAGEMENT HAVE RELATIVELY BRIEF TENURES IS BECAUSE THOSE WHO FALL SHORT OF EXPECTATIONS ARE HELD ACCOUNTABLE AND SOMETIMES INSTANTLY FOR THE ACTIONS OF THE GOVERNMENT AS WELL AS BECAUSE GOVERNING BODIES CHANGE AND SOMETIMES WANT TO MOVE IN A NEW DIRECTION, AND THAT TO ME IS ACCOUNTABLE.

THERE IS NOTHING UNACCOUNTABLE ABOUT THAT FORM OF MANAGEMENT.

IN FACT, I THINK A GOOD ARGUMENT CAN BE MADE THAT THIS IS FAR MORE ACCOUNTABLE THAN HAVING TO WAIT FOR UP TO FOUR YEARS TO MAKE CHANGES IN THE NEXT ELECTION.

WHAT ABOUT THE FLAWS IN EACH SYSTEM OF GOVERNMENT?

CRITICS OF POPULAR ELECTION OF THE TOP MANAGER OF THE ORGANIZATION POINT OUT THAT THERE'S NOTHING IN THE ELECTORAL PROCESS THAT ENSURES A QUALITY SELECTION OR EVEN

A GOOD CHOICE AMONG PEOPLE WITH THE RIGHT SKILLS TO LEAD A COMPLEX ORGANIZATION.

SOME HAVE QUESTIONED WHAT CONNECTION THERE IS BETWEEN POLITICAL FUNDRAISING OR A GOOD 30-SECOND SPOT AND HONESTLY MANAGING THE ENTERPRISE FUNDED BY HUNDREDS OF MILLIONS OF DOLLARS OF TAXPAYER MONEY.

BUT MANY LOCAL GOVERNMENTS HAVE HAD THE BENEFIT OF CAPABLE AND ENLIGHTENED ELECTED EXECUTIVES, AND FRANKLY, THAT WAS MY OWN EXPERIENCE.

MY FORMER BOSS SERVED HONORABLY FOR THREE FOUR-YEAR TERMS AS THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AND TWO TERMS AS GOVERNOR OF THE STATE OF MARYLAND; HOWEVER, A FEW YEARS BEFORE THAT, MARYLAND HAD A COUNTY EXECUTIVE FROM BALTIMORE COUNTY NAMED SPIRO AGNEW WHO WAS SUBSEQUENTLY ELECTED GOVERNOR AND ENDED HIS POLITICAL CAREER WITH FELONY CONVICTIONS FOR HIS ACTIONS IN BOTH OF THOSE OFFICES.

THE FORM OF GOVERNMENT DID NOT PRODUCE EITHER OF THOSE RESULTS, THE PERSON DID.

IT DOES, HOWEVER, RAISE THE QUESTION OF WHAT RISKS ARE YOU WILLING TO TAKE, WHICH CURRENT OR FORMER ELECTED OFFICIAL WOULD YOU LEAST LIKE TO SEE AS THE COUNTY MAYOR -- THINK ABOUT IT -- AND THAT'S WHO YOU MIGHT GET FOR FOUR MORE YEARS.

CRITICS OF THE APPOINTED EXECUTIVE SYSTEM WILL FREQUENTLY ASSERT THAT IT FOSTERS MANAGERS WITH A BUREAUCRATIC, RULE-

DRIVEN APPROACH THAT IS NOT RESPONSIVE TO COMMUNITY CONCERNS, AND TO BE HONEST, I'VE KNOWN A FEW OF THOSE MYSELF.

THEY USUALLY DIDN'T LAST VERY LONG, OR IF THEY DID, IT'S BECAUSE THE GOVERNING BODY DID NOT WANT INNOVATIVE LEADERSHIP OR SIMPLY WANTED A CAUTIOUS STEWARD WHO FOLLOWED THEIR DIRECTION, AND THERE HAVE BEEN A FEW AND FORTUNATELY VERY FEW MANAGERS WHO HAVE BEEN GUILTY OF OUTRIGHT WRONGDOING.

I WON'T DENY THAT, BUT I HAVE KNOWN MANY CITY AND COUNTY MANAGERS, INCLUDING THOSE WHO HAVE SERVED HERE, WHO WERE HONEST, HARDWORKING, AND RISK-TAKING INNOVATORS, AND WERE VERY SUCCESSFUL IN GIVING THEIR ELECTED OFFICIALS POLICY CHOICES THAT OPTIMIZED THE USE OF TAXPAYER DOLLARS.

AGAIN, WHAT PRICE ARE YOU WILLING TO PAY OR WHAT RISK ARE YOU WILLING TO TAKE TO HAVE THE DESIRED POSITIVE OUTCOME? ONE OBSERVATION PROBABLY APPLIES TO BOTH GOVERNANCE MODELS. EACH OF THEM HAS POTENTIAL UNINTENDED CONSEQUENCES.

LET ME IDENTIFY SOME AREAS WHERE I THINK THERE ARE ADVERSE UNINTENDED CONSEQUENCES OF AN ELECTED EXECUTIVE SYSTEM.

I OFFER THEM FOR YOUR EVALUATION AND YOUR CONSIDERATION.

THE FIRST UNINTENDED AND I WOULD SUGGEST

UNAVOIDABLE CONSEQUENCE OF AN ELECTED EXECUTIVE IS THE DIMINUTION OF THE AUTHORITY AND POLICY INFLUENCE OF THE GOVERNING BODY.

IT IS A TOTALLY UNEVEN BALANCE OF POWER.

THE EXECUTIVE HAS TOO MANY TOOLS AT HIS OR HER DISPOSAL.

EXCUSE ME.

LET ME DIGRESS.

>>MITCHELL THROWER: DON'T WORRY ABOUT THE TIME.

WE'RE GOING TO ALLOW YOU A LITTLE BIT MORE TIME THAN WE --
THAN THE TEN MINUTES.

>> WELL, THANK YOU.

ALL OF THIS WAS PRELIMINARY TO GETTING TO THE --

>>MITCHELL THROWER: WE'VE GOT AN HOUR BEFORE MRS. FRANK,
THE CLERK OF THE COURT, IS GOING TO BE HERE, SO WE HAVE
UNTIL 10:30..

>> THAT'S ALL I NEED.

THE FIRST UNINTENDED AND I WOULD SUGGEST UNAVOIDABLE
CONSEQUENCE OF AN ELECTED EXECUTIVE IS THE DIMINUTION OF
AUTHORITY OF THE GOVERNING BODY.

IT'S TOTALLY UNEVEN BALANCE OF POWER.

THE EXECUTIVE HAS TOO MANY TOOLS AT HIS OR HER DISPOSAL,
INCLUDING THE BULLY PULPIT AND THE ENTIRE STAFF OF THE
GOVERNMENT.

IN SOME RESPECTS YOU COULD ARGUE THAT THIS IS NOT AN
UNINTENDED CONSEQUENCE, THAT THIS IS WHAT IS INTENDED, BUT
WHAT I THINK IS REALLY UNINTENDED IS THE EXTENT OF THE
SHIFT.

PROPONENTS MAY TRULY BELIEVE THAT THE CONTINUED EXISTENCE

OF A LEGISLATIVE BODY MEANS THERE THAT THERE WILL BE AN EFFECTIVE ROLE FOR THAT INSTITUTION; HOWEVER, THE NATURE OF THE NEWS MEDIA AND THE FOCUS OF PUBLIC ATTENTION ALMOST ALWAYS GRAVITATES TO THE ELECTED EXECUTIVE.

ON RARE OCCASIONS THE LEGISLATIVE BODY WILL ASSERT ITSELF ON A PARTICULAR ISSUE, BUT THE REALITY IS THAT THE EXECUTIVE BECOMES THE ONLY GAME IN TOWN, AND PART OF THAT GAME IS PICKING OFF VOTES FOR KEY LEGISLATION BY WHATEVER MEANS ARE AVAILABLE TO THE EXECUTIVE, AND SOMETIMES THE PROCESS IS SURPRISINGLY EASY AND NOT AT ALL PRETTY.

THE SUNSHINE LAW, EVEN IN THE UNLIKELY EVENT THAT IT APPLIES TO A SEPARATELY ELECTED EXECUTIVE, WOULD NOT BE AN IMPEDIMENT TO THIS VOTE-GETTING PROCESS SINCE MOST OF IT IS DELEGATED TO POLITICAL AIDES.

IT SERVES TO SUBVERT THE INHERENT PROTECTIONS FROM POLITICAL LAW RULING THAT EXISTS WHEN ALL OF THE ELECTED OFFICIALS HAVE SOMEWHAT EQUAL POWER.

IN THESE CIRCUMSTANCES, I BELIEVE THAT REPRESENTATIVE GOVERNMENT SUFFERS.

THE SECOND UNINTENDED CONSEQUENCE CLOSELY RELATED TO THE FIRST IS THE PERVASIVE INFLUENCE OF PERSONALITY THAT PERMEATES THE GOVERNMENT.

IT'S TRULY UNAVOIDABLE, EVEN WHERE THE ELECTED EXECUTIVE IS CONSCIENTIOUS IS NOT FOSTERING IT.

I CAN SAY FROM MY OWN CLOSE PERSONAL OBSERVATION THAT AN

ELECTED EXECUTIVE BECOMES THE PERSONIFICATION OF THE
INSTITUTION.

THEIR IDENTITIES CONVERGE.

IT BECOMES THE -- YOU FILL IN THE BLANK -- ADMINISTRATION.

AS SUCH, EMPLOYEES THROUGHOUT THE ORGANIZATION FREQUENTLY
DO NOT DIFFERENTIATE BETWEEN THE INTERESTS OF THE PUBLIC
AND THE POLITICAL INTERESTS OF THE ELECTED EXECUTIVE.

WITHOUT EVEN BEING EXPLICIT, THE MIND-SET BECOMES TO
CONSTRAIN AVAILABLE CHOICES OR POLICIES DOWN TO THE LEVEL
IN THE ORGANIZATION THAT MAY NOT EVEN BE VISIBLE TO THE
ELECTED EXECUTIVE.

THE BALANCE SHIFTS FROM MEASURING ONE'S ACTIONS AGAINST
ETHICAL OR PROFESSIONAL STANDARDS TOWARDS CONSIDERING THE
POLITICAL CONSEQUENCES, AND I'LL ADMIT THIS TENDENCY TO
AVOID BAD NEWS OR TOUGH DECISIONS AT ALL COSTS IS VERY REAL
AND PERNICIOUS IN ALL FORMS OF GOVERNMENT.

IT'S JUST PART OF HUMAN NATURE, I THINK, BUT I BELIEVE THAT
IT IS GREATLY EXACERBATED IN THE EXECUTIVE FORM.

CONTROVERSY OR BAD PRESS IS AVOIDED, EVEN WHEN THE ACTION
IS THE RIGHT THING FOR THE COMMUNITY AT LARGE BECAUSE THESE
CONSEQUENCES ARE AGAINST THE POLITICAL INTERESTS OF THE
EXECUTIVE.

EVEN CORRECTING HONEST MISTAKES MUST BE WEIGHED AGAINST THE
ADVERSE PUBLICITY.

ANYTHING THAT MAKES WAVES MUST BE CLEARED AND USUALLY WITH

AIDES WHO OWE THEIR POSITIONS AND THEIR ALLEGIANCE TO THE COUNTY EXECUTIVE AND WHO VIEW THE GOVERNMENT THROUGH A HIGHLY POLITICAL LENS.

GRADUALLY EMPLOYEES, PARTICULARLY MID-MANAGERS AND THOSE ASPIRING TO BE SUCCESSFUL IN THEIR CAREERS, ALMOST SUBCONSCIOUSLY BEGIN TO REVIEW THE CHOICES IN WAYS THAT ENSURES THAT THE EXECUTIVE'S RELATIVELY SHORT-TERM POLITICAL INTERESTS ARE WELL SERVED.

THE FINAL UNINTENDED CONSEQUENCE THAT I WISH TO IDENTIFY TODAY IS PARTICULARLY APPLICABLE TO COUNTY GOVERNMENTS, PARTICULARLY THOSE IN FLORIDA.

BY AND LARGE THE INSTITUTION OF COUNTY GOVERNMENT HAS ONLY BECOME IMPORTANT IN THE RELATIVELY BRIEF PERIOD OF TIME SINCE THE RAPID SUBURBANIZATION FOLLOWED WORLD WAR II. BEFORE THAT COUNTY GOVERNMENTS WERE SUBDIVISIONS OF STATE GOVERNMENT RESPONSIBLE FOR MAINTENANCE OF RURAL ROADS AND SUPPORTING THE COURT SYSTEM AND JAILS, REQUIRING VERY FEW PEOPLE WITH MANAGERIAL SKILLS.

IT WAS OF LITTLE IMPORTANCE THAT THE INSTITUTION WAS FRAGMENTED AND COMPARTMENTALIZED WITH SEPARATELY ELECTED OFFICIALS RESPONSIBLE FOR VARIOUS FACETS.

AS THE POPULATION OF UNINCORPORATED AREAS GREW AND THE DEMAND FOR URBAN SERVICES ALSO GREW, CITY GOVERNMENTS DID NOT EXPAND TO MEET THOSE DEMANDS, AND COUNTY GOVERNMENTS BECAME PURVEYORS OF URBAN SERVICES, YET THE STRUCTURE DID

NOT CHANGE MUCH EXCEPT THE COUNTY COMMISSIONERS GRADUALLY BEGAN TO RECOGNIZE THE NEED FOR GREATER EXPERTISE AND MORE FOCUSED MANAGEMENT SKILLS.

THE RISE OF PROFESSIONAL COUNTY MANAGEMENT, BY THEN A MODEL ALREADY WIDELY USED IN CITY GOVERNMENTS, HAS BEEN A DIRECT CONSEQUENCE OF THOSE FORCES, BUT THE OLD COURTHOUSE ENVIRONMENT OF SEPARATE AND SOMEWHAT COMPETING POWER CENTERS HAS NOT CHANGED VERY MUCH AND IN FLORIDA NOT CHANGED VERY MUCH ANYWHERE.

IN SARASOTA COUNTY I WAS FORTUNATE TO WORK WITH A GROUP OF ELECTED DEPARTMENT HEADS WHO WERE VERY PROFESSIONAL AND DID QUITE A GOOD JOB.

THAT MAY BE YOUR EXPERIENCE HERE IN HILLSBOROUGH COUNTY AS WELL, BUT I BELIEVE THAT THE OLD POLITICAL TUG OF WAR CONTINUES EVERYWHERE, ESPECIALLY AROUND BUDGET ISSUES.

NOW INTRODUCE A NEW SOURCE OF POLITICAL COMPETITION, AN ELECTED EXECUTIVE, WHO HAS GREATER ACCESS TO THE MEDIA AND CAN KIND OF EMULATE MORE CONCENTRATED POLITICAL POWER THAN FIVE OR SEVEN INDIVIDUAL COUNTY COMMISSIONERS CAN.

THE UNINTENDED RESULT IS THAT THE POLITICAL INSIDER GAME BECOMES A MUCH MORE SERIOUS STRUGGLE FOR ASCENDANCY.

I THINK THAT IN MOST COUNTIES EVEN THE CURRENT LEVEL OF INTRIGUE COMPETING AMONG ELECTED OFFICIALS IS A DISTRACTION FROM THE PUBLIC INTEREST.

THAT SITUATION IS GREATLY EXACERBATED WHEN IT'S ON

STEROIDS, AND I THINK IT WOULD BE THAT WAY WITH AN ELECTED EXECUTIVE.

IN CONCLUSION, THE FLORIDA CITY AND COUNTY MANAGEMENT ASSOCIATION BELIEVES IT WOULD BE A MISTAKE TO CHANGE THE FORM OF GOVERNMENT IN HILLSBOROUGH COUNTY FROM THAT WHICH HAS PROVIDED YOU WITH SO MUCH SUCCESS FOR SO LONG.

THERE WOULD BE MANY UNINTENDED CONSEQUENCES OF SUCH A CHANGE.

I HOPE THESE COMMENTS ARE HELPFUL.

I'D BE PLEASED TO ANSWER YOUR QUESTIONS OR CLARIFY MY COMMENTS OR PARTICIPATE IN ANY FURTHER DISCUSSION THAT YOU WISH.

THANK YOU.

>>MITCHELL THROWER: OKAY.

COMMISSIONER PLATT.

>>JAN PLATT: THAT WAS AN EXCELLENT PRESENTATION.

IS IT -- WOULD IT BE POSSIBLE FOR US TO HAVE A COPY OF THAT?

>> YES, I GAVE MS. STEWART A COPY.

>>JAN PLATT: OH, SUPER.

YOU DIDN'T TOUCH -- WHEN YOU TALKED ABOUT ELECTED OFFICIALS, IT SOUNDED LIKE IT WAS BASICALLY THE COUNTY COMMISSIONS, BUT IN THE STATE OF FLORIDA YOU ALSO HAVE THOSE CONSTITUTIONAL OFFICERS OUT THERE THAT MAKES EVEN MORE INTRIGUE.

WOULD YOU SPEAK TO THE ROLE OF THE MANAGER/ELECTED OFFICIAL
AND THOSE CONSTITUTIONAL OFFICERS.

>> WELL, THAT -- THAT'S ACTUALLY WHAT I INTENDED WHEN I
REFERRED TO ELECTED OFFICIALS.

>>JAN PLATT: OKAY.

I JUST WANTED TO MAKE SURE.

I DIDN'T KNOW IF THIS BOARD REALIZED THAT.

>> ELECTED DEPARTMENT HEADS, IF YOU WILL, THEY ARE
RESPONSIBLE FOR A PART OF THE COUNTY GOVERNMENT, AND THEY
ARE ELECTED TO HEAD THOSE AGENCIES.

NOW, THE -- OH, I'M SORRY.

>>JAN PLATT: I'M SPEAKING THE SHERIFF, THE CLERK OF THE
COURT.

THOSE ARE THE CONSTITUTIONAL OFFICERS, SUPERVISOR OF
ELECTIONS, PROPERTY APPRAISER, TAX COLLECTOR.

>> RIGHT.

>>JAN PLATT: ALL INDEPENDENTLY ELECTED, SO IT'S NOT JUST
THE COUNTY COMMISSIONERS THAT ARE IMPACTED, BUT IT'S THOSE
VERY POWERFUL CONSTITUTIONAL OFFICERS.

>> I -- RIGHT, AND I WAS TRYING TO BE AS RESPECTFUL AS I
SHOULD BE TO THE ROLE BECAUSE NOT EVERY ONE OF THE PEOPLE
WHO HOLDS THAT JOB APPROACHES IT FROM A STRICTLY POLITICAL
POINT OF VIEW.

I KNOW THAT FROM PERSONAL EXPERIENCE.

I'VE ALSO WITNESSED IN FORTUNATELY COUNTIES WHERE I DIDN'T

WORK WHERE ON AN INDIVIDUAL BASIS THAT WASN'T ALWAYS THE CASE, AND THAT WAS KIND OF MY POINT, THAT EVEN IN -- WITHIN A PROFESSIONAL ADMINISTRATOR AND FIVE -- USUALLY FIVE ELECTED COUNTY COMMISSIONERS THERE IS A CERTAIN DEGREE OF COMPETITIVENESS AND -- AND SUB ROSA AGENDAS.

I THINK THAT IS GREATLY EXACERBATED WHEN YOU HAVE AN ELECTED EXECUTIVE AND HAVE NOT CHANGED OR ADDRESSED THE ISSUE OF THE INDEPENDENCE OF THOSE OTHER ELECTED OFFICIALS, THE CONSTITUTIONAL OFFICERS, IF YOU WILL.

I THINK IT LEADS TO A VERY DYNAMIC AND CONTENTIOUS POLITICAL SITUATION.

>>MITCHELL THROWER: MR. AMON.

>>JOE AMON: YEAH.

MR. WHITE, IT SOUNDS LIKE YOU HAD A FAIRLY PRODUCTIVE CAREER AS AN ADMINISTRATOR IN SARASOTA.

PERSONALLY WHAT ADVICE WOULD YOU GIVE TO THE ELECTED OFFICIAL THAT YOU WORKED WITH OR WOULD WORK WITH?

FIRST QUESTION.

SECOND QUESTION, WHAT ADVICE WOULD YOU GIVE TO THOSE ADMINISTRATORS WHO WOULD WORK FOR THOSE INDIVIDUALS?

>> YOU'RE REFERRING IN A COUNTY EXECUTIVE FORM?

>>JOE AMON: YES.

>> I -- I GUESS MY -- MY ANSWER TO THAT IS -- IS GREATLY INFLUENCED BY MY OWN EXPERIENCE.

>>JOE AMON: I WOULD APPRECIATE IT.

>> I WORKED FOR AN INDIVIDUAL WHO WAS A PROFESSOR AT THE UNIVERSITY OF MARYLAND WHO HAD BEEN A MEMBER OF THE COUNTY COUNCIL AND THEN WAS ELECTED COUNTY EXECUTIVE.

HE SAW HIS ROLE AS BRINGING THE COMMUNITY TOGETHER AND ADDRESSING SEVERAL VERY SPECIFIC PROBLEMS IN PRINCE GEORGE'S COUNTY, ISSUES, IF YOU WILL, THE QUALITY OF EDUCATION, PUBLIC SAFETY, AND AN ARTIFICIAL TRIM TAX CAP. THOSE WERE THE THREE BIG ISSUES IN HIS FIRST TERM WHEN I WAS HIS ADMINISTRATIVE OFFICER.

HE DID NOT WANT TO MANAGE COUNTY GOVERNMENT, AND FRANKLY, HE DID NOT WANT TO BE INVOLVED IN EVERY POLITICAL ISSUE THAT CAME UP, AND I HAD THE GOOD FORTUNE OF BEING ABLE TO LEAD A VERY LARGE WORKFORCE AND A GROUP OF HIS STAFF TO FOCUS ON WHAT I THOUGHT WERE THE APPROPRIATE OUTCOMES, SO MY ADVICE IS BASED ON THAT EXPERIENCE, AND IT IS WHAT ARE THE KEY CRITICAL ISSUES WHERE YOU WANT TO SPEND YOUR TIME AND YOUR POLITICAL CAPITAL TO ACHIEVE SUCCESS AND THEN HAVE SOMEBODY THAT YOU TRUST AND WHO IS CAPABLE OF DOING SO MANAGE THE REST OF THE ISSUES, SUBJECT, OF COURSE, ALWAYS TO THAT PERSON'S SUPERVISION, AND I'M NOT SUGGESTING THAT I HAD A FREE HAND.

SO THAT WOULD BE MY RECOMMENDATION TO AN ELECTED EXECUTIVE IF I WERE ASKED TO BE PART OF THAT PERSON'S ADMINISTRATION. AND IT WAS EASIER BECAUSE IN PRINCE GEORGE'S COUNTY, THE CHIEF ADMINISTRATIVE OFFICER POSITION WAS A CHARTER

POSITION, REQUIRING CONFIRMATION BY THE COUNTY COUNCIL.
NOW, ONCE APPOINTED I WAS SOLELY RESPONSIBLE TO THE
EXECUTIVE, BUT IT WAS A CLEARLY DEFINED CHARTER POSITION.
THE DEPARTMENT HEADS WORKED FOR ME, I WORKED FOR THE COUNTY
EXECUTIVE.

MY ADVICE TO MY COLLEAGUES WHO MIGHT TAKE THAT KIND OF A
POSITION IS TRY TO GET AS CLEAR AN UNDERSTANDING OF YOUR
ROLE AND RESPONSIBILITIES AS YOU CAN GOING IN.

NOTHING IS UNCHANGEABLE, BUT TRY TO GET AN UNDERSTANDING OF
WHAT THE ELECTED EXECUTIVE EXPECTS, AND TO THE EXTENT THAT
THEY ARE GOING TO BE INVOLVED IN THE DAILY MANAGEMENT OF
THE ORGANIZATION AND IF THAT'S ACCEPTABLE TO YOU, JUST
UNDERSTAND THAT GOING IN, THAT YOU'RE MORE OR LESS AN
IMPLEMENTER AND THAT WOULD BE ALL.

FRANKLY MY CONCERN IS IN A LARGE AND DYNAMIC COMMUNITY WITH
SO MANY DEMANDS ON TIME, HOW IN THE WORLD CAN AN ELECTED
EXECUTIVE DO A GOOD JOB OF LEADING THE COMMUNITY WHILE ALSO
TRYING TO MANAGE A MULTI-MILLION-DOLLAR, PERHAPS EVEN A
BILLION-DOLLAR ORGANIZATION?

>>MITCHELL THROWER: MR. WHITE.

>>GERALD WHITE: THANK YOU FOR COMING.

>> YES, SIR.

>>GERALD WHITE: I'VE REQUESTED THAT ALL THE CITIZENS STUDY
THE ORANGE COUNTY CHARTER, ORLANDO, BECAUSE IT MAKES -- IT
HAS A COUNTY ADMINISTRATOR AND IT ALSO HAS A COUNTY MAYOR

THAT SITS ON THE BOARD OF COUNTY COMMISSIONERS AND SERVES AS MAYOR.

HOW DO YOU FEEL ABOUT THAT SYSTEM BECAUSE IF THERE WAS A STEP TO AN EXECUTIVE FORM OF GOVERNMENT, THE FIRST STEP TO ME WOULD BE -- FOR THIS COUNTY WOULD BE A MODEL OF THE ORANGE COUNTY.

>> THAT IS ONE OF THE HYBRID MODELS THAT I REFERRED TO.

I THINK YOU HAVE SOME OF THE SAME UNINTENDED CONSEQUENCES BECAUSE OF THE EXECUTIVE POWER.

AND IN FACT, IT MAKES IT SOMEWHAT DIFFICULT BECAUSE THE -- IN THAT MODEL THE CHAIR REMAINS A MEMBER OF THE COUNTY COMMISSION, AND I THINK THAT REALLY IS DIFFICULT TERRITORY TO NAVIGATE, BUT THEY'VE -- THEY'VE EXPERIENCED SOME SUCCESS, AND I -- FRANKLY, I DON'T THINK THAT -- I BELIEVE THAT THE REAL IMPEDIMENT, THE REAL DIFFICULTY IS WHEN THE ELECTED EXECUTIVE HAS THAT EXECUTIVE POWER.

THEY ARE NOT THEN SIMPLY ANOTHER COUNTY COMMISSIONER OR THE CHAIR, THEY ARE SOMEONE WHO HAS MANY MORE TOOLS AT HIS OR HER DISPOSAL, AND THAT CAN LEAD TO A LOT OF ANGST AMONG THE OTHER MEMBERS OF THE GOVERNING BODY.

I USED THE WORD "ANGST" INSTEAD OF OTHER WORDS THAT COULD BE USED.

I WOULD ALSO SAY, THOUGH, I'VE WORKED IN THE SYSTEM WITH A ROTATING CHAIR, AND I'VE HAD REALLY GOOD CHAIRS AND SOME THAT WEREN'T READY TO TAKE IT ON BUT IT WAS THEIR TURN, AND

THAT IS AN ISSUE THAT CAN LEGITIMATELY BE DEBATED.
SOMETIMES ONE OF THE HYBRIDS, NOT THE ORANGE COUNTY MODEL,
BUT IN MANY CITY GOVERNMENTS THEY'LL HAVE A PERSON THAT IS
ELECTED MAYOR TO BE THE PRESIDING OFFICER AND TO BE THAT
FOCAL POINT FOR COMMUNITY DISCUSSION.

I THINK THERE'S A LOT OF MERIT TO THAT.

IT'S NOT ORTHODOXY IN MY PROFESSION TO SAY THAT, BUT ON A
PERSONAL LEVEL, I THINK THAT MAKES A LOT OF SENSE, BUT THAT
IS NOT A POSITION THAT HAS WITH IT EXECUTIVE POWERS.

>>GERALD WHITE: UH-HUH.

AND -- AND FOLLOW-UP, PARTISANSHIP RELATED TO AN EXECUTIVE
POSITION, HOW DO YOU FEEL ABOUT THAT?

>> I WOULD HAVE TO SAY THAT MY BIAS IS TOWARD NONPARTISAN
ELECTION, IRRESPECTIVE OF THE FORM OF GOVERNMENT.

I JUST DON'T SEE THE THINGS THAT TYPICALLY GO WITH A LABEL
AS BEING APPLICABLE VERY MUCH TO THE ISSUES THAT CONFRONT
CITY AND COUNTY GOVERNMENTS, SO I -- I THINK WHETHER IT'S A
COUNCIL MANAGER FORM OR AN ELECTED EXECUTIVE FORM, MY
PERSONAL OPINION AND THE POSITION OF THE ASSOCIATIONS THAT
I'M REPRESENTING IS THAT NONPARTISAN ELECTIONS BETTER SERVE
THE PUBLIC INTEREST IN LOCAL GOVERNMENT.

>>GERALD WHITE: MY LAST THOUGHT, MR. CHAIRMAN.

THERE'S BEEN MENTION OF THE CONSTITUTIONALS.

NOW, THERE'S BEEN SEVERAL AMENDMENTS TO THE CONSTITUTION OF
THE STATE OF FLORIDA, SO WE JUST CAN'T RAISE QUESTIONS

ABOUT OUR STATE CONSTITUTION AND NOT TAKE INTO CONSIDERATIONS THE DIFFERENT AMENDMENTS TO OUR STATE CONSTITUTION RELATED TO THE CONSTITUTIONALS, ELECTED OFFICIALS, THE OFFICERS OF OUR COUNTIES.

HOW -- HOW DO YOU THINK IT'S WORKING WITH THE COUNTIES IN THE STATE OF FLORIDA THAT HAS AN ELECTED MAYOR, THAT HAS THESE CONSTITUTIONAL OFFICIALS?

>> WELL, LET ME PREFACE IT -- LET ME ADDRESS THE ISSUE OF THE CONSTITUTIONAL STATUS, AND I -- I TEND NOT TO USE THAT EXPRESSION BECAUSE IT IS A SELF-SERVING EXPRESSION PROPAGATED BY THE PEOPLE IN THOSE POSITIONS.

THERE ARE A LOT OF CONSTITUTIONAL OFFICERS, SCHOOL BOARD MEMBERS, MAYORS, COUNTY COMMISSIONERS, AND SO FORTH.

THERE'S NOTHING UNIQUE ABOUT THE ELECTED AGENCY HEADS.

WHAT IS -- AND I -- AGAIN, I HAVE A POINT OF VIEW, AND I WANT TO BE RESPECTFUL, BUT THERE IS A LOT OF MISINFORMATION ABOUT THE DUTIES OF THOSE OFFICERS.

THE CONSTITUTION, IF YOU'LL READ THE CONSTITUTION OF FLORIDA, EVEN WITH ALL OF ITS AMENDMENTS, SIMPLY LISTS THEM BY TITLE, IT DOES NOT SPECIFY THEIR DUTIES.

FURTHER, IN THE ARTICLE AFFECTING LOCAL GOVERNMENT, IT GIVES THE VOTERS OF A COUNTY THE ABILITY TO MERGE, ELIMINATE ALL OF THOSE OFFICES, ALL FIVE OF THOSE OFFICES. NOW, YOU WOULD NOT BE ABLE TO AFFECT THE DUTIES OF THE CLERK OF THE COURT AS IT RELATES TO THE COURTS, BUT IN

VOLUSIA COUNTY YOU HAVE A DIRECTOR OF FINANCE THAT REPORTS TO THE COUNTY MANAGER THAT HAS THE FISCAL DUTIES OF THE CLERK OF THE COURT, AND THEY'VE CHOSEN TO EXERCISE THAT AUTHORITY TO AMEND THE FORM OF GOVERNMENT AS IT RELATES TO THE DEPARTMENT HEADS.

THAT WAS SOMEWHAT THE SUBSCRIPT OF MY POINT.

IF YOU LEAVE COUNTY GOVERNMENT AS IT IS AND SIMPLY PUT AN ELECTED MAYOR IN WITHOUT ADDRESSING THAT FRAGMENTED FORM, THEN YOU HAVEN'T REALLY ADDRESSED HOW COUNTY GOVERNMENT OPERATES.

IN FACT, YOU'VE JUST EXACERBATED THE POLITICAL COMPETITION, AND SO THAT IS AN ISSUE THAT WOULD JUSTIFIABLY BE LOOKED AT.

IT HAS BEEN DONE IN A FEW COUNTIES, DADE COUNTY, BUT THEY OPERATE UNDER A SEPARATE CONSTITUTIONAL PROVISION OF THE 1957 CONSTITUTION, AND -- OR AN AMENDMENT TO THE 1885 CONSTITUTION THAT WAS ADOPTED IN 1957 THAT HAS ALLOWED THEM TO MAKE CHANGES IN THEIR FORM OF GOVERNMENT.

SAME WITH JACKSONVILLE.

>>MITCHELL THROWER: MR. TOKLEY.

>>JAMES TOKLEY: WE HAVE HAD THE BENEFIT THIS MORNING OF HEARING FROM TWO BRILLIANT HISTORIANS, THE FIRST THE REVEREND AL DAVIS AND NOW MR. JOHN WESLEY WHITE.

I'M FAMILIAR WITH THE TIMES OF SPIRO T. AGNEW.

I KNOW QUITE WELL WHAT YOU'RE TALKING ABOUT.

AS I LISTEN TO YOUR BRILLIANT COMMENTS -- AND BY THE WAY,
IF YOU EVER WRITE A HISTORY TEXT, PLEASE LET ME KNOW.

I WANT A COPY.

AS I LISTENED TO IT, THE WORD THAT CAME TO MY MIND -- THE
PHRASE RATHER WAS "APPROACHING DICTATORSHIP."

WOULD I BE TOO SEVERE TO THINK ABOUT THAT WHEN I THINK
ABOUT THE FOIBLES POSSIBLY OF AN ELECTED COUNTY MAYOR
GOVERNMENT?

>> I'M NOT GOING TO QUESTION YOUR CHARACTERIZATION.

IT'S NOT ONE THAT I WOULD USE, BUT SUFFICE IT TO SAY -- AND
IT CAN BE LABELED HOWEVER YOU'D LIKE -- THAT WHEN YOU DO
THIS, DON'T PERCEIVE THAT -- IF YOU WERE TO DO IT, DON'T
PERCEIVE THAT THE EXISTENCE OF AN ELECTED LEGISLATIVE BODY
ASSURES THAT IT DOESN'T TILT TOO FAR IN THE OTHER DIRECTION
BECAUSE ARE, FRANKLY, THE EXPERIENCE HAS BEEN THAT IT DOES
TILT QUITE FAR, AND I'LL AGAIN USE -- I HAVE TO BE CAREFUL
BECAUSE MY FORMER BOSS IS STILL ALIVE AND WELL IN PRINCE
GEORGE'S COUNTY, BUT FRANKLY -- AND I'VE LEARNED A LOT IN
THE PAST 25 YEARS.

WE WEREN'T ALWAYS AS RESPECTFUL OF THAT COUNTY COUNCIL AS
WE SHOULD HAVE BEEN.

THEY WERE ELECTED BY DISTRICT, AND IT WAS JUST -- IT WAS
JUST SOMETHING THAT HAD TO BE TAKEN CARE OF, YOU KNOW.

YOU NEED VOTES FOR SITING A NEW LANDFILL, THERE ARE A LOT
OF WAYS TO GET VOTES.

YOU KNOW, A VAN FOR A SENIOR CENTER IN ONE OF THOSE DISTRICTS MIGHT GET YOU THE VOTE YOU NEEDED FOR THE -- YOU KNOW, AND I -- AND I THINK THAT PEOPLE DON'T APPRECIATE HOW MUCH IT TILTS IN THE FAVOR OF THE COUNTY EXECUTIVE TO THE POINT, REALLY, WHERE THE LEGISLATIVE BODY OVER TIME IS -- IS NOT A MEANINGFUL PLAYER.

>>JAMES TOKLEY: THANK YOU VERY MUCH.

>>MITCHELL THROWER: COMMISSIONER PLATT.

>>JAN PLATT: I CHAIRED THE BOARD THAT WROTE OUR CURRENT CHARTER, AND ONE OF THE ISSUES THAT WE WERE VERY CONCERNED ABOUT IN SHAPING IT AND WHY WE EXPANDED THE BOARD TO SEVEN PEOPLE WAS BECAUSE OF THE EXPANSIVE NATURE GEOGRAPHICALLY OF THIS COUNTY.

IT'S THE SIZE OF THE STATE OF RHODE ISLAND, AND IT'S SO DIVERSE.

WE HAVE SUN CITY CENTER, WHICH IS THE SIZE OF -- HAS THE POPULATION OF TEMPLE TERRACE.

YOU HAVE SUN -- YOU HAVE RUSKIN, YOU HAVE BRANDON, WHICH IS HUGE, YOU HAVE TOWN 'N COUNTRY, AND THERE WAS -- I GUESS ONE OF MY CONCERNS WITH AN ELECTED EXECUTIVE -- AND I'M GOING TO ASK YOU IF THIS IS A -- IS A VALID CONCERN -- IS WHAT WILL HAPPEN IF THE POWER IS CENTERED IN ONE INDIVIDUAL TO THAT -- THOSE VERY DIVERSE AREAS THAT ARE NOW UNDER UNINCORPORATED HILLSBOROUGH, IF YOU GET WHAT I'M SAYING? WHAT WILL THEY DO, IN YOUR OPINION, IF THE POWER IS

CENTRALIZED IN THIS ONE INDIVIDUAL, WHO WILL PROBABLY BE COMING FROM THE CITY OF TAMPA?

HAVE YOU OBSERVED WHAT HAPPENS WHEN THAT POWER IS CENTRALIZED IN A COUNTY LIKE OURS WHICH IS -- AND TWICE THE -- TWICE THE NUMBER OF PEOPLE -- WELL, HOW TO SAY THIS. UNINCORPORATED HILLSBOROUGH HAS DOUBLE THE POPULATION OF THE CITY OF TAMPA, AND YET YOU WOULD THINK THAT THE CENTER OF THE UNIVERSE WAS THE CITY OF TAMPA, WHICH IT IS NOT, AND SO IF POWER IS THEN SHIFTED TO THIS ONE INDIVIDUAL, COULD YOU PREDICT WHAT'S GOING TO HAPPEN TO BRANDON, TO SUN CITY CENTER, TO RUSKIN, TO TOWN 'N COUNTRY, LUTZ?

ARE THEY GOING TO INCORPORATE?

>> IT WOULD BE -- IT WOULD BE A BIT PRESUMPTUOUS OF ME TO SAY THAT I KNOW ENOUGH ABOUT HILLSBOROUGH COUNTY TO SAY SPECIFICALLY WHAT MIGHT HAPPEN.

I WOULD SAY THAT MY OBSERVATION OF THE EXPERIENCE IN THAT SYSTEM IS GREATLY DEPENDENT ON THE VARIABLES SUCH AS THE DEGREE OF THE POLITICAL ORGANIZATION WITHIN THOSE COMMUNITIES.

IN PRINCE GEORGE'S COUNTY WE HAD 28 MUNICIPALITIES, YET THREE-FOURTHS OF THE POPULATION LIVED IN THE UNINCORPORATED AREA.

THEY, THOUGH, WERE EFFECTIVE ADVOCATES FOR THE PEOPLE THAT LIVED WITHIN THOSE MUNICIPALITIES, SO TO THE EXTENT THAT YOU HAVE A LARGE NUMBER OF UNINCORPORATED COMMUNITIES BUT

WITHOUT THE FORMAL STRUCTURE, IT'S HARD TO HAVE A VOICE.

NOW, I'M -- I'M NOT ONE THAT USUALLY PARSES THINGS, BUT I WOULD SAY THERE IS ANOTHER SIDE TO IT, AND THAT IS THAT A COUNTY EXECUTIVE, PARTICULARLY A COUNTY EXECUTIVE THAT IS ABLE TO RUN FOR REELECTION, WOULD PROBABLY WANT TO PAY ATTENTION TO THE ISSUES OF COMMUNITIES.

THEY MAY HAVE MORE NOISE MADE BY THOSE THAT HAVE THEIR OWN POLITICAL INSTITUTIONS, THE CITIES, BUT TYPICALLY, I WOULD SPECULATE, A MAYOR OF A LARGE URBAN COUNTY WOULD -- WOULD -- WOULD TRY TO PAY ATTENTION TO THE VOICES IN ALL PARTS OF THE COUNTY.

>>JAN PLATT: CAN I --

>>MITCHELL THROWER: YES.

>>JAN PLATT: BUT NOT IF THEIR VOTES COME FROM ONE AREA, AND I'LL JUST -- BUT ANYWAY, ANOTHER QUESTION THAT I HAD, AND THEN I WON'T ASK YOU ANOTHER ONE.

THERE'S A CURRENT BALLOT -- A PETITION THAT'S CIRCULATING WITH A FORM OF MAYOR.

TO YOUR KNOWLEDGE, IS THERE ANY COUNTY IN THE WHOLE STATE OF FLORIDA THAT HAS A MAYOR THAT IS STRUCTURED LIKE THE ONE THAT IS ON OUR BALLOT?

>> NOT PURSUANT TO THE 1968 CONSTITUTION.

I THINK THAT -- WELL, IN FACT, NO.

THE ANSWER IS NO.

EVEN JACKSONVILLE HAS MADE CHANGES IN THAT, AND IN MANY OF

THE COUNTIES THAT HAVE TRIED TO VEST ELECTED OFFICIALS WITH EXECUTIVE AUTHORITY, THEY HAVE -- AS WAS POINTED OUT EARLIER, THERE'S A SPECIFIC DESIGNATION OF A COUNTY MANAGER OR SOMETHING.

THAT'S THE CASE IN DADE COUNTY.

THAT'S THE CASE IN ORANGE COUNTY.

SO I'VE NOT SEEN ANY, INCLUDING JACKSONVILLE FOR THAT MATTER THAT HAVE THE SAME APPROACH THAT'S BEING USED BY THE PROPOSAL THAT'S NOW BEING CIRCULATED IN -- IN HILLSBOROUGH.

>>MITCHELL THROWER: OKAY.

MS. LEYTHAM.

>>BETH LEYTHAM: TALK TO ME A LITTLE BIT -- I HEAR YOU TALKING ABOUT THE POWER AND THE VOTE AND WHERE THOSE KINDS OF THINGS ARE VESTED -- ABOUT THE COST.

YOU HEAR THAT MAKING THIS KIND OF A CHANGE WILL COST -- INCREASE THE COST OF RUNNING GOVERNMENT, IT WILL INCREASE THE COST PASSED ON TO A CITIZEN FOR SERVICES, THOSE KINDS OF THINGS.

WHAT HAS BEEN YOUR -- YOUR EXPERIENCE?

WHAT KIND OF A DIFFERENTIAL ROUGHLY COULD WE BE -- BE LOOKING AT?

>> I -- I'M UNABLE TO MAKE ANY DISTINCTION, FRANKLY, IN COST, AND -- AND WHEN YOU MEASURE THE SIZE OF COUNTY GOVERNMENT, IT'S A VERY MARGINAL DIFFERENCE IN ANY EVENT. I -- I CAN'T SAY -- AND I KNOW -- I KNOW THE ANSWER THAT

THE PEOPLE ON BOTH SIDES OF THE ISSUE WOULD LIKE TO HAVE,
BUT I CAN'T PERSONALLY OFFER THAT ANSWER.

I THINK THAT A COUNTY MANAGER IS GOING TO HAVE A CERTAIN
CADRE OF STAFF SUPPORT.

AN ELECTED EXECUTIVE WOULD LIKELY HAVE A SIMILAR CADRE.

NOW, WHETHER THERE MIGHT BE A FEW MORE, A FEW LESS, I THINK
IT'S VERY DIFFICULT TO PREDICT.

I DON'T THINK THE COST -- WHILE IT'S AN EFFECTIVE ARGUMENT
TO USE IN POLITICAL DEBATE, FROM MY PERSPECTIVE, THE COST
IS NOT DETERMINABLE IN ADVANCE.

>>MITCHELL THROWER: OKAY.

MR. WHITE.

>>GERALD WHITE: FIRST I WANTED TO SAY THAT I THINK IT'S A
FALSE FEAR IF A PERSON IS ELECTED FROM ONE OF THE
MUNICIPALITIES, THE PEOPLE IN UNINCORPORATED HILLSBOROUGH
COUNTY WOULDN'T BE SERVED BECAUSE IF YOU JUST LOOK AT
HILLSBOROUGH COUNTY'S HISTORY, WE'VE HAD A MAJORITY OF THE
COMMISSIONERS LIVE IN A CITY AND A PART OF TAMPA, AND SO
THAT'S ALREADY EXISTED IN OUR HISTORY, BUT YET THE PEOPLE
THAT ARE IN UNINCORPORATED HAVE BEEN SERVED VERY WELL, AND
SO I DON'T WANT THE PUBLIC TO BECOME AFRAID OF THIS
DISCUSSION BECAUSE I THINK IT'LL BE -- IT'S A FALSE FEAR.
I THINK THE PEOPLE WILL BE SERVED NO MATTER WHERE A PERSON
IS ELECTED FROM.

TALK TO ME ABOUT THE VETO ISSUE BECAUSE THAT EXISTS IN OUR

CHARTER NOW WITH THE LEGISLATIVE AND THE EXECUTIVE BRANCH.
DO YOU KNOW HOW THAT HAS BEEN USED BY THESE COUNTIES THAT
HAS AN EXECUTIVE?

HOW IS THAT WORKING, THAT VETO ISSUE?

>> THE -- IN PRINCE GEORGE'S COUNTY WHERE I'VE WORKED AND
IN SOME OF THE COUNTIES WHERE I'VE OBSERVED THAT SYSTEM,
VETO TYPICALLY HAS BEEN PART OF THE EXECUTIVE'S AUTHORITY.
AGAIN, I'M GOING TO SPEAK PRIMARILY FROM PERSONAL
EXPERIENCE AS OPPOSED TO PRETENDING TO BE A SCHOLAR OF ALL
THE DIFFERENT THINGS THAT HAVE GONE ON ACROSS THE COUNTRY.
IT -- WHEN YOU GET TO THE POINT OF VETO, THAT MEANS YOU
HAVEN'T PREVAILED IN THE FIRST PLACE, AND SO AS A POLITICAL
MATTER, THE EXECUTIVE IS GOING TO PUT MOST OF HIS OR HER
ATTENTION TO BEING SURE THE VOTE GOES RIGHT THE FIRST TIME
AND NOT TO HAVE TO EXERCISE THAT VETO, AND SO IT BECOMES A
TOOL TO SHAPE A MAJORITY IN -- AND -- THE EXERCISE OF VETO
IS VERY RARE, AND IN THE -- I CAN'T RECALL, FRANKLY -- IT'S
BEEN A FEW YEARS, BUT I'M NOT -- I CAN'T REMEMBER A
SPECIFIC INSTANCE WHERE IN OUR -- IN MY SITUATION IN PRINCE
GEORGE'S COUNTY WHERE THE EXECUTIVE FOUND IT NECESSARY TO
USE THE VETO.

WE MADE SURE WE HAD VOTES ON ANY ISSUE OF SIGNIFICANCE
GOING IN, AND SO IT WASN'T A -- IT WASN'T A TOOL THAT WAS
USED VERY OFTEN.

>>GERALD WHITE: UH-HUH.

FOLLOW-UP QUESTION RELATED TO THE LEGISLATIVE BRANCH.

IF YOU HAD AN INDEPENDENT EXECUTIVE ELECTED MAYOR, IN YOUR OPINION, HOW SHOULD THE COMMISSION BE STRUCTURED?

SHOULD IT BE A SPLIT, COUNTYWIDE/SINGLE-MEMBER DISTRICT,

SHOULD IT BE AN ALL SINGLE-MEMBER DISTRICT COMMISSION?

WHAT'S YOUR OPINION ON THAT?

>> AGAIN, THIS IS -- THIS IS PRETTY MUCH JUST A PERSONAL OPINION.

I -- I TEND NOT TO FAVOR ALL SINGLE-MEMBER DISTRICT.

I THINK THAT THERE IS -- WHICH IS WHAT I EXPERIENCED IN PRINCE GEORGE'S COUNTY.

IT FRANKLY IS TOO FRAGMENTED.

IT ALSO -- TO BE HONEST WITH YOU, IT -- IT -- BECAUSE OF THAT LOCALIZED FOCUS, IT REALLY DIMINISHES THE AUTHORITY OF THE LEGISLATIVE BRANCH BECAUSE, INDEED, YOU TAKE THE NUMBER OF LEGISLATIVE POSITIONS DIVIDED INTO THE POPULATION OF THE COUNTY, AND THAT'S ALL THAT CARES ABOUT IT, AND IT GOES BOTH WAYS.

VOTERS DON'T CARE MUCH ABOUT, YOU KNOW, THOSE THAT AREN'T THEIR REPRESENTATIVE, AND THE REPRESENTATIVE TENDS NOT TO CARE AS MUCH ABOUT THOSE OTHER VOTERS, SO I DON'T FAVOR THE SINGLE-MEMBER DISTRICT FORM.

I THINK A MIXED SYSTEM IS A GOOD SYSTEM.

IT GIVES SOME ATTRIBUTES OF BOTH, BUT IT DOES CREATE PEOPLE WITH COUNTYWIDE REACH WHICH THEN, AGAIN, IN THE REAL

POLITICS OF THINGS BEGINS TO EXACERBATE THAT COMPETITION BETWEEN THE COUNTYWIDE ELECTED LEGISLATIVE REPRESENTATIVES AND THE COUNTYWIDE EXECUTIVE.

>> SO THERE IS NO PERFECT SYSTEM?

>> THAT WOULD CERTAINLY BE MY POINT OF VIEW.

>>MITCHELL THROWER: LET ME MENTION REAL QUICK, WE HAVE MR. ROBINSON AND MR. TOKLEY STILL WHO WANT TO SPEAK.

>>JAMES TOKLEY: NO.

>>MITCHELL THROWER: OH, OKAY.

WE HAVE MR. ROBINSON.

IF WE WANT TO TAKE A TEN-MINUTE RECESS BEFORE THE CLERK OF THE COURT PAT FRANK COMES ON AT 10:30, WE'RE GOING TO HAVE TO STOP AT 10:20.

I JUST WANTED TO LET YOU KNOW THAT.

MR. ROBINSON.

>>JOSEPH ROBINSON: I APPRECIATE YOU COMING BY AND ENLIGHTENING US.

I WANT TO ASK YOU, YOU SAID ANY GOVERNMENT, WHATEVER IT IS, IS BASED UPON THE PEOPLE THAT ARE ELECTED TO THE POSITION OR APPOINTED TO IT; CORRECT?

>> YES, SIR.

>>JOSEPH ROBINSON: YOU SAID BASICALLY IT COMES DOWN TO THE PEOPLE THAT ARE SITTING IN THAT OFFICE THAT GOT ELECTED IN IT TO MAKE IT WORK, WHETHER IT BE A COUNTY MAYOR, WHETHER IT BE EXECUTIVE.

I THINK YOU OPENED UP SAYING THAT THAT REALLY IS WHAT IT COMES DOWN TO IS THE PEOPLE IN THOSE POSITIONS; RIGHT? NOW, IN HILLSBOROUGH COUNTY WE'RE TALKING ABOUT POSSIBLY A COUNTY MAYOR AND ALL THIS.

I WANT TO ASK YOU SINCE YOU HAVE A LOT OF EXPERIENCE -- WE HAVE SEVEN COUNTY COMMISSIONERS RIGHT NOW.

THIS COUNTY HAS GROWN IN POPULATION SINCE THE CHARTER WAS STARTED.

WHAT DO YOU FEEL IS THE RIGHT NUMBER?

SHOULD WE GO TO NINE?

YOU HAD SOME RESERVATIONS ABOUT HAVING ALL SINGLE-MEMBER DISTRICTS, BUT I -- I AGREE WITH THAT, BUT I'D ALSO LIKE TO LOOK AT EXPANSION AS OPPOSED TO A COUNTY MAYOR.

DO YOU FEEL -- I GUESS MY QUESTION IS DO YOU FEEL EXPANDING THE COUNTY COMMISSION FROM SEVEN TO NINE WOULD BE BETTER THAN HAVING A COUNTY MAYOR FOR REPRESENTATION BASED ON OUR POPULATION GROWTH?

>> I -- I THINK -- WELL, FIRST OF ALL, LET ME CLARIFY WHAT I SAID ABOUT THE PEOPLE.

I SAID PEOPLE CAN MAKE ANY SYSTEM OF GOVERNMENT WORK, BUT YOU DO HAVE -- WHICH SYSTEM -- A LEGITIMATE QUESTION, WHICH SYSTEM OF GOVERNMENT IS MOST LIKELY TO PRODUCE THE RESULTS YOU WANT, AND THAT'S WHERE FORM OF GOVERNMENT DOES MAKE A DIFFERENCE.

>>JOSEPH ROBINSON: OKAY.

>> AND SO I -- IT ISN'T A CATEGORICAL STATEMENT THAT IT'S THE PEOPLE AND NOT THE FORM.

THEY BOTH MATTER, BUT ANY -- ANY -- GOOD PEOPLE CAN MAKE ANY SYSTEM WORK.

WITH RESPECT TO YOUR QUESTION, I'VE -- I'VE NOT SEEN -- YOU HAVE IN ANYBODY, WHETHER IT IS A GROUP OF APPOINTED INDIVIDUALS ON A CHARTER REVIEW BOARD OR AN ELECTED BODY -- YOU GET TO A POINT WHERE THE DYNAMICS OF THE ORGANIZATION ARE AFFECTED BY THE SIZE OF THE BODY.

I WAS IN AN INTERNATIONAL EXCHANGE PROGRAM ONE TIME WITH A COUNTY MANAGER IN ENGLAND WHO HAD 63 MEMBERS OF HIS GOVERNING BODY.

THEY MET FOUR TIMES A YEAR AND THEN THE COMMITTEES TOOK CARE OF EVERYTHING IN THE MEANTIME.

HE LOVED IT, BY THE WAY.

I JUST COULDN'T GET MY HEAD AROUND IT.

BUT I THINK THAT EXPANDING WITHIN REASON -- I THINK GOING FROM SEVEN TO NINE WOULD NOT ACCOMPLISH THAT -- THAT MASSIVE CHANGE IN THE DYNAMICS OF THE ORGANIZATION.

WHETHER IT PRODUCES A BETTER RESULT, I DON'T KNOW, BUT I THINK WHEN YOU BEGIN TO GET UP TO THE SIZE OF SOME MUNICIPAL GOVERNING BODIES IN THE UNITED STATES OF 13, 15 OR EVEN MORE, THAT YOU REALLY CHANGE VERY MUCH THE DYNAMIC. ON THE OTHER HAND, LOS ANGELES COUNTY HAS FIVE COUNTY COMMISSIONERS.

I DON'T KNOW HOW THEY DO IT.

I DON'T -- IT'S -- IT'S REMARKABLE BECAUSE THEY REALLY DO
HAVE -- THEIR COMMUNITY OBLIGATIONS ARE HUGE.

HOW DO THEY FULFILL THEIR LEGISLATIVE OBLIGATIONS?

>>MITCHELL THROWER: OKAY.

WELL, THANK YOU, MR. WHITE.

WE APPRECIATE YOUR COMMENTS, AND WE REALLY APPRECIATED YOU
TAKING THE TIME TO COME BEFORE US.

THANK YOU.

>> HAPPY TO DO THAT.

THANK YOU.

>>MITCHELL THROWER: NEXT, WE'RE GOING TO TAKE A TEN-MINUTE
RECESS; HOWEVER, I WANTED TO -- I THOUGHT THIS WAS
APPROPRIATE.

I SAW THIS ARTICLE, VOTE FOR APPOINTED OFFICES.

IT WAS IN THE APRIL 2010 GOVERNING MAGAZINE.

PRETTY INTERESTING ARTICLE.

I'D LIKE TO SUBMIT IT TO THE RECORD, AND IF EDITH COULD E-
MAIL US ALL OR GET US COPIES OF THIS, I THINK IT KIND OF
GOES ALONG WITH THE DISCUSSION TODAY.

VERY GOOD ARTICLE.

NOW WE'RE GOING TO TAKE A TEN-MINUTE RECESS.

[RECESS TAKEN]

>>MITCHELL THROWER: WELCOME BACK TO THE CHARTER REVIEW
BOARD MEETING.

WE JUST FINISHED A SHORT RECESS.

NEXT UP ON OUR AGENDA WE HAVE THE CLERK OF THE COURT FOR HILLSBOROUGH COUNTY, MRS. PAT FRANK.

WELCOME.

I WANTED TO FIRST BEGIN BY CONGRATULATING YOU.

I KNOW YOU RECEIVED THE HILLSBOROUGH COUNTY GOOD GOVERNMENT AWARD RECENTLY.

I WANTED TO CONGRATULATE YOU ON THAT.

>>PAT FRANK: THANK YOU.

I WAS VERY HONORED TO RECEIVE THAT AND APPRECIATE YOUR COMMENTS.

MR. CHAIRMAN AND BOARD MEMBERS OF THE CHARTER REVIEW BOARD, LET ME COMMEND ALL OF YOU FOR THE PUBLIC SERVICE YOU PERFORM AS MEMBERS OF THE CHARTER REVIEW BOARD.

IT MAY SEEM LIKE A THANKLESS TASK AT TIMES BECAUSE OF THE NATURE OF THE LOCAL GOVERNMENT AND ITS CHALLENGES, BUT IT SERVES A VERY IMPORTANT ROLE.

YOU HAVE AN ENORMOUS TASK, AND I APPLAUD YOUR SERVICE TO THE PEOPLE OF HILLSBOROUGH COUNTY.

I APPRECIATE THE OPPORTUNITY TO ADDRESS YOU, TO SHARE MY FIRSTHAND EXPERIENCE WITH THE COUNTY AUDIT FUNCTION AS CLERK OF THE CIRCUIT COURT.

SOMETIMES IN LIFE IRONIES ABOUND, AND THIS IS CERTAINLY ONE OF THESE TIMES.

IT WAS TEN YEARS AGO IN JULY OF 2000 THAT I APPEARED BEFORE

THE PREVIOUS CHARTER REVIEW BOARD ON THIS VERY SUBJECT.
I WAS THEN CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS
AND HAD A FAR DIFFERENT PERSPECTIVE.

I CAME TO ADVOCATE FOR A BUDGET ANALYST TO ASSIST THE
BOARD, ONE WHO WAS SEPARATE AND INDEPENDENT FROM THE
ADMINISTRATIVE STAFF.

AT THAT TIME THE LATE RALPH HUGHES, A POLITICAL ACTIVIST
MANY OF YOU KNEW, LOBBIED FOR A PERFORMANCE AUDITOR WHOM HE
FELT SHOULD PERFORM INDEPENDENT AUDITS.

I REMEMBER BEING ASKED IF THIS POSITION WOULD CONFLICT WITH
THE DUTIES OF THE CLERK OF THE CIRCUIT COURT AND SAID NO,
SINCE THE CLERK DOESN'T ORDINARILY DO PERFORMANCE AUDITS.
THE CHARTER REVIEW BOARD APPROVED THE MEASURE, AND IT WAS
PUT ON THE BALLOT AND APPROVED BY THE VOTERS IN 2002.

IN 2004 I FIRST RAN FOR CLERK OF THE CIRCUIT COURT, WHICH
IS AN INDEPENDENT CONSTITUTIONAL OFFICE.

ACCORDING TO THE CONSTITUTION OF THE STATE OF FLORIDA IN
ARTICLE VIII ON LOCAL GOVERNMENTS, SECTION 1-D, IT STATES
THAT THE CLERK OF THE CIRCUIT COURT SHALL BE EX OFFICIO
CLERK OF THE BOARD OF COUNTY COMMISSIONERS, AUDITOR,
RECORDER, AND CUSTODIAN OF ALL COUNTY FUNDS.

THE CLERK'S ROLE AS COUNTY AUDITOR WAS REINFORCED FORMALLY
IN 1991 BY A TRIPARTY AGREEMENT BETWEEN THE CLERK, THE
BOCC, AND THE COUNTY ADMINISTRATOR THROUGH A STATEMENT OF
PURPOSE, AUTHORITY, AND RESPONSIBILITY, AND IT SPELLS OUT

THE DUTIES WHICH I AM TO PERFORM.

AND SINCE 1998 THE CLERK'S AUDIT DEPARTMENT HAS MET STRINGENT STANDARDS SET BY BOTH THE UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE OR WHAT IS COMMONLY KNOWN AS THE YELLOW BOOK AND THE INSTITUTE OF INTERNAL AUDITORS OR RED BOOK.

TO RECEIVE THOSE DESIGNATIONS, WE HAVE HAD AN EXTERNAL QUALITY ASSURANCE REVIEW OF OUR CLERK AUDIT DEPARTMENT EVERY THREE YEARS.

IN EACH OF THOSE REVIEWS WE HAVE MET THE HIGHEST STANDARD. WE ARE NOW IN THE PROCESS OF ISSUING AN RFP FOR 2010 FOR OUR NEXT REVIEW.

ALSO, ALL CLERK AUDIT EMPLOYEES SIGN A CODE OF ETHICS AND CONFLICT OF INTEREST EVERY YEAR.

AS YOU CAN SEE, WE SET THE BAR VERY HIGH, AS WE SHOULD.

YOU MAY RECALL THAT IT WAS LESS THAN ONE YEAR AGO IN JULY OF 2009 THAT THE CLERK'S OFFICE AND THE BOCC SIGNED A MEMO OF UNDERSTANDING FOR THE CLERK'S OFFICE TO CONDUCT PERFORMANCE AUDITS FOR THE BOARD.

THIS AGREEMENT REMAINS IN EFFECT UNTIL TERMINATED BY MUTUAL CONSIDERATION OF THE CLERK AND THE BOARD.

NOW TO THE PRESENT.

I'M REMINDED OF A QUOTE BY OSCAR WILD WHICH SAID, EXPERIENCE IS ONE THING YOU CAN'T GET FOR NOTHING.

SO OFTEN YOU REALLY DON'T KNOW HOW SOMETHING WILL WORK

UNTIL YOU SEE IT IN OPERATION.

SADLY, I HAVE BEEN DISAPPOINTED WITH THE OFFICE OF THE INTERNAL PERFORMANCE AUDITOR SINCE ITS CREATION.

IT'S A CONCEPT THAT HAS FRANKLY NOT WORKED OUT IN ITS IMPLEMENTATION, AND TO ADD TO THAT, THE RECOMMENDATIONS WHICH WILL BE BEFORE YOU BY MR. TARR WILL ONLY ADD TO THE DYSFUNCTION OF THE INTERNAL PERFORMANCE AUDITOR.

THEY ALSO UNDERMINE THE CLERK'S COUNTY AUDIT ROLE, WHICH HAS BEEN WORKING VERY WELL.

IT WAS FORMALIZED ALMOST 20 YEARS AGO TO ENSURE THAT THE CLERK'S ROLE IS DEFINED, AND IT IS IN PRACTICE NOT ONLY HERE IN HILLSBOROUGH COUNTY BUT ALSO IN CLERK'S OFFICES THROUGHOUT THE STATE.

AND I MIGHT SAY THAT THE CLERK'S OFFICES HAVE BEEN IN EXISTENCE FOR OVER 100 YEARS.

IF THE BOCC IS NOT SATISFIED WITH THE INDEPENDENT PERFORMANCE AUDITOR, WHY NOT CORRECT THAT SITUATION RATHER THAN RECONFIGURE THE POSITION AND UPSET THE OPERATION OF THE CLERK'S OFFICE?

MR. TARR HIMSELF, WHO MADE THESE RECOMMENDATIONS, RATED MR. BARNES' PERFORMANCE FOR AN EXTERNAL QUALITY ASSURANCE REVIEW -- A PEER REVIEW AT THE DIRECTION OF THE BOCC ON THE INSTITUTE OF INTERNAL AUDITORS THREE-LEVEL REPORTING STANDARD, WHICH IS GENERALLY ACCEPTABLE -- ACCEPTABLE, GENERALLY ACCEPTABLE, OR DOES NOT CONFORM.

THOSE WERE THE THREE STANDARDS THAT WOULD BE -- HE WOULD BE REPORTING ON, AND HE GAVE HIM THE LOWEST RATING, WHICH DOES NOT CONFORM TO STANDARDS.

THE RECOMMENDATIONS OF MR. TARR ARE CUSTOM-MADE FOR MR. BARNES TO CONTINUE TO OPERATE AND ELIMINATES THE NEED FOR HIM TO HAVE THE QUALIFICATIONS HE SHOULD HAVE TO PERFORM HIS DUTIES.

HE -- HE IS A CPA; HOWEVER, HE DOES NOT MEET THE STANDARDS OF QUALIFYING FOR A PERFORMANCE AUDIT -- AUDITOR, THEREFORE, MR. TARR'S RECOMMENDATIONS ELIMINATED THAT LANGUAGE AND LEFT THE ONES IN THAT HE IS QUALIFIED TO PERFORM, THE VERY ANTITHESIS OF WHAT THE CHARTER SAYS HIS FUNCTION SHOULD BE.

LET ME POINT OUT TO YOU THAT THE OFFICE -- OFFICE OF THE INTERNAL PERFORMANCE AUDITOR'S CUMULATIVE EXPENDITURES FROM FISCAL YEAR 2006 THROUGH FISCAL YEAR 2009 ARE OVER ONE AND THREE-QUARTER MILLION DOLLARS.

TO DATE NOT A SINGLE YELLOW BOOK OR RED BOOK PERFORMANCE AUDIT REPORT HAS BEEN COMPLETED.

DURING THAT SAME FOUR-YEAR PERIOD, THE CLERK'S COUNTY AUDIT HAS CONDUCTED 51 AUDITS, REVIEWS, FOLLOW-UP REPORTS, AND SPECIAL INVESTIGATIONS WITH RED BOOK STANDARDS.

I STRONGLY URGE YOU NOT TO ACCEPT THESE PROPOSED CHANGES. INSTEAD, I URGE YOU TO REPEAL THE POSITION OF INTERNAL PERFORMANCE AUDITOR AND TRANSFER PERFORMANCE AUDITS TO THE

CLERK'S OFFICE FOR EITHER INTERNAL OR EXTERNAL AUDITING.
IN FACT, AN AGREEMENT PRESENTLY EXISTS WITH THE BOARD TO
CONDUCT PERFORMANCE AUDITS.

WE STAND READY TO SERVE, AND I THANK YOU FOR YOUR
CONSIDERATION OF THIS POSITION.

AND MR. POHTO WILL NOW COME UP BECAUSE HE CAN ADD SOME
SPECIFICS ABOUT SOME OF THE THINGS THAT I'VE REFERRED TO,
AND THEN WE'D BE HAPPY, EITHER ONE OF US, TO RESPOND TO
QUESTIONS.

>>MITCHELL THROWER: YOU'D RATHER WAIT FOR MR. POHTO TO
SPEAK BEFORE YOU ANSWER?

>>PAT FRANK: I WOULD.

I'D BE HAPPY TO RESPOND TO QUESTIONS AFTER THAT.

>>MITCHELL THROWER: OKAY.

THANK YOU.

MR. DAN POHTO.

HE IS THE DIRECTOR OF COUNTY AUDIT, RIGHT, FOR THE CLERK'S
OFFICE?

>>DAN POHTO: YES.

>>MITCHELL THROWER: OKAY.

>>DAN POHTO: GOOD MORNING, MEMBERS OF THE CHARTER REVIEW
BOARD.

DAN POHTO WITH THE CLERK'S OFFICE.

I JUST HAVE A -- A VERY SHORT AGENDA JUST TO TRY AND -- I
WAS READING SOME OF THE COMMENTS FROM YOUR LAST MEETING,

AND I HOPE I'M GOING TO ADDRESS WHAT YOU HAD ASKED US TO PRESENT.

GENERALLY, COMPLIANCE, FINANCIAL, AND CONTROL AUDITS FOCUS ON PROCESSES, PROCEDURES, AND HOW THINGS GET DONE.

THAT'S KIND OF WHAT WE TRY AND DO.

PERFORMANCE AUDITS NORMALLY EMPHASIZE ACCOMPLISHMENTS AND RESULTS AND THE OUTPUTS AND THE OUTCOMES.

I'M GOING TO KIND OF GO OVER A LIST AT A HIGH LEVEL OF SOME OF THE THINGS THAT WE DO AND SOME OF THE GUIDANCE THAT WE RECEIVE.

I HAD -- DON'T KNOW IF YOU GOT IT, BUT I HAD INCLUDED A SMALL PACKAGE WITH MY AGENDA AND A COUPLE HANDOUTS.

>>MITCHELL THROWER: YES.

>>DAN POHTO: ONE, I JUST -- ON AN ANNUAL BASIS WE PUT TOGETHER AN AUDIT PLAN, I REVIEW IT WITH THE CHAIR, I PROVIDE IT TO THE COUNTY COMMISSIONERS, I REVIEW IT WITH THE COUNTY ADMINISTRATOR, AND THE CLERK APPROVES IT.

THAT'S OUR AUDIT PLAN THAT WE USE EACH YEAR.

AS THE CLERK MENTIONED, IN JULY OF '09 THE CLERK AND THE BOARD SIGNED A MEMO OF UNDERSTANDING THAT THE CLERK'S OFFICE WOULD NOW PERFORM PERFORMANCE AUDITS FOR THE BOARD. DURING THAT TIME PERIOD BETWEEN JULY AND THE END OF THE YEAR WE -- THE CLERK'S OFFICE BROUGHT BACK TO THE BOARD THREE PROPOSED AUDITS WITH EACH HAVING A SCOPE OF SERVICE ON THEM.

THE BOARD APPROVED TWO OF THOSE.

WE WENT OUT FOR AN RFP, AND WE HAVE HIRED A FIRM THAT IS IN THE BEGINNING OF RIGHT NOW CONDUCTING THOSE TWO PERFORMANCE AUDITS UNDER OUR MANAGEMENT.

THAT CONCEPT ABOUT US MANAGING EXTERNALS IS BASED ON A BOARD POLICY THAT SAYS THAT SUBJECT MATTER EXPERTS SHOULD BE USED AND THE PROJECT MANAGER SHOULD BE ABLE TO DO THAT. THAT WAS DIRECTED, I THINK, IN 2004 AS WHAT THE INTERNAL IPA WAS SUPPOSED TO DO BUT HAD NOT BEEN DOING.

AND SOME OF THE THINGS I'M JUST GOING TO KIND OF GO OVER THAT WE DO, AND MOST OF THEM ARE OUTLINED IN THE STATEMENT OF PURPOSE THAT THE CLERK MENTIONED THAT WAS SIGNED IN 1991.

WE REVIEW -- EXCUSE ME -- INTERNAL CONTROLS TO MAKE SURE THAT THEY'RE ADEQUATE AND THEY'RE WORKING, WE DO FINANCIAL AUDITS OF REVENUE AND EXPENDITURES FOR APPROPRIATENESS, WE AUDIT BOCC CONTRACTS FOR COMPLIANCE, WE DO INFORMATION TECHNOLOGY AUDITS.

WE HAVE -- ALMOST ON EVERY AUDIT WE DO THERE'S SOME KIND OF INFORMATION TECHNOLOGY THAT'S TIED TO IT.

WE ARE -- ALSO INVESTIGATE SUSPECTED FRAUD OF EMPLOYEES AND WE ASSIST LAW ENFORCEMENT.

WE ARE TO CONDUCT REVIEWS OF THE EXTERNAL AUDITOR'S MANAGEMENT LETTER OF -- EACH YEAR WHEN THEY DO THE AUDIT OF THE COUNTY.

WE HAVE TO DO FOLLOW-UP AUDITS ON A REGULAR BASIS WITH
AUDITS THAT WE HAVE DONE.

SHOULD GET THEM DONE BETWEEN SIX AND 12 MONTHS.

WE CONDUCT AUDITS REVIEWS.

WE'VE DONE SPECIAL INVESTIGATIONS THAT AREN'T NECESSARILY
OUR AUDIT PLAN.

THAT'S BEEN REQUESTED BY THE BOARD.

I THINK ONE OF THEM THAT MAYBE SOME OF YOU REMEMBER WAS
DECEMBER OF '08, THE BEGINNING OF '09 WHEN THE BOARD ASKED
US TO REVIEW THE THEN SUPERVISOR OF ELECTIONS' BUDGET
REQUEST, AND WE TURNED THAT AROUND IN ABOUT SEVEN DAYS OVER
CHRISTMAS, WHICH RESULTED IN SOME OTHER INVESTIGATIONS BY
THE STATE AND BY THE FEDERAL GOVERNMENT.

AND IN OUR STATEMENT OF RESPONSIBILITY, AS THE CLERK
MENTIONED, WE DON'T DO PERFORMANCE AUDITS UNLESS ASKED BY
THE BOARD.

I'VE INCLUDED A WEB SITE THAT WILL TAKE YOU DIRECTLY TO ALL
THE AUDITS THAT WE HAVE DONE.

I THINK IT GOES BACK TO -- STARTS IN LATE 1999 ALL THE WAY
UP THROUGH CURRENTLY.

IF YOU HAVE ANY QUESTIONS, I'D TRY TO ANSWER THEM FOR YOU.

>>JAMES TOKLEY: [INAUDIBLE]

>>MITCHELL THROWER: MR. TOKLEY.

>>JAMES TOKLEY: PERHAPS YOU'VE ALREADY ANSWERED THIS
QUESTION.

FORGIVE ME IF IT IS TOO ELEMENTARY, BUT WHAT DOES THE IPA DO THAT YOU DON'T DO?

>>DAN POHTO: I'LL TRY TO ANSWER THAT BECAUSE I -- I REALLY -- I'M NOT SURE, OKAY.

IT'S SPECULATIVE WHAT THEY DO.

ONE OF THE THINGS THAT -- IS THAT THEY DO -- THE OFFICE OF THE IPA DOES SPECIAL ASSIGNMENTS FOR ANY BOARD MEMBER.

I BELIEVE THERE'S A RULE THAT IF IT GOES OVER FOUR HOURS, THE IPA'S SUPPOSED TO COME BACK AND GET FULL APPROVAL.

I BELIEVE THAT THAT'S BEEN -- PRETTY MUCH IS THAT SMALL PROJECTS BASED ON INDIVIDUAL BOCC MEMBERS.

RIGHT NOW I UNDERSTAND THAT THERE'S BEEN AN AUDIT OF ANIMAL SERVICES THAT WAS ENGAGED -- I'M GOING TO GUESS, I DON'T KNOW HIS WORK PLAN OR ANYTHING -- PROBABLY OVER A YEAR AGO. I'M NOT SURE WHEN THEY'RE GOING TO PUBLISH THAT.

I'M JUST NOT REALLY PRIVY TO THAT.

AND BESIDES, I THINK THEY WERE TASKED -- I DON'T KNOW IF THEY'RE STILL TASKED TO DO -- TO REVIEW AGENDAS FOR ITEMS THAT ARE OVER A CERTAIN DOLLAR LIMIT, AND I THINK IT WAS \$130,000, BUT IT WAS OVER \$100,000.

I DON'T REALLY KNOW THE EXACT NUMBER.

BESIDES THAT, I'M NOT SURE WHAT ELSE THEY DO.

>>JAMES TOKLEY: SO IF THERE WERE NO IPA, THEN YOU WOULD DO ALL THESE THINGS?

>>DAN POHTO: WELL, THE THINGS I JUST DESCRIBED TO YOU WE

PROBABLY WOULD NOT DO.

WE WOULD DO WHAT WAS IN THE CHARTER TO DO PERFORMANCE AUDITS -- WE'VE ALREADY BEEN ENGAGED BY THE BOARD TO DO THAT, SO WE'RE -- WE'RE DOING PERFORMANCE AUDITS FOR THE BOARD RIGHT NOW.

>>JAMES TOKLEY: OKAY.

THANK YOU.

>>MITCHELL THROWER: MR. AMON AND THEN MR. ROBINSON.

>>JOE AMON: I HAVE TWO QUESTIONS FOR YOU, BUT I WANT TO THANK YOU FOR BEING HERE.

IT SOUNDS AS IF THAT YOUR PRIMARY FUNCTION HAS MOST -- IN THE MOST RECENT PAST AND THROUGH THE TIME PERIOD HAS BEEN A FUNDS OR MONETARY ANALYST OR AUDITOR.

WE'RE NOW TALKING ABOUT PERFORMANCE AUDITS, AND I MADE THIS COMMENT IN ONE OF OUR LAST MEETINGS.

THERE'S TWO DISTINCT FUNCTIONS.

THERE'S FUNDS AUDITING, MONETARY AUDITING, AND PERFORMANCE AUDITING.

IF YOU-ALL ARE ABOUT READY TO GET INTO THE PERFORMANCE AUDITING BUSINESS, DO YOU HAVE PERSONNEL ON STAFF WHO ARE TRAINED IN PERFORMANCE AUDITING VERSUS THE MONETARY AUDITS?

>>DAN POHTO: LET ME JUST STEP BACK, AND THAT'S NOT A YES-OR-NO ANSWER.

THE MEMO OF UNDERSTANDING I THINK THAT WE PROVIDED YOU -- EXCUSE ME -- INCLUDES -- THE MEMO OF UNDERSTANDING

INCORPORATED BOCC POLICY.

I'M NOT SURE OF THE NUMBER OF IT.

IT'S LIKE TWO PAGES LONG.

I THINK IT WAS 2004.

IT OUTLINES WHAT THE PROCESS THAT THE CURRENT PERFORMANCE AUDIT OFFICE WAS TO FOLLOW IN OBTAINING PERFORMANCE AUDITS, AND THAT PROCEDURE WAS THAT THE PERFORMANCE AUDITOR WAS TO BE A PROJECT MANAGER AND GO OUT AND HIRE SUBJECT MATTER EXPERTS.

THAT'S WHAT THE POLICY SAYS, AND IT DESCRIBES IT AND SAYS YOU WILL GO THROUGH COUNTY PURCHASING AND THAT.

WE INCORPORATED THAT POLICY AND THE BOARD BLESSED IT THAT THAT'S HOW WE WOULD DO PERFORMANCE AUDITS.

WE WOULDN'T DO THEM INTERNALLY, WE'D DO THEM AS PROJECT MANAGERS.

WHAT THAT GIVES US IS TWO THINGS.

IF WE GO OUT -- AND THE BOARD LIKES TO HAVE YELLOW BOOK AUDITS.

IF WE GO OUT AND WE HIRE A FIRM AND THEY'RE YELLOW BOOK READY, THAT MAKES THINGS VERY NICE AND EASY.

IF WE GO OUT AND HIRE A NON-YELLOW BOOK QUALIFIED SUBJECT MATTER EXPERT, THAT MEANS OUR OFFICE IS GOING TO DO MORE WORK BECAUSE WE'RE GOING TO HAVE TO MANAGE THEM HANDS-ON IN ORDER TO GET THAT YELLOW BOOK BECAUSE WE'RE YELLOW BOOK QUALIFIED.

FORTUNATELY AT THIS TIME WITH THE TWO AUDITS WE HAVE,
PERFORMANCE AUDITS, THE FIRM IS YELLOW BOOK.

DID THAT ANSWER YOUR QUESTION, SIR?

>>JOE AMON: YES.

IT'S VERY -- THANK YOU.

AND I HAVE ONE FOLLOW-UP, AND THAT IS DO YOU HAPPEN TO HAVE
AN IDEA HOW MUCH -- WHAT THE BUDGET IS FOR THE INDEPENDENT
AUDITOR AND WHAT YOU WOULD PERCEIVE YOU WOULD SPEND
MANAGING THE PERFORMANCE AUDITS?

>>DAN POHTO: THE PERFORMANCE AUDIT OFFICE HAS BEEN
RUNNING --

>>PAT FRANK: [INAUDIBLE]

>>DAN POHTO: FOUR YEARS THEY SPENT ONE AND THREE-QUARTER
MILLION, BUT THEIR BUDGETS HAVE BEEN RUNNING FOUR -- ABOUT
\$500,000 A YEAR, 475 TO 500.

YOUR SECOND QUESTION, I -- THE -- YOU'RE TALKING ABOUT THE
TIME IT INVOLVES US OR THE ACTUAL MONEY BEING EXPENDED ON
THE PERFORMANCE AUDITORS THAT WE HIRED?

>>JOE AMON: THE MONEY THAT YOU'RE GOING TO EXPEND FOR THE
PERFORMANCE AUDITS THAT YOU HIRED.

>>DAN POHTO: THE BUDGET THAT WAS -- THE BOARD HAD IN THEIR
BUDGET WAS 150,000, AND THE REASON WE DIDN'T DO ALL THREE
WAS BECAUSE THE THREE OF THEM WENT OVER THAT 150.

I THINK WE'RE AT RIGHT AROUND 140 FOR THE TWO AUDITS
BECAUSE I THINK THERE WAS LIKE \$10,000 LEFT.

>>JOE AMON: THE REASON I'M ASKING THE QUESTION IS TO TRY TO COMPARE WHAT THE COUNTY IS PAYING FOR THIS AUDITOR GROUP COMPARED TO YOU GOING AND MANAGING AN OUTSIDE FIRM TO COME IN AND PERFORM THE SAME FUNCTIONS.

>>DAN POHTO: WELL, WE'RE -- WE'RE WALKING NEW PATHS AND NEW GROUNDS WITH THIS CONCEPT OF US DOING THE PERFORMANCE AUDITS AND MANAGING AND TAKING THEM OVER.

ALL I CAN SAY IS WE HOPE IN THE NEXT SIX TO SEVEN MONTHS WE'LL HAVE TWO PERFORMANCE AUDITS DONE FOR ROUGHLY \$140,000 PLUS MY TIME VERSUS OVER THE LAST FOUR YEARS NO PERFORMANCE AUDITS.

I MEAN, THAT'S -- THAT'S THE FACTS.

I'M NOT TRYING TO MAKE IT UP.

I HOPE THAT ANSWERS YOUR QUESTION.

>>JOE AMON: IT DOES.

THANK YOU.

>>MITCHELL THROWER: MR. ROBINSON.

>>JOSEPH ROBINSON: GLAD YOU CAME OVER TODAY.

I STARTED FEELING THE RIFT BETWEEN THE CLERK'S OFFICE PERFORMANCE AUDITING AND THIS INTERNAL -- IT'S JUST COMING ACROSS LIKE THERE'S AN INTERNAL JUST FRICTION GOING ON HERE, AND I WANT TO ASK SOME QUESTIONS.

I HEARD YOU SAY OR SOMEBODY SAID THAT THEY WERE A CPA.

WHEN I ASKED THE INTERNAL PERFORMANCE AUDITOR WAS HE A CPA, HE SAID NO, HE ISN'T, OKAY.

THAT'S WHAT HE SAID.

I THOUGHT YOU-ALL JUST SAID HE WAS A CPA.

LET ME FINISH.

>>DAN POHTO: CAN I CLARIFY THAT FOR YOU, MR. ROBINSON?

CAN I CLARIFY THAT FOR YOU?

>>JOSEPH ROBINSON: PLEASE DO.

>>DAN POHTO: I BELIEVE THE CLERK WAS REFERRING TO THE WAY THE CURRENT CHARTER IS, THAT IT WOULD LIKE THE INTERNAL AUDITOR TO BE A CPA.

>>JOSEPH ROBINSON: THAT IS NOT TRUE.

IT SAYS -- AND I'M GOING TO READ IT TO YOU FROM SECTION 4.10.3.

IT SAYS THE COUNTY INTERNAL PERFORMANCE AUDITOR SHALL BE A CERTIFIED PUBLIC ACCOUNTANT HOLDING AN ACTIVE LICENSE TO PRACTICE PUBLIC ACCOUNTANCY IN THE STATE OF FLORIDA OR SHALL BE QUALIFIED BY EDUCATION AND EXPERIENCE IN GOVERNMENTAL ACCOUNTING, INTERNAL PERFORMANCE AUDITING PRACTICE, AND FISCAL CONTROLS, PERIOD.

BECAUSE WHEN I ASKED HIM THAT, MR. CHAIR SAID HE'S A CPA.

I SAID, OKAY, BECAUSE I WAS WONDERING WHY IS IT -- OR DOES HE HAVE TO BE A CPA?

NO, HE DOESN'T.

SO TO COME IN AND SAY THAT IT WOULD LIKE -- THE CHARTER WOULD LIKE OR YOU GOTTA HAVE THIS OTHER EXPERIENCE -- IT'S EITHER/OR.

IT'S NOT YOU'VE GOT TO HAVE A CPA.

SECOND THING I WANT TO ASK --

>>DAN POHTO: WE AGREE WITH YOU, WHAT YOU JUST SAID.

>>JOSEPH ROBINSON: OKAY.

I JUST WANTED TO CLARIFY YOU DON'T HAVE TO BE A CPA TO BE
A --

>>DAN POHTO: NO, I THINK THE CLERK WAS TALKING ABOUT THE
CPA OR THAT -- WHAT IS IN THE CHARTER.

>>JOSEPH ROBINSON: I DIDN'T HEAR THE WORD "OR," I JUST
HEARD CPA.

SECOND THING IS THAT WHY WAS THAT MEMORANDUM ISSUED?

I MEAN, HERE IT IS JULY 2009, THE COUNTY'S BEEN AROUND FOR
YEARS AND YEARS.

WHY DO WE HAVE TO PUT IN WRITING A MEMORANDUM OF
UNDERSTANDING WITH THE CLERK'S AUDIT -- CLERK'S OFFICE TO
DO AUDITS?

IF IT'S UNDERSTOOD BY THE CHARTER, THE CONSTITUTION, AND
EVERYTHING ELSE THAT THE CLERK'S OFFICE IS SUPPOSED TO DO
THAT, WHY WAS A SPECIFIC DOCUMENT -- MEMORANDUM OF
UNDERSTANDING EVEN CAME UP?

WHY DID IT HAVE TO BE PUT IN WRITING?

WAS THERE SOME ISSUES THAT IT WASN'T CLEAR?

I MEAN, WHY DID YOU HAVE TO ISSUE A MEMORANDUM OF
UNDERSTANDING?

>>DAN POHTO: WELL, A FEW THINGS.

ONE, YOU HAVE YOUR CHARTER THAT SAYS THAT THE PERFORMANCE AUDITOR'S SUPPOSED TO BE WORKING FOR THE BOARD.

TWO, IN OUR STATEMENT OF PURPOSE OF RESPONSIBILITY IT SAYS WE WON'T DO PERFORMANCE AUDITS UNLESS ASKED TO DO SO BY THE BOARD, AND I BELIEVE THAT THE CLERK AND THE BOARD OF COUNTY COMMISSIONERS FELT IT WAS IN THE BEST INTEREST OF THE CITIZENS AND THIS COUNTY TO PUT THAT MEMO OF UNDERSTANDING IN THERE SO THERE WOULD BE UNDERSTANDING OF WHAT WE WOULD AND WOULDN'T DO AND HOW WE WOULD ACCOMPLISH IT, AND THAT'S WHAT THE MEMO OF UNDERSTANDING WITH THE ATTACHMENT OF THE BOARD POLICY ACCOMPLISHES.

>>JOSEPH ROBINSON: SO BASICALLY IT'S A CLARIFICATION DOCUMENT?

>>DAN POHTO: I BELIEVE IT IS, YES.

>>JOSEPH ROBINSON: OKAY.

ANOTHER ISSUE.

FROM WHAT I'VE HEARD TALKING TO PEOPLE IN THE COMMUNITY -- THE CLERK OF THE COURT WAS DOING AN AUDIT AND HAD LOOKED AT AUDITING OFFICE DEPOT, OKAY, AND I THINK IT CAME BACK SAYING THERE WAS NOTHING WRONG, THERE WAS NO EXPENDITURES OR NO MISBILLING, AND THEN ALL OF A SUDDEN I GET A COPY OF THIS APRIL 23rd FROM THE OFFICE OF THE INTERNAL PERFORMANCE AUDITOR, THE COUNTY'S INTERNAL PERFORMANCE AUDITOR FINDING ALL KINDS OF MISBILLINGS, YOU KNOW, POSSIBLY UP TO MILLIONS OF DOLLARS, BUT THE CLERK OFFICE THAT YOU'RE TELLING ME

IS -- AT LEAST IT'S COME ACROSS TO ME THAT IT'S BETTER THAN THE INTERNAL PERFORMANCE AUDITOR HAD NO FINDINGS ON THAT.

IS THAT TRUE?

DID YOU GUYS TAKE A LOOK AT THIS OFFICE DEPOT ISSUE AND FOUND NOTHING AND NOW THIS INTERNAL PERFORMANCE AUDITOR --

>>MITCHELL THROWER: MR. ROBINSON, LET HIM ANSWER THE QUESTION.

>>JOSEPH ROBINSON: THAT IS A QUESTION.

>>DAN POHTO: THERE'S A LITTLE BIT OF HISTORY BEHIND THAT. ORIGINALLY, MR. -- COMMISSIONER WHITE BROUGHT UP TO THE BOARD THAT -- COMMISSIONER KEVIN WHITE BROUGHT TO THE BOARD AN OFFICE DEPOT ISSUE BECAUSE THERE WAS OTHER ENTITIES AROUND THE STATE AND THE UNITED STATES ALSO THAT WERE CLAIMING THAT THEY HAD PAID TOO MUCH.

THE BOARD AT THAT TIME -- COMMISSIONER WHITE ASKED THE BOARD FOR THE IPA TO DO THE AUDIT.

THE BOARD SAID NO, THEY DIDN'T WANT THE IPA TO DO THE AUDIT, THEY WANTED THE CLERK'S OFFICE TO DO THE AUDIT.

WE DID THE AUDIT.

I DON'T KNOW IF YOU'VE READ THE AUDIT.

THE AUDIT'S VERY COMPLETE AND VERY ANALYTICAL, OKAY.

SIX MONTHS' WORTH OF DATA WE LOOKED AT, ALL TRANSACTIONS IN THAT SIX-MONTH PERIOD.

THERE'S NOTHING IN THAT REPORT THAT YOU HAVE IN FRONT OF YOU FROM APRIL 23rd TO SUBSTANTIATE ANYTHING.

THERE'S NO METHODOLOGY DESCRIBED IN THERE, THERE'S NOTHING TO SAY HOW THEY CAME UP WITH ANY MONEY.

THEY DIDN'T EVEN LOOK AT ANY RECORDS BECAUSE OFFICE DEPOT WOULDN'T GIVE THEM TO THEM.

IN THAT REPORT YOU HAVE IN FRONT OF YOU IT SAYS THAT THERE SHOULD BE A MORE DETAILED REAL AUDIT PERFORMED.

NOW, AS OF YESTERDAY AFTERNOON THERE IS A THREE-PAGE LETTER FROM OFFICE DEPOT, THE PRESIDENT OF OFFICE DEPOT, GOING THROUGH THAT REPORT LINE BY LINE AND EXPLAINING IT, AND SOME OF THE THINGS THAT THE PRESIDENT OF OFFICE DEPOT SAYS IN HIS REPORT ARE COMING TO THE POINT WHERE OFFICE DEPOT -- AND I'M JUST INTERPRETING IT, I READ IT LATE LAST NIGHT -- THAT BASED ON WHAT'S SAID IN THAT REPORT THAT YOU HAVE IN FRONT OF YOU, OFFICE DEPOT MIGHT SUE THE COUNTY FOR THE INFLAMMATORY STUFF THAT'S PUT IN THERE AND TALKS IN THE -- THE OFFICE DEPOT PRESIDENT TALKS ABOUT WHAT THAT WHISTLE-BLOWER IS AND THAT HE'S NOT REALLY A WHISTLE-BLOWER.

NOW, I DON'T WANT TO SIT UP HERE -- AND IT'S BECOMING, YOU KNOW, THAT -- IT'S HE SAID/SHE SAID, YOU KNOW, THE AUDITORS ARE GOING TO FIGHT OVER IT.

WE DIDN'T DO A LOT OF STUFF.

WE WERE -- WERE GIVEN TO US BY THE BOARD.

WE DIDN'T GO OUT LOOKING FOR OFFICE DEPOT, IT WAS BROUGHT TO US BY THE BOARD IN LIEU OF THEIR PERFORMANCE AUDITOR DOING IT.

>>JOSEPH ROBINSON: OKAY.

SO WHAT I'M HEARING IS --

>>DAN POHTO: I'M SORRY, MR. ROBINSON, I FORGOT ONE OTHER THING.

ON TUESDAY OF THIS WEEK, COMMISSIONER WHITE SENT AN E-MAIL REQUESTING THE CLERK'S OFFICE DESCRIBE THE MEASURES AND PROCEDURES THAT WE USED DURING THE OFFICE DEPOT AUDIT.

LATE YESTERDAY AFTERNOON I REPLIED WITH A MEMO TO THE CLERK WITH COPIES TO THE COMMISSIONERS A THREE-PAGE MEMO EXPLAINING THE DETAIL -- IT'S ALMOST LIKE AN AUDIT PROGRAM -- STEP BY STEP ON WHAT WE DID.

I DON'T BELIEVE YOU HAVE THAT BECAUSE IT WAS ONLY ISSUED LAST NIGHT AT ABOUT 5:30.

AND I BELIEVE THEN ON WEDNESDAY OF NEXT WEEK COMMISSIONER WHITE HAS AN ITEM ON THE AGENDA TO DISCUSS THE OFFICE DEPOT REPORT.

>>MITCHELL THROWER: OKAY.

>>JOSEPH ROBINSON: OKAY.

SO THEN BASICALLY WHAT I'M HEARING IS THAT IN ORDER FOR THE CLERK'S OFFICE TO DO AN AUDIT FUNCTION -- AND I WON'T SAY WHAT SPECIFIC FUNCTION BUT DO AN AUDIT FUNCTION, YOU'VE GOT TO HAVE A VOTE FROM THE BOARD.

THE INTERNAL PERFORMANCE AUDITOR, ANY INDIVIDUAL COMMISSIONER CAN REQUEST THEY LOOK AT SOMETHING?

I HEARD YOU SAY THAT.

>>DAN POHTO: AND -- UP TO A FOUR-HOUR.

>>JOSEPH ROBINSON: I UNDERSTAND, BUT THEY DON'T HAVE TO GET A VOTE, THEY JUST SAY, HEY, I WANT SOMEBODY TO LOOK AT SOMETHING, I GUESS IT'S LESS THAN FOUR HOURS, THEY CAN GO LOOK.

>>DAN POHTO: RIGHT.

>>JOSEPH ROBINSON: BUT IF THEY WANT YOU GUYS TO DO SOMETHING, THEN IT TAKES A VOTE OF THE BOARD; CORRECT?

>>DAN POHTO: YES.

>>MITCHELL THROWER: IS THAT -- THAT'S ONLY FOR THE PERFORMANCE AUDIT?

IF IT'S A REGULAR AUDIT, THE CLERK --

>>JOSEPH ROBINSON: NO, PERFORMANCE AUDITS TOO.

HE JUST SAID THAT.

>>MITCHELL THROWER: NO, BUT WHAT I'M CLARIFYING IS IF IT'S A FINANCIAL OR SOME OTHER TYPE OF AUDIT OTHER THAN PERFORMANCE, YOU -- THE CLERK'S OFFICE HAS THE AUTHORITY TO COME IN.

THEY MAY LET THE BOARD -- YOU KNOW, THEY SHARE THE AUDIT PLAN WITH THE BOARD, BUT YOU HAVE THE RIGHT TO GO IN AND AUDIT A COUNTY FUNCTION ON YOUR OWN.

I BELIEVE THAT'S MY UNDERSTANDING.

>>DAN POHTO: THAT'S CORRECT.

AND IF WE GO BACK TO THE BEGINNING OF MY PRESENTATION TO YOU, INCLUDED IN YOUR PACKET IS MY AUDIT PLAN.

THAT AUDIT PLAN IS DONE BECAUSE THAT'S PART OF THE STANDARDS THAT WE HAVE TO MEET, OKAY.

THE PLAN IS REVIEWED BY THE COMMISSION, THE COUNTY ADMINISTRATOR, AND APPROVED BY THE CLERK, SO THAT'S WHAT IS OUT THERE, AND IT HAS ITEMS IN THERE THAT MAY NOT -- YOU KNOW, YOU HAVE TO HAVE AN OPEN ITEM IN THERE TO SAY SPECIAL INVESTIGATIONS BECAUSE WE DO SPECIAL INVESTIGATIONS AT THE REQUEST OF THE BOARD.

IF THERE'S SOMETHING OUTSIDE OF THAT THAT THE BOARD HAS THAT THEY WANT TO DO, SUPERVISOR OF ELECTIONS, OFFICE DEPOT, THOSE KIND OF THINGS THAT THEY FEEL THAT THEY WANT US TO DO, THEN THEY VOTE AND SAY, CLERK, WOULD YOU PLEASE DO THAT FOR US.

>>JOSEPH ROBINSON: BUT IT TAKES A VOTE OF THE BOARD, NOT AN INDIVIDUAL COMMISSIONER TO DO THAT?

>>DAN POHTO: WITH US, THAT'S CORRECT.

>>JOSEPH ROBINSON: THAT'S WHAT I'M SAYING.

THAT'S WHAT I'M SAYING.

WHETHER IT'S FOUR HOURS, TWO HOURS --

>>DAN POHTO: RIGHT.

YOU CAN'T GET MUCH DONE IN FOUR HOURS.

>>JOSEPH ROBINSON: THAT'S YOUR OPINION.

>>DAN POHTO: WELL, I'VE BEEN DOING IT FOR A LONG TIME.

I DON'T WANT TO ARGUE --

>>JOSEPH ROBINSON: THAT'S YOUR OPINION, AND THE VOTERS

VOTED FOR THE INTERNAL PERFORMANCE AUDITOR.

>>DAN POHTO: YES, CORRECT.

THAT'S CORRECT.

>>MITCHELL THROWER: MR. WHITE.

>>GERALD WHITE: YES.

I'VE GOT A QUESTION FOR THE COUNTY ATTORNEY RELATED TO THE REQUEST OF THE CLERK OF THE CIRCUIT COURT PAT FRANK, AND I'D LIKE THE COUNTY ATTORNEY TO COME ANSWER MY QUESTION RELATED TO THE PUBLIC REQUEST OF THE CLERK OF HILLSBOROUGH COUNTY.

>>MARY HELEN FARRIS: MARY HELEN FARRIS WITH THE COUNTY ATTORNEY'S OFFICE.

>>GERALD WHITE: YES.

THE CLERK HAS REQUESTED PUBLICLY THAT THIS OFFICE, THAT WE VOTE TO MOVE FORWARD WITH THE REPEAL OF THE INTERNAL PERFORMANCE AUDITOR POSITION.

WHAT WOULD THE PROCESS BE FOR THIS BOARD TO CARRY OUT THE WISHES OF THE CLERK?

>>MARY HELEN FARRIS: A MAJORITY OF THE BOARD WOULD DIRECT DEBORA AND MYSELF TO DRAFT THE PROPOSAL -- THE PROPOSED REPEAL.

THAT WOULD BE SET FOR TWO PUBLIC HEARINGS, AND THEN IF IT'S APPROVED BY THE BOARD, IT WOULD BE PLACED ON THE -- IF WE CAN MAKE IT IN TIME, THE 2010 OR THE 2012 BALLOT.

IT'S THE SAME PROCESS THAT WE FOLLOWED WHEN WE CREATED IT.

>>GERALD WHITE: SO IT WOULD TAKE A MAJORITY OF THE BOARD
HERE TO DRAFT THE LANGUAGE FOR REPEAL?

>>MARY HELEN FARRIS: TO TELL ME TO DRAFT THE LANGUAGE, BUT
IT TAKES THE TEN VOTES TO APPROVE IT TO MAKE IT GO TO THE
BALLOT.

>>GERALD WHITE: OKAY.

I'M GOING TO TAKE A PARALLEL COURSE WITH THIS, A PATH.
I'M GOING TO GIVE THE PERFORMANCE AUDITOR AN OPPORTUNITY TO
PRESENT THEIR CASE, BUT I ALSO WANT TO CARRY OUT THE WISHES
OF AN ELECTED OFFICIAL HERE IN THIS REGARD WHO -- ONE OF
THE REASONS THAT I VOTED FOR THIS ISSUE TO GO ON THE BALLOT
AND IT WAS CREATED, BECAUSE SHE TESTIFIED BEFORE THE
CHARTER REVIEW BOARD AND I LISTENED TO HER AND WE VOTED TO
CREATE THIS POST, SO I'M GOING TO CONTINUE TO LISTEN TO
HER.

I'D LIKE TO MAKE A MOTION THAT WE DRAFT THE LANGUAGE FOR
REPEAL OF THIS POST TO BE CONSIDERED FOR THIS BOARD.
THAT'S THE WAY IT SHOULD BE DONE, JUST TO CREATE THE
LANGUAGE.

>>JAN PLATT: SECOND.

>>MITCHELL THROWER: OKAY.

ANY DISCUSSION CONCERNING THAT?

MR. AMON.

>>JOE AMON: I THINK THAT'S PREMATURE.

I DON'T DISAGREE WITH YOUR MOTION, BUT I'M GOING TO VOTE

AGAINST IT ONLY BECAUSE IT'S PREMATURE, NOT BECAUSE I MAY NOT AGREE WITH IT.

I DON'T HAVE ALL THE FACTS YET, SO I WOULD LIKE TO HEAR THE -- THE REST OF THE PEOPLE THAT WE'RE GOING TO HEAR FROM, ESPECIALLY I WANT TO HEAR THIS REPORT FROM TARR, AND THEN I'LL BE HAPPY TO ENTERTAIN THAT AND LISTEN TO THAT MOTION, BUT I JUST THINK IT'S PREMATURE.

>>MITCHELL THROWER: MR. ROBINSON.

>>JOSEPH ROBINSON: I AGREE, AND I JUST SEE A RUB.

I SEE -- I SEE A RUB -- THE GUY JUST LEFT US SAID THAT GOOD PEOPLE CAN MAKE ANY GOVERNMENT WORK, OKAY.

THAT'S WHAT HE SAID, SO I'M NOT READY TO SUPPORT THAT MOTION UNTIL I HEAR THE OTHER SIDE OF THE STORY, AND I HAVEN'T HEARD THE OTHER SIDE OF THE STORY, I'VE HEARD ONE SIDE OF THE STORY, AND THEN ONCE I HEAR THE OTHER SIDE OF THE STORY, I CAN MAKE A DECISION.

>>MITCHELL THROWER: OKAY.

COMMISSIONER PLATT.

>>JAN PLATT: WELL, I WON'T DEBATE THE -- THE ISSUES, BUT I DO STRONGLY BELIEVE THAT IT'S REDUNDANT AND COSTLY AND CAUSING A BIG SNARL IN COUNTY GOVERNMENT TO HAVE THE INTERNAL AUDITOR, AND THEY'VE -- AND IT'S REDUNDANT. IT'S REDUNDANT BECAUSE WE ALREADY HAVE IT IN A CONSTITUTION, AND THE CLERK'S OFFICE HAS DONE IT FOR YEARS, DECADES, AND THERE'S BEEN NO PROBLEMS, AND NOW WE KEEP

COMING UP WITH THESE OFF-THE-WALL -- WHAT IS IT? -- OFFICE DEPOT THIS WEEK, LAST WEEK IT WAS E-MAILS, AND, YOU KNOW, THE PROBLEM IS -- AND UNFORTUNATELY ALL OF THIS IS OCCURRING AT THE SAME TIME THAT THE MEDIA DOESN'T HAVE THE INVESTIGATIVE REPORTERS THAT THEY USED TO HAVE THAT COULD SET THE RECORD STRAIGHT.

YOU GIVE THEM A \$4-MILLION FIGURE ABOUT OFFICE DEPOT, AND THEY IMMEDIATELY WRITE AN ARTICLE ABOUT IT, AND THEY DON'T DO THE BACKGROUND TO CHECK WITH THE CLERK'S OFFICE ABOUT WHAT THEY'VE DONE, AND THEN IF THEY SAW THIS WHOLE STORY, THERE WOULD NEVER BE AN ARTICLE ABOUT OFFICE DEPOT IN THE NEWSPAPER, SO IT JUST -- EVERYTHING IS COMING TOGETHER AT A BAD TIME, AND SO I THINK THERE'S NO HARM IN ASKING FOR THE LANGUAGE TO BE DRAFTED, AND YOU CAN VOTE -- ONCE IT COMES BACK IT TAKES FIVE VOTES, AND IF NOBODY WANTS TO DO IT AT THAT POINT, FINE, BUT I -- I THINK WE JUST NEED TO MOVE FORWARD AND HAVE THE LANGUAGE READY TO GO.

>>GERALD WHITE: UH-HUH.

>>MITCHELL THROWER: MRS. LEYTHAM.

>>BETH LEYTHAM: I HAVE A QUICK QUESTION, MR. POHTO, AND I FOLLOWED THIS A BIT IN THE NEWSPAPERS, BUT MY QUESTION TO YOU IS -- COMMISSIONER PLATT MENTIONED, YOU KNOW, YOU HAD THESE E-MAILS LEAK OUT AND THIS REPORT BEFORE FOLKS HAD COMMENTED ON IT.

NOW YOU HAVE THIS OFFICE DEPOT REPORT THAT THE IPA DID AND

NO ONE'S COMMENTED ON IT, IT JUST POPS UP.

WHAT IS THE PROCEDURE WITHIN YOUR OFFICE WHEN YOU'RE WORKING ON THESE INFLAMMABLE KINDS OF ISSUES TO PROTECT THE INFORMATION UNTIL IT'S BEEN PROPERLY ANALYZED AND VETTED? TELL ME ABOUT THAT, AND I'M GOING TO SUPPORT THE MOTION BECAUSE I THINK IT IS REDUNDANT AND I THINK IT'S TIME TO -- TO START ADDRESSING SOME OF THESE DISTRACTING ISSUES, FRANKLY.

>>DAN POHTO: YES.

FIRST OF ALL, AUDIT WORK PAPERS UNDER FLORIDA STATUTE 119 ARE NOT PUBLIC RECORD UNTIL THE AUDIT REPORT IS ISSUED. WHAT WE DO, WE HAVE A VERY FORMALIZED PROCESS THAT WE USE WITH EVERY AUDIT THAT WE DO, AND PART OF THAT FORMALIZED PROCESS IS BASED ON THE STANDARDS THAT WE HAVE TO MEET. WE CAN JUST ISSUE A REPORT WITHOUT HAVING THE CLIENT PROVIDE INPUT INTO IT, SO EVERY TIME THAT WE DO AN AUDIT, AS WE'RE DOING ANY FINDINGS WE KEEP MANAGEMENT UP-TO-DATE, AND WHEN WE GET TO THE END OF THE AUDIT WE HAVE A DRAFT REPORT AND WE SIT DOWN WITH CLIENT MANAGEMENT AND WE CALL IT A PRE-EXIT. WE GO THROUGH THE REPORT, THEY REVIEW THE LANGUAGE FOR FACTS AND IF THERE'S ANYTHING IN THE REPORT THAT MAYBE NEEDS TO BE TWEAKED, FURTHER CLARIFICATION, WE DO THAT, AND THEN WHAT WE DO IS WE HAVE A FINAL EXIT, OKAY, AND WE GO OVER THE -- ANY MODIFICATIONS TO THAT REPORT.

A COPY OF THAT REPORT'S GIVEN TO THE CLIENT.

THEY HAVE -- BY THE AGREEMENT WE HAVE WITH THE BOARD AND THE COUNTY ADMINISTRATOR, THEY HAVE 20 WORK DAYS TO GET BACK A REPLY FOR EACH OF THE FINDINGS THAT WE HAVE IN THAT REPORT.

THEY PROVIDE US THOSE -- THAT INPUT.

I PUT THOSE INPUTS VERBATIM INTO THE REPORT.

WE PUBLIC THE REPORT, WE DISTRIBUTE IT TO THE APPROPRIATE PEOPLE, AND THEN I BRING IT TO THE BOARD ON THE AGENDA AT A REGULAR BOARD MEETING AND I PRESENT THAT AUDIT.

I'LL GO OVER IT, ANY FINDINGS, IF THE BOARD HAS ANY QUESTIONS OF ME, THE CLIENT'S USUALLY THERE IF THEY HAVE ANY QUESTIONS OF THE CLIENT, AND THEN THE BOARD USUALLY -- I HAVEN'T HAD A PROBLEM WITH THEM ACCEPTING THE REPORT.

>>BETH LEYTHAM: OKAY.

>>DAN POHTO: IT'S VERY FORMALIZED WITH THE CLIENT INVOLVED ALL THE WAY.

>>BETH LEYTHAM: OKAY.

I APPRECIATE THAT.

TO JOE'S POINT ABOUT NOT HEARING BOTH SIDES, I FEEL LIKE I HAVE HEARD BOTH SIDES.

I FEEL LIKE THE IPA WAS HERE LAST TIME.

I DON'T FEEL LIKE I NEED TO HEAR FROM A CONSULTANT.

I HAVE A COUNTY EMPLOYEE HERE, I'VE HAD THE IPA HERE, AND FOR THAT REASON, I AGREE WITH MR. WHITE AND MS. PLATT, WE

SHOULD MOVE FORWARD AND JUST CREATING THE LANGUAGE.

>>MITCHELL THROWER: MR. TOKLEY AND MR. ROBINSON.

>>JAMES TOKLEY: WHAT WE DO HERE TODAY AND THE FUTURE DAYS WILL RENDER THIS COUNTY GOVERNMENT A BETTER AND MORE EFFICIENT MECHANISM.

YES, THIS IS REDUNDANT; HOWEVER, OUT OF THE COURTESY THAT WE OWE THE VOTERS, THE PEOPLE WHO PUT US HERE, I BELIEVE WE OWE IT TO THE INDIVIDUALS YET TO COME TO HEAR THEM OUT BEFORE WE MAKE A FINAL DECISION.

I THINK THAT IS NO MORE THAN ETHICAL, IT IS NO MORE THAN RIGHT, AND I BELIEVE THAT IS WHAT THE -- WHAT THE VOTERS NEED FOR US TO DO, SO I PERSONALLY WOULD VOTE TO HOLD MY FINAL DECISION UNTIL I HAVE HEARD EVERYONE SPEAK.

>>MITCHELL THROWER: MR. ROBINSON, THEN MR. AMON.

>>JOSEPH ROBINSON: WE HAVE -- WE HAVE NINE PEOPLE HERE, AND A MAJORITY I GUESS IS FIVE.

>>MITCHELL THROWER: YES.

>>JOSEPH ROBINSON: I WANT TO LET IT BE KNOWN THAT WE START THIS PRECEDENCE OF HAVING STAFF, COUNTY STAFF DRAFT UP, YOU KNOW, LANGUAGE TO GO ON THE BALLOT, THEN WHEN SOMEBODY COMES AND WE CAN GET FIVE VOTES TO GET THE SAME DRAFT OF LANGUAGE FOR COUNTY MAYOR, I HOPE THAT WE HONOR THE SAME RESPECT, AND IF WE CAN START DRAFTING LANGUAGE NOW WITH FIVE VOTES, THAT IF WE WANT TO HAVE LANGUAGE DRAFTED FOR A COUNTY MAYOR, IT TAKES FIVE VOTES TO DO THAT IF I GUESS

THERE WAS NINE PEOPLE IN THE ROOM; RIGHT?

SO I JUST WANT TO LET IT BE KNOWN WE'RE SETTING A
PRECEDENCE HERE IF IT TAKES FIVE VOTES TO GET LANGUAGE WITH
NINE PEOPLE THAT WE CAN DO THE SAME THING WITH ANY OTHER
ISSUE WE WANT LANGUAGE ON; RIGHT?

IS THAT MY UNDERSTANDING CHAIR?

>>MITCHELL THROWER: THAT IS CORRECT.

THE MAJORITY OF THE BOARD PRESENT FOR GETTING THE WORDING
DRAFTED.

MR. WHITE.

>>GERALD WHITE: WELL, LET ME -- LET ME JUST SAY THIS FOR -
- FOR EVERYONE, THAT THE ONLY THING THAT WE'RE DOING HERE
TODAY IS DRAFTING THE LANGUAGE.

YOU CANNOT TAKE ANY ACTION RELATED TO PLACING THIS ON THE
BALLOT UNTIL AFTER TWO PUBLIC HEARINGS, AND THIS HAS BEEN A
STRUGGLE FOR ME AS A CHARTER BOARD MEMBER IN LISTENING TO
THE CLERK AND THE GENTLEMAN GO BEFORE THE BOARD AND THE
COMMISSIONERS STRUGGLING WITH THIS ISSUE, AND YOU KNOW, I
FRANKLY HAVE BEEN FOLLOWING THIS POSITION VERY, VERY
CLOSELY BECAUSE I HAD A HAND IN CREATING IT, AND IT -- AND
SO THE ONLY THING THAT WE'RE DOING TODAY IS DRAFTING THE
LANGUAGE AND SO WE CAN REACH A DECISION ABOUT THIS.

WE CAN'T -- WE MUST BE PRODUCTIVE IN OUR MEETINGS.

WE ONLY MEET AT THIS TIME TWICE A MONTH, AND SO THIS IS AN
OPPORTUNITY TO DRAFT THE LANGUAGE, AND I'M LOOKING FORWARD

TO HEARING FROM THE CONSULTANT.

I'M TAKING A PARALLEL COURSE WITH THIS -- THIS PARTICULAR ISSUE, AND I WANT TO DRAFT THE LANGUAGE AND MAY END UP DOING SOMETHING RELATED TO WHAT THE CONSULTANT MAY SAY, BUT THIS IS SOMETHING THAT NEEDS TO BE DONE TO MOVE THIS ISSUE FORWARD, AND SO IT'S NOT GOING TO HURT ANYTHING FOR YOU TO DRAFT THE LANGUAGE.

YOU SHOULD BE ABLE TO SEE IT IN BLACK AND WHITE ON PAPER.

YOU CAN'T TAKE ANY ACTION UNTIL THE PUBLIC HAVE -- HAVE AN OPPORTUNITY TO SPEAK ON IT IN PUBLIC HEARINGS, AND SO THERE'S NOTHING WRONG ABOUT TAKING ACTION TODAY.

THE PUBLIC WILL HAVE THEIR FINAL SAY.

WE CAN'T VOTE UNTIL AFTER THE PUBLIC HEARING IS CLOSED.

AM I CORRECT, ATTORNEY?

>>MITCHELL THROWER: YEP.

>>GERALD WHITE: CAN YOU SAY THAT ON THE RECORD.

WE'RE NOT DOING ANYTHING WRONG HERE, SO I DON'T WANT --

>>MITCHELL THROWER: TWO PUBLIC.

TWO PUBLIC.

>>GERALD WHITE: MAKE SURE THIS IS CLEAR.

>>MARY HELEN FARRIS: CORRECT.

YOU HAVE TO HAVE TWO PUBLIC HEARINGS, AND IT HAS TO RECEIVE THE THREE-FOURTHS VOTE OF THE CHARTER REVIEW BOARD, WHICH IS TEN AFFIRMATIVE VOTES.

>>GERALD WHITE: SO WE'RE NOT DOING ANYTHING WRONG HERE

TODAY?

>>MARY HELEN FARRIS: NO, YOU'RE NOT DOING ANYTHING WRONG.

>>GERALD WHITE: OKAY.

>>MITCHELL THROWER: MR. AMON.

>>JOE AMON: THE ISSUES NOT WRONG.

YOU ONLY HAVE THREE DAYS.

THREE DAYS YOU'RE GOING TO HAVE THIS INDEPENDENT PERSON WHO WE EITHER AGREE WITH OR DON'T AGREE WITH IS GOING TO BE STANDING HERE GIVING YOU A REPORT.

WHAT IN THE WORLD IS SO IMPORTANT THAT YOU'VE GOT TO JUMP THE GUN FOR THREE DAYS?

THIS MAKES NO SENSE.

THEY CAN'T EVEN WRITE THIS IN THREE DAYS.

IT JUST MAKES NO SENSE TO ME, AND AGAIN, I GO BACK.

I DON'T DISAGREE WITH ANYTHING I'VE HEARD.

>>MITCHELL THROWER: LET MR. AMON FINISH.

>>JOE AMON: IF I HAD TO VOTE -- IF WE WERE GOING TO VOTE TODAY -- I'M TRYING TO KEEP YOU FROM DOING THAT, BUT IF WE WERE TO DO THAT, THERE'S NO QUESTION IN MY MIND.

I SEE REDUNDANCY, I SEE A WASTE OF TIME, I SEE A WASTE OF MONEY, BUT THE BOTTOM LINE IS I HEARD TWO-THIRDS OF A THREE-PART STORY.

I WANT TO HEAR THE THIRD PART.

I THINK I KNOW WHERE I'M GOING, BUT I WANT TO HEAR THAT THIRD PART.

>>MITCHELL THROWER: MR. PRESEAU.

>>GREG PRESEAU: IF YOU DON'T MIND, I HAVE A QUESTION FOR MR. POHTO, PLEASE.

FIRST, I WANT IT THANK YOU FOR YOUR TIME AND MS. FRANK'S TIME FOR COMING BEFORE US.

>>DAN POHTO: THANK YOU.

>>GREG PRESEAU: JUST -- YOU KNOW, IT WAS TOSSED OUT THERE THAT ANYTHING -- ANY SEARCHES BY THE IPA UNDER FOUR HOURS, YOU KNOW, ANY COMMISSIONER COULD APPROACH THEM AND HAVE THEM SEARCH SOMETHING; CORRECT?

>>DAN POHTO: THAT'S MY UNDERSTANDING, YES.

>>GREG PRESEAU: OKAY.

HOW WOULD YOUR OFFICE HANDLE THAT -- IF THE IPA WAS REMOVED AND THAT FUNCTION WAS REMOVED, HOW WOULD YOUR OFFICE HANDLE THOSE REQUESTS COMING FROM THE BOARD OF COUNTY COMMISSIONERS AS FAR AS YOUR RESOURCES AND TIME ALLOCATIONS?

>>DAN POHTO: THE -- PROBABLY WE WOULDN'T BE DOING THOSE FOUR-HOUR THINGS.

THAT'S REALLY NOT, YOU KNOW, OUR PURVIEW.

THAT PERSON -- THAT OFFICE WORKS UNDER CONTRACT TO THE BOARD, AND IF THEY SEE FIT TO GIVE THAT PERSON FOUR-HOUR ASSIGNMENTS, THAT'S WELL AND GOOD.

I THINK OUR TIME WOULD BE MORE SPENT IN MORE CONSOLIDATED EFFORTS WHERE THE -- THE BOARD IS TOGETHER ON WHAT THEY

WOULD WANT US TO DO, NOT HAVE SEVEN MEMBERS ASKING US TO DO SEVEN DIFFERENT THINGS.

I DON'T KNOW THAT THAT WOULD BE A GOOD USE OF OUR TIME, AND THAT'S PART OF THE REASON WE'D LIKE TO FORMALIZE, YOU KNOW, WHAT WE'RE GOING TO DO AND THE BOARD -- AND AGREES PRETTY MUCH TO WHAT WE'RE GOING TO DO, SO THOSE KIND OF FOUR-HOUR THINGS I WOULDN'T SEE US DOING.

>>GREG PRESEAU: RIGHT.

OKAY.

THANK YOU VERY MUCH.

AS FAR AS, YOU KNOW, DRAFTING THE LANGUAGE HERE, YOU KNOW, MY OPINION IS, YOU KNOW, WE DON'T KNOW WHAT THE COUNTY ATTORNEY'S TIME SCHEDULE IS.

THEY CERTAINLY WOULDN'T HAVE THAT LANGUAGE DRAFTED TODAY OR MONDAY BEFORE OUR NEXT MEETING, SO THERE'S NO NEED IN, YOU KNOW, ASSIGNING THEM A TASK THAT THEY'RE NOT GOING TO ACCOMPLISH BEFORE THAT GIVEN TIME FRAME, SO WHY DON'T WE WAIT, AND WE CAN ALSO HAVE POINTED QUESTIONS TO MR. TARR AS TO THE REDUNDANCY AND THE THINGS OF THAT NATURE, SO ASKING AT THIS POINT I DON'T THINK IS THE REAL ISSUE, ASKING AFTER HAVING ALL THE INFORMATION AT HAND IS A BETTER ISSUE.

>>GERALD WHITE: MR. CHAIR.

>>MITCHELL THROWER: LET ME LET COMMISSIONER PLATT SPEAK.

>>JAN PLATT: IF THIS MOTION DOESN'T PASS TODAY, I'M GOING TO MAKE IT THE NEXT TIME, AND YOU HAVE IN YOUR HAND THE

INFORMATION FROM MR. TARR.

I HAPPENED TO HAVE READ IT.

IT CAME IN OUR E-MAIL AND I READ IT, AND THAT'S WHY I'M READY TO VOTE FOR IT BECAUSE IF YOU READ WHAT HE SAYS, IT'S GOING TO BE MORE REDUNDANT, SO -- AND I WOULD ENCOURAGE YOU TO GO HOME TONIGHT AND READ THE E-MAIL THAT YOU RECEIVED FROM HIM OUTLINING HIS SUGGESTIONS BECAUSE HE WANTS US TO AMEND THE CHARTER TO TRY TO CORRECT WHAT HE CALLS THIS -- THE PROBLEM THAT IS JUST GOING TO MUDDY IT UP WORSE, AND I HOPE THAT THE CLERK IS GOING TO BE HERE ON MONDAY TO RESPOND TO THE CHANGES THAT -- THAT MR. TARR IS GOING TO SUGGEST TO THE CHARTER BECAUSE YOU'LL -- IF THIS DOESN'T PASS TODAY, I'M GOING TO MAKE THE MOTION AGAIN ON MONDAY.

>>MITCHELL THROWER: OKAY.

MR. WHITE.

>>GERALD WHITE: WELL, EVERYBODY JUST CALM DOWN A LITTLE BIT BECAUSE DRAFTING THE LANGUAGE IS JUST DRAFTING THE LANGUAGE.

MARY HELEN, CAN YOU ADDRESS THIS, BECAUSE WE'RE NOT, LIKE, GOING TO PUBLIC HEARING TOMORROW.

I MEAN, WE GOT, LIKE, MONTHS BEFORE THIS ISSUE ACTUALLY GOES TO PUBLIC HEARING IF WE EVEN VOTE FOR IT.

>>MARY HELEN FARRIS: AGAIN, IF YOU VOTE FOR THE MOTION, I DRAFT THE LANGUAGE.

YOU HAVE A POINT THAT I WOULD NOT -- I CAN'T PROMISE THAT I

COULD HAVE IT BACK HERE BY MONDAY, YOU KNOW, BECAUSE WE -- WE HAVE TO BE VERY THOROUGH WHEN WE DO THOSE AND MAKE SURE THAT WE -- WE CHECK IT OVER, BUT IT WOULD JUST BE DRAFTING A LANGUAGE.

>>GERALD WHITE: YEAH, THERE'S -- AND THEN WE DON'T HAVE TO, LIKE, HAVE A PUBLIC HEARING IMMEDIATELY OR ANYTHING LIKE THAT, YOU GOT LIKE --

>>MARY HELEN FARRIS: NO.

>>GERALD WHITE: YOU CAN HAVE THE PUBLIC HEARING WHENEVER YOU WANT; RIGHT?

>>MARY HELEN FARRIS: CORRECT.

>>GERALD WHITE: SO THERE'S NO RUSH TO ANYTHING. ALL WE'RE DOING IS JUST DRAFTING THE LANGUAGE, TAKING A STEP HERE, TRYING TO RESOLVE AN ISSUE AND GIVING THE PUBLIC AN OPPORTUNITY -- I WANT THE PUBLIC REALLY -- THE REASON I'M DRAFTING THE LANGUAGE, BECAUSE I WANT THE PUBLIC TO HAVE AN OPPORTUNITY, A PUBLIC OPPORTUNITY TO WEIGH IN ON THIS ISSUE IN A PUBLIC HEARING PROCESS, AND SO --

>>MITCHELL THROWER: LET ME JUST MENTION SOMETHING.

I PERSONALLY AGREE WITH THE INDIVIDUALS WHO SAID WHY NOT WAIT TILL MONDAY.

WE CAN VOTE ON A MOTION RIGHT NOW.

WE'RE GOING TO HEAR FROM MR. TARR ON MONDAY.

I PERSONALLY DON'T UNDERSTAND THE -- WHY EVERY -- WHAT THE RUSH IS TO VOTE ON DRAFTING THIS LANGUAGE.

WE HEAR FROM THE PERSON ON MONDAY, AND WE HAVE A CHANGE OF OPINION, ARE WE GOING TO VOTE TO CHANGE OUR -- YOU KNOW, I MEAN, IT JUST -- IT KIND OF -- IT CONFUSES THE ISSUE.

I DON'T UNDERSTAND WHAT THE RUSH IS TO DRAFT THE LANGUAGE PERSONALLY.

WE'VE GOT THREE DAYS.

MONDAY AFTERNOON WE HAVE A MEETING.

IF WE WANT TO -- IF WE WANT TO VOTE ON IT ON MONDAY, WE COULD VOTE ON IT AND APPROVE IT ON MONDAY.

HE MAY BRING UP SOME ISSUES.

ONE OF MY -- WELL, ACTUALLY, I WON'T GO THERE.

I'LL WAIT UNTIL MONDAY.

MR. ROBINSON.

>>JOSEPH ROBINSON: THE REASON -- I MEAN, I DON'T -- LIKE I SAID, NOW, WE GET FIVE PEOPLE OUT OF NINE THAT WANT TO PUT A -- DRAFT A CHARTER FOR COUNTY MAYOR, I WANT TO SEE THE SAME RESPECT, BUT I DON'T WANT TO DO ANYTHING LIKE THIS MOTION --

>>MITCHELL THROWER: ACTUALLY, IT'S SIX OUT OF TEN NOW.

>>JOSEPH ROBINSON: WELL, NOW, YEAH, WE GOT FRANK HERE.

SO -- BUT THE THING ABOUT IT IS IT GIVES THE PRESUMPTION THAT WE'RE GOING TO GO FORWARD WITH SOMETHING, AND I DON'T WANT TO GIVE A PRESUMPTION TO ANYBODY OUT THERE THAT I'VE ALREADY GOT AN IDEA OF WHAT I WANT TO DO WITHOUT VETTING OUT ALL OF THE INFORMATION.

YES, IT'S A HARMLESS MOTION THAT'S GOING TO HAVE SOME LANGUAGE DRAFTED; YES, WE'RE GOING TO -- THAT'S NOT THE ISSUE, IT'S THE PRESUMPTION THAT WE'RE GOING TO BE GOING IN A DIRECTION, AND I THINK THAT DUE PROCESS OUGHT TO PREVAIL AND WE HEAR EVERYBODY OUT.

WHETHER YOU READ THE E-MAIL OR NOT, I THINK WE INVITED THE PERSON HERE, OTHERWISE WHY ARE WE EVEN HAVING THE PERSON COME MONDAY?

SO LIKE I'M SAYING, I'D RATHER JUST WAIT BECAUSE IT GIVES THE PRESUMPTION THAT THIS BOARD IS ALREADY MOVING IN A DIRECTION, AND ESPECIALLY WHEN WE'RE MAKING A MOTION TO DRAFT LANGUAGE FOR THE CHARTER.

>>MITCHELL THROWER: OKAY.

ANY -- MR. SULLIVAN.

>>DAVID SULLIVAN: THANK YOU, MR. THROWER.

LIKE MOST OF YOU, I READ THE REPORT AND THOUGHT IT WAS A VERY SCATHING REPORT PERSONALLY.

I FEEL LIKE WE'RE RUSHING TO JUDGMENT IN THIS.

I DO THINK WE OWE MR. TARR THE COURTESY SINCE HE IS GOING TO BE HERE MONDAY TO WAIT TO MAKE OUR FINAL DECISION.

I DON'T THINK AT THIS POINT IT'S GOING TO REALLY SWAY ANYBODY'S OPINION, BUT I THINK THERE'S OTHER THINGS WE NEED TO CONSIDER SUCH AS THE FISCAL IMPACT, ARE THERE OTHER STEPS WE COULD TAKE ALONG WITH IT.

I KNOW, FOR EXAMPLE, AN INDEPENDENT AUDIT COMMITTEE PERHAPS

COMPOSED OF INDIVIDUALS IN THE COMMUNITY WHO ARE VERY ADEPT AT UNDERSTANDING THE AUDIT PROCESS.

PERHAPS OUR COMMISSIONERS ARE NOT THAT WELL VERSED IN THAT AREA.

I THINK THERE'S OTHER AREAS THAT WE NEED TO DISCUSS AND CONSIDER JUST BEFORE WE DRAFT LANGUAGE.

I PERSONALLY SUPPORT IT, I JUST DON'T SUPPORT IT TODAY.

THANK YOU.

>>MITCHELL THROWER: OKAY.

MR. WHITE.

>>GERALD WHITE: LET ME ASK YOU WHAT'S THE PROCESS IN TABLING THIS MOTION?

>>JAN PLATT: YOU CAN WITHDRAW IT.

>>MITCHELL THROWER: YOU COULD WITHDRAW IT IF YOU WANT.

>>GERALD WHITE: I DON'T WANT TO WITHDRAW IT.

>>JOSEPH ROBINSON: CALL FOR THE QUESTION.

>>MITCHELL THROWER: CALL TO QUESTION.

>>GERALD WHITE: I'D LIKE TO TABLE THE MOTION.

>>MITCHELL THROWER: TABLE THE MOTION?

>>JAN PLATT: SECOND.

>>JOSEPH ROBINSON: CALL OF ORDER.

[INAUDIBLE]

>>MITCHELL THROWER: WELL, LET ME LOOK HERE.

>> WE ALL HEARD HIM SAY THAT HE DIDN'T WANT TO DO IT.

>>MITCHELL THROWER: YOU DID SAY CALL TO QUESTION.

WAS THERE ANY FURTHER DISCUSSION ON THAT?

LEGAL, IN TERMS OF CALLING THE QUESTION, WE VOTE; RIGHT?

>>JOE AMON: YOU VOTE.

>>MITCHELL THROWER: OKAY.

NO FURTHER DISCUSSION, WE GOT A CALL TO QUESTION --

>>FRANK REDDICK: MR. CHAIRMAN.

>>MITCHELL THROWER: YES, SIR.

>>FRANK REDDICK: -- BEFORE WE VOTE -- I WAS NOT HERE TO BE
PART OF THE DISCUSSION.

I'M JUST GETTING OFF A PLANE, SO DO I HAVE A LEGAL --
PROPER AUTHORITY TO ABSTAIN FROM VOTING?

>>MITCHELL THROWER: YOU CANNOT ABSTAIN AS A MEMBER?

>>FRANK REDDICK: SO I HAVE TO VOTE?

>>MITCHELL THROWER: YOU HAVE TO VOTE, AND BASICALLY THE
MOTION WAS MR. WHITE AND COMMISSIONER PLATT SECONDED IT TO
HAVE THE COUNTY ATTORNEY DRAFT THE LANGUAGE --

>>GERALD WHITE: NO, NO, I MADE A MOTION TO TABLE THE
ISSUE.

>>JOE AMON: NO.

>>MITCHELL THROWER: NO, BUT YOUR MOTION THAT'S ON THE
FLOOR RIGHT NOW IS TO DRAFT THE WORDING, SO YOU WANT TO
TABLE THE MOTION?

>>GERALD WHITE: I MADE A SUBSTITUTE MOTION TO TABLE --

>>JOSEPH ROBINSON: I MADE A MOTION BEFORE HE TABLED IT
BECAUSE HE SAID HE DIDN'T WANT TO TABLE IT.

>>MITCHELL THROWER: HE DID.

LET ME ASK LEGAL.

>>GERALD WHITE: JESUS.

>>JAN PLATT: WHAT IF I WITHDREW MY SECOND?

>>JOSEPH ROBINSON: IT'S TOO LATE.

I ALREADY CALLED TO QUESTION.

>>DEBORA CROMARTIE-MINCEY: DEBORA CROMARTIE-MINCEY.

>>MITCHELL THROWER: IN TERMS THAT WE GOT A CALL TO QUESTION TO VOTE ON THIS MOTION THAT'S ON THE FLOOR, BUT MR. WHITE HAS ASKED --

>>DEBORA CROMARTIE-MINCEY: THE SUBSTITUTE MOTION?
IS IT THE --

>>MITCHELL THROWER: NO, IT'S THE ORIGINAL MOTION.

IT'S THE ORIGINAL MOTION CALLED TO QUESTION.

MR. WHITE HAS ASKED TO TABLE HIS MOTION AFTER IT'S BEEN CALLED TO QUESTION.

WHAT IS THE PROPER PROCEDURE TO HANDLE THAT?

DO WE STILL HAVE TO VOTE SINCE IT'S BEEN CALLED TO QUESTION PRIOR TO -- THE CALL TO QUESTION CAME FIRST.

MY THOUGHT IS WE HAVE TO VOTE ON THAT.

>>MARY HELEN FARRIS: I WOULD JUST SUGGEST THAT YOU VOTE TO CALL THE QUESTION SINCE THAT CAME FIRST.

>>MITCHELL THROWER: OKAY.

>>MARY HELEN FARRIS: AND THEN -- AND I DON'T HAVE MY ROBERT'S RULES IN FRONT OF ME, BUT THAT'S WHAT I WOULD

SUGGEST.

SINCE THAT CAME FIRST, GO AHEAD AND VOTE THAT, AND THEN IF THERE'S ANY OTHER THING THAT NEEDS TO BE DONE, YOU CAN DO THAT.

>>MITCHELL THROWER: ALL IN FAVOR OF THE CALL TO QUESTION RAISE YOUR RIGHT HAND.

ANYONE OPPOSED.

OKAY.

WE HAVE THREE INDIVIDUALS OPPOSED, MRS. LEYTHAM, MR. WHITE, AND COMMISSIONER PLATT OPPOSED, AND THAT IS JUST THE CALL TO QUESTION.

SO NOW WE'VE GOT TO VOTE ON THE ORIGINAL MOTION.

THE ORIGINAL -- YES.

>>GERALD WHITE: I'LL JUST WITHDRAW THE MOTION.

CAN'T WE JUST WITHDRAW THE MOTION?

>>MITCHELL THROWER: CAN HE STILL WITHDRAW IT?

>> WE MUST VOTE.

>>MITCHELL THROWER: BECAUSE WE JUST HAD A VOTE TO CALL TO QUESTION, SO CAN HE WITHDRAW THE MOTION NOW THAT WE'VE ALREADY -- I WOULD THINK HE WOULDN'T BE ABLE TO AND THAT WE HAVE TO VOTE ON THIS MOTION.

>>MARY HELEN FARRIS: GO AHEAD AND JUST VOTE.

>>MITCHELL THROWER: YEAH.

WE'RE GOING TO HAVE TO GO AHEAD AND JUST VOTE ON THIS MOTION.

THE MOTION IS TO HAVE THE COUNTY ATTORNEY DRAFT DRAFT LANGUAGE ON REPEALING THE INTERNAL PERFORMANCE AUDITOR POSITION.

OKAY.

ALL IN FAVOR OF THAT MOTION PLEASE RAISE YOUR RIGHT HAND.

ALL OPPOSED RAISE THEIR RIGHT HAND.

OKAY.

THAT MOTION FAILS -- FAILS.

MRS. LEYTHAM, MR. WHITE, AND COMMISSIONER PLATT WERE ON THE LOSING SIDE.

OKAY.

[LAUGHTER]

THAT WAS COMPLICATED FOR THAT, SO MR. WHITE.

>>GERALD WHITE: I'D LIKE TO JUST HAVE THE CLERK COME UP AND --

>>PAT FRANK: YES.

>>GERALD WHITE: CLERK FRANK, I JUST WANT YOU TO KNOW THAT I AM NOT GOING TO LEAVE THIS ISSUE.

WE WILL ADDRESS IT FULLY.

MY COLLEAGUES HAVE INDICATED THEY WANT MORE INFORMATION.

I'M ON THE COURSE OF A PARALLEL PATH, I WANT -- I'VE HEARD FROM SOME OF THE ELECTED OFFICIALS, COMMISSIONERS HAVE HAD TO SAY ABOUT THIS ISSUE, I'VE LISTENED TO YOUR PUBLIC COMMENTS ABOUT THIS ISSUE AND YOUR TESTIMONY TODAY, AND I PROMISE YOU WE WILL -- I'M COMMITTED TO FULLY ADDRESSING

THIS, AND WE WILL RESOLVE THIS ISSUE AS FAR AS -- AS FAR AS COMING TO SOME SORT OF CONCLUSION, SO THANK YOU FOR YOUR TESTIMONY.

>>PAT FRANK: I APPRECIATE THAT, AND I --

>>MITCHELL THROWER: MR. -- I'M SORRY.

>>PAT FRANK: I ALSO CAN UNDERSTAND THE DESIRE TO MAKE SURE THAT ALL THE -- ALL THE ISSUES HAVE BEEN AIRED.

THAT'S FINE WITH ME BECAUSE I -- YOU KNOW, I'M SO FAMILIAR WITH IT, I LIVE IT EVERY DAY, AND I CERTAINLY UNDERSTAND THE IMPORTANCE OF WHAT I'VE RECOMMENDED TO YOU.

I'D NEVER DO IT IF I THOUGHT IT WERE GOING TO BE NOT PRODUCTIVE IN TERMS OF THE ULTIMATE OUTCOME OF HAVING THE COMMISSION ABLE TO OPERATE EFFICIENTLY, SO I FEEL COMFORTABLE WITH TAKING A VOTE TODAY, BUT I CAN UNDERSTAND THAT SOME OF YOU ARE NOT THAT FAMILIAR WITH IT, SO NO HARM IS DONE IN WAITING.

>>MITCHELL THROWER: MR. ROBINSON.

>>JOSEPH ROBINSON: COMMISSIONER PLATT BROUGHT UP AN INTERESTING STATEMENT.

SHE SAID WE HAVE MRS. FRANK HERE NOW.

WHEN THE GUY COMES MONDAY, SHE'S NOT GOING TO BE ABLE TO REFUTE THAT.

HOW ARE WE GOING TO DEAL WITH THAT?

I THOUGHT THAT WAS INTERESTING.

>>PAT FRANK: WELL, I HAVE TO GO -- EXCUSE ME, IF I MAY.

I HAVE TO GO BACK AND LOOK AT MY AGENDA, WHICH HAS ALREADY BEEN SET FOR MONDAY.

IF I CAN MOVE IT AROUND, I'LL CERTAINLY BE SURE TO BE HERE. IS THERE A TIME CERTAIN THAT YOU WOULD HAVE THAT YOU COULD SET FOR ME?

>>MITCHELL THROWER: YES.

LET ME CHECK TO SEE.

I'VE GOT IT SOMEWHERE HERE.

>>PAT FRANK: WELL, IF NOT, I CAN GET IN TOUCH WITH MS. STEWART AFTER THE MEETING.

>>JAN PLATT: IT'S AT 6:00.

>>MITCHELL THROWER: I WASN'T SURE IF WE HAD A TIME CERTAIN FOR MR. TARR.

OUR MEETING'S AT 6:00, BUT I WOULD THINK PROBABLY 6:30.

>>JOE AMON: I THINK AT 6:30.

>>MITCHELL THROWER: 6:30.

>>PAT FRANK: 6:30?

>>MITCHELL THROWER: 6:30 WOULD BE A GOOD TIME.

>>PAT FRANK: ALL RIGHT.

I'LL BE HERE.

>>JOSEPH ROBINSON: THANK YOU.

>>GERALD WHITE: BEFORE WE CLOSE THIS ISSUE, MR. CHAIRMAN, I WANT TO GET THIS ISSUE RESOLVED BECAUSE AS THE COUNTY ATTORNEY HAS TOLD US IN THE PAST, THIS POSITION DOES NOT AFFECT VOTING, AND SO THIS IS JUST A STAFF POSITION.

ALTHOUGH IT'S IN THE CHARTER, IT DOES NOT AFFECT VOTING,
AND SO I REALLY WANT TO GET TO THE ISSUES THAT AFFECT
VOTING IN THIS COUNTY, AND WE NEED TO GET THIS ISSUE
RESOLVED, AND I HOPE WE CAN CLOSE IT OUT AT OUR NEXT
MEETING.

>>MITCHELL THROWER: THANK YOU.

>> AND I PERSONALLY WOULD LIKE TO THANK YOU, SIR, FOR YOUR
TIME.

>>DAN POHTO: THANK YOU FOR HAVING US.

I'D LIKE TO THANK YOU AND HOPEFULLY IT PROVIDES SOME GOOD
INFORMATION FOR YOU

IF IT'S OKAY, WE'LL GO AHEAD AND LEAVE.

>>MITCHELL THROWER: THANK YOU.

APPRECIATE YOUR TIME.

>>DAN POHTO: THANK YOU FOR THE QUESTIONS.

APPRECIATE IT.

>>JAN PLATT: I HOPE THE PRESS GETS COPIES OF WHAT YOU DID
WITH OFFICE DEPOT AS WELL AS THIS LATEST LETTER THAT CAME
OUT BECAUSE YOU SORT OF HAVE TO HAND FEED THE MEDIA RIGHT
NOW BECAUSE THEY DON'T HAVE ENOUGH STAFF.

>>DAN POHTO: WELL, WE HAD A RECORDS -- WE HAD A RECORDS
REQUEST FROM -- I'M NOT SURE WHO HE WAS WITH -- MIKE
DEESON, SOME CHANNEL.

>> CHANNEL 10.

>>DAN POHTO: SO WE PROVIDED HIM A LINK TO OUR AUDIT OUT

THERE SO HE COULD GO LOOK AT IT IF HE WANTED TO.

>>GERALD WHITE: WHAT'S IMPORTANT IS TO GET THE INFORMATION ANY ADDITIONAL TO THIS BOARD THAT HAS TO VOTE.

THAT'S WHAT'S REALLY IMPORTANT.

SURE THE PRESS IS IMPORTANT, BUT WHAT'S MOST IMPORTANT IS THAT THIS BOARD, THE 14 MEMBERS OF THIS CHARTER BOARD BE EDUCATED SO WE CAN COME TO SOME SORT OF CONCLUSION ON THIS MATTER.

>>DAN POHTO: MITCH, IF THERE'S ANYTHING ELSE OF ANY INFORMATION THAT YOU WOULD WANT, LET ME KNOW, AND I'LL TRY AND PROVIDE IT TO YOU.

>>MITCHELL THROWER: IF THERE'S ANY INFORMATION THAT YOU'RE AWARE OF THAT YOU THINK WOULD BE BENEFICIAL FOR US AS A BOARD, IF YOU COULD -- IF THERE'S ANYTHING YOU HAVE, YOU COULD PROVIDE IT TO EDITH STEWART, MRS. STEWART, AND SHE COULD GET IT TO US.

>>DAN POHTO: I REALLY THINK, THEN, THAT MAYBE EDITH SHOULD PROVIDE THAT PRESIDENT OF OFFICE DEPOT MEMO BECAUSE YOU ONLY HAVE ONE SIDE OF IT HERE.

>>MITCHELL THROWER: YEAH, AND IF WE COULD GET IT AS QUICKLY -- WE MEET WITH MR. TARR MONDAY NIGHT.

>>DAN POHTO: YOU'LL HAVE IT.

>>GERALD WHITE: THIS IS NOT JUST ABOUT OFFICE DEPOT. I'M TROUBLED BY THIS.

THIS IS NOT ABOUT OFFICE DEPOT.

THIS POSITION HAS BEEN IN EXISTENCE FOR QUITE A WHILE, AND
THERE'S JUST A LOT OF PUBLIC CONCERNS.

>>MITCHELL THROWER: I'M JUST ASKING ANYTHING IN GENERAL OR
ANYTHING -- THAT IS --

>>GERALD WHITE: I DON'T WANT TO GET OFF ON TALKING ABOUT
ONE COMPANY HERE.

THAT'S JUST UNFAIR.

>>DAN POHTO: NO, I -- THERE WAS SOME DISCUSSION.

I WAS JUST TRYING TO HELP YOU WITH DECISIONS.

I'M NOT TRYING TO INTERVENE, I WAS JUST TRYING TO BE
HELPFUL.

IF THERE'S ANYTHING YOU WOULD LIKE, I WILL TRY AND PROVIDE
IT TO YOU.

IF YOU HAVE ANY OTHER QUESTIONS, GET AHOLD OF EDITH.

>>MITCHELL THROWER: I THINK THE MEMO THAT YOU JUST
MENTIONED WOULD BE BENEFICIAL JUST FOR US TO BE AWARE OF
AND SEE.

>>DAN POHTO: OKAY.

>>MITCHELL THROWER: SO IF YOU COULD PROVIDE THAT TO
MRS. STEWART, THAT WOULD BE GREAT.

>>DAN POHTO: IS THAT OKAY?

>>MITCHELL THROWER: YEP.

>>DAN POHTO: THANK YOU.

>>MITCHELL THROWER: OKAY.

THANK YOU.

ANY FURTHER DISCUSSION?

I DON'T BELIEVE -- LET ME ASK MS. -- OKAY.

MR. WHITE REAL QUICK.

>>GERALD WHITE: I HAD A QUESTION FOR THE REPORT, THE
BACKUP MATERIAL THAT WE RECEIVED FROM THE COUNTY ATTORNEY.

>>MITCHELL THROWER: FROM THE -- THE BACKUP [INAUDIBLE]

>>GERALD WHITE: THE BACKUP -- THE INFORMATION THAT THE --
THE REPORT THAT WE RECEIVED FROM THE COUNTY ATTORNEY --

>>MITCHELL THROWER: OH, OKAY.

YES.

>>GERALD WHITE: -- THE INFORMATION ABOUT THE VETO.

THAT WAS A VERY, VERY GOOD REPORT THAT YOU SUBMITTED TO US.

>>MARY HELEN FARRIS: THIS -- YEAH.

THIS REPORT, JUST FOR THE RECORD, THIS IS WHAT RENEE LEE
PUT TOGETHER IN -- BEFORE A BOCC RETREAT.

SHE ASSEMBLED THIS, AND THAT -- AS I MENTIONED AT THE LAST
MEETING, EDITH HAD REMINDED ME THAT SHE HAD DONE THAT, SO -

-

>>GERALD WHITE: OKAY.

SO THE DOCUMENTS IS -- WHAT IS THIS -- THIS -- WAS THE --
WAS SHE PREPARING A DOCUMENT FOR THE COMMISSIONERS TO FILE
A LAWSUIT?

EXPLAIN THAT.

>>MARY HELEN FARRIS: I -- I DID NOT DRAFT THIS DOCUMENT.

I ASSUME THAT -- AND IT'S GOT ROB BRAZEL, WHO IS WITH OUR

LITIGATION DEPARTMENT -- THAT SHE HAD HIM DRAFT THAT FOR THE BOARD'S CONSIDERATION.

I WAS NOT AT THE RETREAT, SO APPARENTLY SINCE IT WAS NOT FILED, THE BOARD DECIDED NOT TO GO FORWARD WITH IT.

>>GERALD WHITE: I DON'T UNDERSTAND.

YOU MEAN --

>>MARY HELEN FARRIS: SHE PREPARED IT FOR THE BOARD'S CONSIDERATION, BUT SINCE IT WAS NEVER FILED, I CAN ONLY ASSUME THE BOARD SAID THEY DID NOT WANT IT TO BE FILED.

>>GERALD WHITE: SO WHAT I'M SAYING, BASED ON HER DOCUMENTS, YOUR READING OF HER DOCUMENTS, SHE WAS ADVISING THE BOARD OF COUNTY COMMISSIONERS THAT THE VETO POWER WAS ILLEGAL, UNCONSTITUTIONAL?

>>MARY HELEN FARRIS: THE BUDGET PART, THE BUDGET PART, NOT ALL OF THE VETO BUT THE BUDGET PART, AND AGAIN, I GUESS I COULD GET THE MINUTES FROM THE RETREAT.

I WAS NOT THERE.

I DON'T KNOW WHAT THE DISCUSSION WAS.

>>GERALD WHITE: THE WAY I READ THE MINUTES IS THE BOARD OF COUNTY COMMISSIONERS AS A WHOLE DID NOT WANT TO BE PERCEIVED AS SELF-SERVING, AND SO THEY DIDN'T WANT TO GET INVOLVED IN SOMETHING WHAT THE VOTERS HAD ACTED ON, NOT THAT THEY WERE FOR IT OR AGAINST IT, THEY JUST FELT LIKE THEY DIDN'T -- THE WAY I READ THE TRANSCRIPTS OF THE MINUTES --

>>MARY HELEN FARRIS: AND THE LEGAL ISSUE IS NOT THE VETO POWER IN ITSELF, IT'S THE BUDGET PART OF IT. THE VETO OVER THE BUDGET.

>>GERALD WHITE: WELL, MY QUESTION IS, IF SOMETHING IS IN OUR CHARTER AND THE COUNTY ATTORNEY OF HILLSBOROUGH COUNTY BELIEVED THERE'S SOME LEGALITY ISSUES WITH IT, THEN WE NEED TO KNOW WHAT THOSE LEGALITIES ARE BECAUSE I DON'T WANT ANYTHING IN THE CHARTER THAT'S NOT LEGAL, AND SO YOU'RE SAYING THAT THE PERSON THAT DRAFTED THIS SUIT NEED TO COME BEFORE OUR BOARD BASICALLY?

>>MARY HELEN FARRIS: NO, NO, NO.

I CAN JUST FIND OUT WHAT THE DISCUSSION WAS.

I HAD NOT SEEN THIS PACKET.

I CAN FIND OUT WHAT THE DISCUSSION WAS AND THEN COME BACK AND BRIEF THE BOARD.

YOU KNOW, I --

>>GERALD WHITE: I WOULD LIKE TO HAVE A BRIEFING ON -- ON THE REPORT THAT THE ATTORNEY PREPARED FOR THE BOARD OF COUNTY COMMISSIONERS.

>>MARY HELEN FARRIS: OKAY.

I'LL GET ALL THE INFORMATION I CAN ABOUT IT.

>>GERALD WHITE: OKAY.

>>MITCHELL THROWER: OKAY.

MR. ROBINSON.

>>JOSEPH ROBINSON: YOU DONE OPENED UP PANDORA'S BOX NOW.

[INAUDIBLE] --

>>MITCHELL THROWER: I KNOW.

>>JOSEPH ROBINSON: -- WE WAS GOING TO GO AWAY FROM THAT.
YOU DONE OPENED IT UP.

I'M GOING TO ASK YOU A QUESTION.

I KNOW YOU HAVEN'T SEEN THIS PACKAGE, BUT I'M SITTING
HERE -- WHEN WE ASKED THE QUESTION HAD THAT AMENDMENT THAT
PASSED BY THE VOTERS ON VETO WENT TO THE JUSTICE
DEPARTMENT, I THINK WE WERE TOLD IT HADN'T.

>>MARY HELEN FARRIS: RIGHT.

>>JOSEPH ROBINSON: WELL, I'M SITTING HERE LOOKING AT A
JUSTICE DEPARTMENT, CIVIL RIGHTS DIVISION, JUNE 25th, 2008,
LETTER.

>>MARY HELEN FARRIS: CAN I EXPLAIN THAT?

>>JOSEPH ROBINSON: YOU CAN EXPLAIN IT BECAUSE IT SAYS --
THE WAY I READ IT, IT REFERS TO PROCEDURES CONDUCTED ON
NOVEMBER 4th, 2008, SPECIAL CHARTER.

IF APPROVED BY THE VOTERS TO CHANGE THE FORM OF GOVERNMENT
TO INCLUDE AN ELECTED MAYOR FOR HILLSBOROUGH COUNTY --

>>MITCHELL THROWER: MR. ROBINSON, LET ME INTERRUPT YOU.

>>JAN PLATT: POINT OF ORDER, AND IT'S WITH ALL DUE
RESPECT.

THIS IS NOT ON THE AGENDA AS AN AGENDAED ITEM.

>>JOSEPH ROBINSON: I SAID HE OPENED UP PANDORA'S BOX.

>>JAN PLATT: I KNOW HE DID.

I AGREE 100%.

>>MITCHELL THROWER: I SHOULD HAVE STOPPED HIM.

>>JAN PLATT: YOU SHOULD HAVE STOPPED HIM, AND IT NEEDS TO BE AN AGENDA ITEM SO THAT WE CAN LOOK AT THAT DOCUMENT --

>>MITCHELL THROWER: WE NEED TO ADD THAT.

>>JOSEPH ROBINSON: [INDISCERNIBLE CROSS TALK]

>>JAN PLATT: SO PLACE IT ON THE AGENDA NEXT TIME, BUT

>>MITCHELL THROWER: IF YOU WANT TO -- MR. WHITE, IF YOU WANT TO MAKE A MOTION, WE CAN MAKE A MOTION, WE CAN PUT THAT ON NEXT MONTH'S AGENDA IF SOMEONE WANTS TO SECOND IT.

>>GERALD WHITE: WELL, BASICALLY, WE HAVE ALL THESE PUBLIC DOCUMENTS HERE, AND THESE ARE PUBLIC DOCUMENTS.

I WOULD LIKE TO HAVE THIS WHOLE ISSUE ON THE AGENDA SO THAT WE CAN FIND OUT WHAT THE FACTS ARE AND WHAT -- WHAT'S --

>>JAN PLATT: SECOND.

>>MITCHELL THROWER: OKAY.

WE'VE GOT A MOTION, WE'VE GOT A SECOND TO GET THE INFORMATION AND PUT THIS ITEM ON OUR AGENDA FOR NEXT MEETING.

ANY DISCUSSION BEFORE WE VOTE?

>>JOSEPH ROBINSON: NEXT MEETING, THE AGENDA'S ALREADY SET.

>>MITCHELL THROWER: OH, ACTUALLY, THAT'S GOING TO BE HARD TO GET IT MONDAY.

YOU MAY WANT TO DO IT THE MEETING AFTER THAT BECAUSE MONDAY IS GOING TO BE TOO QUICK A TURNAROUND.

>>MARY HELEN FARRIS: RIGHT.

>>JAN PLATT: OKAY.

>>MITCHELL THROWER: MR. WHITE, YOU MIND AMENDING THAT
MOTION --

>>GERALD WHITE: WELL, I DIDN'T SAY THE NEXT MEETING, I
JUST WOULD LIKE --

>>MITCHELL THROWER: ON A MEETING.
OKAY.

IT WON'T BE THIS COMING MONDAY'S MEETING, IT WILL BE THE
MEETING AFTER THAT.

>>MARY HELEN FARRIS: ALL RIGHT.

>>MITCHELL THROWER: ANY FURTHER DISCUSSION BEFORE WE VOTE
ON THAT?

MR. WHITE.

>>GERALD WHITE: YES.

THERE'S BEEN A LOT OF DISCUSSION ABOUT EXPANDING THE BOARD
OF COMMISSIONERS FROM SEVEN TO NINE, AND I'D LIKE TO KNOW
FROM THE COUNTY ATTORNEY IS THERE A --

>>JAN PLATT: DID WE VOTE ON THAT?

>>GERALD WHITE: -- IS THERE A METHOD --

>>MITCHELL THROWER: MR. WHITE, WE HAVE A MOTION ON THE
FLOOR.

WE NEED TO VOTE ON THAT BEFORE WE GO FORWARD.

>>GERALD WHITE: I'M SORRY.

I'M SORRY.

>>MITCHELL THROWER: OKAY.

WE HAD A MOTION, WE HAD A SECOND.

ANY FURTHER DISCUSSION ON THAT MOTION THAT'S ON THE FLOOR?

>> NO.

>>JAN PLATT: I'M VOTING.

>>MITCHELL THROWER: OKAY.

ALL IN FAVOR RAISE YOUR RIGHT HAND.

OKAY.

ANYONE OPPOSED?

OKAY.

THAT MOTION PASSES.

OKAY.

MR. WHITE.

>>GERALD WHITE: MY OTHER ISSUE IS EXPANDING THE BOARD, AND
WHAT IS THE MOST METHODOICAL WAY, IS THERE ANY KIND OF
METHODOICAL WAY OUT THERE TO DETERMINE HOW COUNTIES IN THE
STATE OF FLORIDA HAVE EXPANDED THEIR BOARD OR WHAT'S --
WHAT'S THE NORM OUT THERE?

DO YOU -- IS THERE SOMETHING THAT WE CAN START LOOKING AT
ON -- IS IT -- CAN -- MARY, CAN YOU COME AND ANSWER THAT.
IS THERE ANY KIND OF METHOD?

WHAT -- WHAT -- WHAT'S OUT THERE IN ORDER TO MAKE THE MOST
APPROPRIATE DECISION WHETHER OR NOT TO EVEN STRONGLY
CONSIDER EXPANDING A BOARD OF COMMISSIONERS?

>>MARY HELEN FARRIS: I DON'T KNOW IF THAT'S REALLY A LEGAL

QUESTION.

I CAN PROVIDE INFORMATION, AND I THINK WE HAVE -- IF NOT, I'LL MAKE SURE THAT WE DO -- WHAT COUNTIES HAVE FIVE COMMISSIONERS OR SEVEN COMMISSIONERS OR A DIFFERENT NUMBER, BUT -- BUT I THINK THE BOARD SHOULD PROBABLY COME UP WITH WHATEVER METHODOLOGY YOU WANT TO FOLLOW TO -- TO LEAD YOUR DISCUSSIONS.

IT'S NOT REALLY A LEGAL ISSUE.

>>GERALD WHITE: THERE IS NOTHING OUT THERE, YOU JUST --

>>MARY HELEN FARRIS: NOT THAT I'M AWARE OF.

>>MITCHELL THROWER: THAT COULD BE SOMETHING WITH ADDITIONAL SPEAKERS WE COULD MAYBE ASK -- GET SOME ANSWERS FROM SOME OF THEM, SOME OF THE INDIVIDUALS WE'VE INVITED COMING UP IN THE FUTURE.

MAYBE THEY CAN GIVE US SOME MORE INSIGHT AS TO WHAT IS APPROPRIATE OR WHAT A GOOD NUMBER IS OR WHATEVER, SO --

>>GERALD WHITE: OKAY.

I HAVE ANOTHER CONCERN.

PART OF OUR BACKUP WAS THIS E-MAIL ABOUT PERFORMANCE BOND OF THE COUNTY ADMINISTRATOR, AND THE WAY I READ THE E-MAIL BACK AND FORTH BETWEEN THE DIFFERENT ATTORNEYS, UNDER OUR CHARTER LANGUAGE IT CALLED FOR THE COUNTY ADMINISTRATOR TO HAVE A PERFORMANCE BOND.

>>MARY HELEN FARRIS: IN ACCORDANCE WITH GENERAL LAW.

THERE IS NO GENERAL LAW THAT REQUIRES A COUNTY

ADMINISTRATOR TO POST A BOND.

>>GERALD WHITE: OKAY.

>>MARY HELEN FARRIS: SO IT'S IN THERE IN ACCORDANCE WITH
GENERAL LAW.

THERE IS NO GENERAL LAW REQUIREMENT.

>>GERALD WHITE: THERE'S NEVER BEEN ONE?

>>MARY HELEN FARRIS: I DON'T KNOW ABOUT NEVER BEEN ONE.
THERE'S NOT ONE NOW.

I KNOW IN 1983 THERE WAS ONE.

THERE USED TO BE IN THE STATUTES THAT THE BOARD AND ALL THE
CONSTITUTIONALS POST A BOND.

BACK IN 1999 THAT STATUTE WAS AMENDED.

NOW IT SIMPLY SAYS IT'S UP TO THE BOARD OF COUNTY
COMMISSIONERS BY ORDINANCE TO REQUIRE THE POSTING OF BONDS,
WHICH THE BOARD DID.

THE BOARD AND THE CONSTITUTIONALS HAVE TO POST THEIR BOND,
THAT'S IN A COUNTY ORDINANCE, BUT NOT THE COUNTY
ADMINISTRATOR.

>>GERALD WHITE: OKAY.

>>MARY HELEN FARRIS: AND I DON'T EVEN KNOW IF THAT WAS AN
ISSUE THAT THEY LOOKED AT, YOU KNOW, AT THAT POINT.

>>GERALD WHITE: OKAY.

AND A SEPARATE ISSUE RELATED TO BONDS AND INSURANCE.

THIS HAS BEEN AN ISSUE OVER THE PAST YEAR IN OUR COUNTY
BECAUSE -- I WOULD -- I WOULD LIKE TO KNOW IS THERE SOME

SORT OF CHARTER LANGUAGE TO HAVE THE ELECTED OFFICIALS, THE COUNTY COMMISSIONERS, BONDED AND INSURED IN CHARTER LANGUAGE SO THAT IF SOMETHING WENT WRONG, THE TAXPAYERS WOULDN'T BE ON THE HOOK.

>>JAN PLATT: THEY ARE BONDED.

>>GERALD WHITE: ARE THEY BONDED?

>>JAN PLATT: THEY USED TO BE.

>>MARY HELEN FARRIS: THE COMMISSIONERS ARE, YES.

>>GERALD WHITE: I WOULD LIKE TO KNOW -- WE DON'T HAVE ANY CHARTER LANGUAGE --

>>MARY HELEN FARRIS: IT WAS DONE BY ORDINANCE.

>>GERALD WHITE: I WOULD LIKE TO HAVE ALL THAT INFORMATION ABOUT THE BONDING BECAUSE I'M CONCERNED ABOUT THAT.

YOU KNOW, WE'VE LOST A HALF A MILLION DOLLARS THIS YEAR.

>>MITCHELL THROWER: MR. WHITE, I THINK WE'RE KIND OF GETTING OFF TRACK RIGHT NOW.

>>GERALD WHITE: THAT'S A NEW ISSUE.

THAT'S A NEW ISSUE.

I WOULD LIKE TO KNOW ABOUT INSURANCE AND BONDING NOT JUST BECAUSE THE ELECTED -- THE COUNTY COMMISSIONERS, MR. CHAIRMAN, SERVE ON THE COUNTY COMMISSIONERS BUT THEY SERVE ON ALL THESE OTHER BOARDS, COMMISSIONER PLATT, AND THIS IS JUST A DIFFERENT DAY, AND SO I'M JUST CONCERNED ABOUT WHETHER OR NOT THE TAXPAYERS ARE PROPERLY PROTECTED.

>>JOE AMON: I HAVE A QUESTION.

>>MITCHELL THROWER: WE -- OKAY.

MR. AMON.

>>JOE AMON: IT MAY BE POINT OF ORDER, BUT EXPLAIN TO ME HOW THAT AFFECTS THE CHARTER.

>>MITCHELL THROWER: I KNOW.

>>JOE AMON: I MEAN, IT'S AN INTERESTING -- I WOULD LIKE TO HEAR THIS, BUT MAYBE NOT IN THIS FORUM.

>>GERALD WHITE: WELL, BECAUSE I BELIEVE THERE'S SOME CHARTERS IN THE STATE HAVE THAT IT'S REQUIRED BY CHARTER LANGUAGE.

>>MARY HELEN FARRIS: I WOULD HAVE TO LOOK AT THE OTHER CHARTERS TO SEE IF, IN FACT, ANY OTHER CHARTERS REQUIRE -- YOU KNOW, BONDING IS ONE THING, REQUIRING A PUBLIC OFFICIAL IF YOU'RE GOING TO RUN FOR OFFICE THAT YOU HAVE TO PROVIDE YOUR OWN INSURANCE, I'VE NEVER LOOKED --

>>GERALD WHITE: NOT THEIR OWN.

IT'S PAID FOR NOW.

THEY'RE INSURED NOW BY --

>>MARY HELEN FARRIS: THE COUNTY HAS INSURANCE.

>>GERALD WHITE: RIGHT.

>>MARY HELEN FARRIS: I CAN BRING THAT INFORMATION BACK.

>>MITCHELL THROWER: YEAH, LET'S LET HER BRING BACK.

>>MARY HELEN FARRIS: [INDISCERNIBLE CROSS TALK]

BY MONDAY, SO --

>>MITCHELL THROWER: I KNOW IT'S GOING TO BE TOUGH FOR HER

TO BRING IT MONDAY.

IF YOU COULD BRING IT TO THE MEETING AFTER THAT.

>>GERALD WHITE: IT NEEDS TO BE ADDRESSED BECAUSE THE TAXPAYERS HAVE LOST MONEY THIS YEAR, AND I WANT THAT ISSUE ADDRESSED FORMALLY.

>>MITCHELL THROWER: OKAY.

ANY FURTHER DISCUSSION BEFORE WE -- COMMISSIONER PLATT.

>>JAN PLATT: THIS IS JUST A VERY PRACTICAL QUESTION. WHEN I CAME IN HERE I DID NOT HAVE THIS BIG BOOK, AND THERE'S NO WAY I CAN WALK OUT OF HERE WITH THIS BIG BOOK, AND I DON'T KNOW IF EVERYBODY ELSE IS IN THE SAME SITUATION.

WHAT DO WE DO ABOUT --

>>MITCHELL THROWER: THAT'S INFORMATION THAT WAS PROVIDED FOR THIS COMING MONDAY'S MEETING; RIGHT?

ACTUALLY, NO, NO.

ACTUALLY IT'S INFORMATION THAT WAS PROVIDED BY THE INTERNAL -- THE INTERNAL PERFORMANCE AUDITOR.

>>JAN PLATT: I KNOW, BUT IS EVERYBODY ELSE ABLE TO WALK OUT ALL THESE BIG BOOKS?

>> I INTEND TO.

>>JAN PLATT: YOU INTEND TO?

>>MITCHELL THROWER: I CAN HELP YOU.

>>JAN PLATT: I'M GOING TO HAVE TO CALL MY HUSBAND.

>>MITCHELL THROWER: MR. WHITE.

>>GERALD WHITE: ANOTHER ISSUE.

BEFORE WE -- THERE'S GOING TO BE A BIG PUBLIC HEARING COMING UP IN MAY, AND I'M NOT SURE WHETHER OR NOT THEY HAVE EXHIBITS SET UP IN THE LOBBY AT THE PEOPLES CENTER, BUT IT'LL BE A GREAT OPPORTUNITY AGAIN, A SECOND OPPORTUNITY FOR THE CHARTER REVIEW BOARD TO SET UP A BOOTH OR A TABLE OR SOMETHING AND USE IT -- THERE'S PROBABLY GOING TO BE HUNDREDS AND HUNDREDS OF CITIZENS TO SHOW UP AT THIS HUGE NEXT PUBLIC HEARING.

IF THERE'S AN OPPORTUNITY FOR THE CHAIR AND THE VICE CHAIR TO SET UP A TABLE --

>>MITCHELL THROWER: LET ME MENTION, IF CAN YOU -- BECAUSE I'M NOT AWARE -- I'M NOT SURE WHAT PUBLIC HEARING YOU'RE REFERRING TO, BUT IF YOU COULD GET THE INFORMATION TO EDITH --

>>FRANK REDDICK: [INAUDIBLE]

>>MITCHELL THROWER: OKAY.

OKAY.

I -- I -- MOST LIKELY I CAN ATTEND, AND IF MR. REDDICK WANTS TO ATTEND, WE CAN MAKE THAT WORK, AND IF THERE'S OTHER CHARTER REVIEW BOARD MEMBERS THAT WANT TO ATTEND, WE CAN GET THE INFORMATION AND HAVE MRS. STEWART SEND IT OUT TO EVERYBODY, BECAUSE I AGREE WITH MR. WHITE, THE MORE PEOPLE -- THE MORE INDIVIDUALS WE GET OUT AND THE MORE PUBLIC HEARINGS, THE MORE GROUPS WE GET BEFORE AND GET THE

WORD OUT, THE BETTER.

WE'LL WORK ON THAT, MR. WHITE.

>>GERALD WHITE: OKAY.

>>MITCHELL THROWER: ANY -- I'M ASSUMING NO FURTHER
DISCUSSION.

MOTION TO ADJOURN.

>> SECOND.

>>MITCHELL THROWER: SECOND.

OKAY.

ALL IN FAVOR.

ANYONE OPPOSED?

THAT MOTION PASSES.

MEETING'S ADJOURNED.