

DECEMBER 20, 2010 - CHARTER REVIEW BOARD - DRAFT MINUTES

The Charter Review Board (CRB), Hillsborough County, Florida, met in Regular Meeting, scheduled for Monday, December 20, 2010, at 6:00 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present:

Mitchell Thrower III, Chairman	Ariel Quintela
Joe Amon (arrived at 6:12 p.m.)	Frank Reddick
Ralph Fisher	Joseph Robinson
Gina Grimes (arrived at 6:10 p.m.)	James Tokley Sr.
Jan Platt	Gerald White

The following members were absent:

Beth Leytham	Rochelle Reback
Greg Preseau	David Sullivan

Chairman Thrower called the meeting to order at 6:05 p.m. Mr. Reddick led in the pledge of allegiance to the flag.

PUBLIC COMMENT

Mr. Al Davis, 3717 East Wilder Avenue, requested reconsideration of amending the County Administrator title by resolution to the Board of County Commissioners (BOCC) and thought that position should be empowered to make CRB appointments.

Ms. Sharon Calvert, 505 Cullen Court, sought a 60 percent supermajority vote requirement for County ballot referenda.

UNFINISHED BUSINESS

Draft Language - Financial Impact Statement for Referendum - Senior Assistant County Attorney DeBora Cromartie-Mincey summarized the item, as provided in background material; highlighted procedural differences reflected in Broward and Brevard County resolutions; and distributed an excerpt of the Seminole County resolution. Mr. Tokley questioned ethical/humanitarian impacts/language. Discussion ensued regarding terminological discrepancies. Mr. White commented on independence, BOCC inclusion/input, ordinance requirements, and legal review/costs. Mr. Amon voiced support for a resolution similar to the Broward County model. Noting the main issues to be addressed, Chairman Thrower elucidated previous CRB action and current items for deliberation. Ms. Platt expressed concerns with language defining who would prepare financial impact statements on citizen-initiated petitions. Mr. White favored the BOCC designing a process via ordinance to allow the

petitioners to complete forms/submit analysis for consideration, wanted independence, asked staff to provide the analysis forms executed by the State and BOCC, and supported the County Internal Performance Auditor (IPA) creating financial impact statements. Comments followed regarding procedures for moving forward, previous CRB action, drafting language, ordinances, and the process. Following remarks, **Mr. Robinson moved to have the IPA be the person to prepare the fiscal statements, seconded by Mr. White.** Dialogue continued relative to what referenda would require impact statements and language. Ms. Grimes suggested adding a sentence at the end that said "the fiscal/financial impact statement shall be prepared by the County internal auditor." **Mr. Robinson agreed.** Recalling previous considerations of IPA duties/responsibilities, **Mr. Amon amended the motion to put back the budget office because they were indeed the financial office and the internal auditor was not a financial office, seconded by Mr. Reddick.** Chairman Thrower explained the purpose of drafting language was to take the issue to public hearing for debate. After hearing comments on the appropriate party assigned to manage financial impact statement preparation, **Mr. Reddick called for the question, seconded by Mr. Robinson, and carried ten to zero.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) Chairman Thrower restated the amended motion was to require the County budget director to handle the financial impact statements for all referenda. **The amended motion carried eight to two; members Fisher and White voted no.** (Members Leytham, Preseau, Reback, and Sullivan were absent.)

Mr. Tokley explicated terminology. Mr. White gave reasons for opposing language amendments. Responding to Mr. Amon and referring to the model resolution based on the Broward County resolution, Section 8.05, the statement reading "For all appropriate elections," Mr. Tokley preferred the statement read "For any appropriate elections" or if the CRB were going to use the term "all", then change the "any" proposal to "all proposed charter amendments or all other referendum." Mr. Amon confirmed changing the first word from "all" to "any" and retaining the remainder of the paragraph as written. After agreeing to that or changing all the words to be consistent whether they be "all" or "any," **Mr. Tokley made that motion.** Responding to motion confusion, Mr. Tokley clarified the motion was to amend wording to state "For all appropriate elections, there shall be placed on the ballot, immediately following the ballot question, a separate fiscal or financial impact statement, not exceeding seventy-five words, which estimates the increase or decrease in revenues or costs to the County resulting from approval of all proposed charter amendments or all other referenda unrelated to a charter

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amendment." **The motion was seconded by Mr. Amon.** Ms. Platt voiced concerns regarding consistency with the ballot question. Mr. Reddick suggested replacing the word "any" in the ballot question with "all". **Mr. Tokley agreed.** Additional comments included striking the word "appropriate" and changing the word "referendum" to "referenda". **Mr. Tokley agreed.** Mr. White pointed out charter Section 8.02 and sensed the motion interfered with charter functions. Mr. Robinson called for the question, seconded by Mr. Reddick. (The motion was not voted on.) In reply to Mr. White, Attorney Cromartie-Mincey touched on County Administrator permissions, pursuant to the charter. Responding to Mr. Robinson about BOCC ability to make charter changes via ordinance, Attorney Cromartie-Mincey said changes would require a referendum. **Mr. Reddick called for the question, seconded by Mr. Tokley, and carried ten to zero.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) Chairman Thrower restated the motion. **The motion carried eight to two; members Fisher and White voted no.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) Comments followed regarding statements appropriate for items with no financial impact. Mr. White felt the revised language was flawed and urged the CRB to refrain from ballot placement after the public hearing.

Discussion ensued concerning CRB action and public hearing dates/agenda items. Attorney Cromartie-Mincey clarified the previous vote and explained procedures for drafting language and providing copies.

CRB members discussed the remaining meeting/public hearing dates/scheduling. Chairman Thrower sought a motion to set the next public hearing date for January 10, 2011. **Mr. White moved to set the meeting for the 10th, at 6:00 p.m., seconded by Mr. Robinson.** Ms. Edith Stewart, Public Affairs Administrator, responded to CRB member queries regarding boardroom availability. **The motion carried ten to zero.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) Further dialogue continued regarding public hearing/regular meeting dates/discussion items. Chairman Thrower recommended the CRB could have the January 10, 2011, public hearing and regular meeting if there were additional items to be discussed. **Mr. White made that motion, seconded by Mr. Tokley, and carried ten to zero.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) Additional deliberation of meeting dates/times ensued.

Receipt of Memorandum From Senior Assistant County Attorney Samuel Hamilton Regarding Stadium Issues - Ms. Platt gave reasons for suggesting Tampa Bay Buccaneers (Buccaneers) contract review. After referring to background

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material supplied by County Attorney Renee F. Lee and commenting on ticket sales, **Mr. Fisher moved for the CRB to do exactly what Attorney Lee suggested, if any Buccaneers home games were not broadcast locally, the CRB requested the BOCC enter into immediate renegotiations of the stadium agreement with the Buccaneers with the goal of allowing local televising of Buccaneers home games, to put that as a resolution to the BOCC, seconded by Mr. White.** CRB member comments regarding ticket sales and franchise owner responsibility followed. Mr. Robinson added the need to look at the practice facility arrangement. **Mr. Fisher agreed.** Believing the issue was not appropriate for CRB consideration/action and not supporting imposing financial hardship on the owners, Mr. Reddick opposed the motion. Mr. Robinson talked about ticket sales and remarked on the Buccaneers practice facility ownership. CRB members discussed community outcry, ticket sales/distribution, and revenue generation. Ms. Grimes noted a conflict of interest and would abstain from voting. Further dialogue about economic conditions and community outreach/contributions by the Buccaneers ensued. **The motion carried seven to two; members Quintela and Reddick voted no; Ms. Grimes abstained.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) (CRB Resolution 2010-04)

NEW BUSINESS

Mr. White moved to have the Chairman write a letter and thank CRB staff; Ms. Stewart and the County Attorney's that worked on the CRB behalf, something that could be inserted into their personnel file and, upon suggestion by Ms. Platt, the Clerk of the Circuit Court (Clerk), seconded by Ms. Platt. Responding to Mr. Reddick, Mr. White included the Clerk, the attorneys, and staff. **The motion carried ten to zero.** (Members Leytham, Preseau, Reback, and Sullivan were absent.) Noting Ms. Platt's contributions and the pending executive director's report, Mr. White wanted Ms. Platt recognized for her service and made that motion. The motion died for lack of a second. Ms. Platt expressed appreciation; however, felt formal recognition was not appropriate for inclusion in the CRB final report. Mr. Robinson requested the elected County administrator/mayor issue be placed on the next CRB meeting agenda. A survey of CRB members reflected a lack of interest in revisiting the topic.

Mr. White referred to background material related to County Administrator qualifications/educational requirements and questioned if charter language should be revised. Mr. Robinson responded to Mr. White's comments remarking on issues related to County Administrator Mike Merrill's competence and charter references to Interim County Administrator residency requisites. Mr.

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White opined on affirmative action. Mr. Tokley voiced concern regarding following policies/procedures. Mr. Robinson emphasized the County Administrator candidate was selected by appointment.

PUBLIC COMMENT

Mr. Davis touched on CRB discussions relative to CRB scope of responsibilities, reiterated the request for County Administrator title amendment consideration, recalled charter creation, and perceived changes were warranted.

Referencing comments from Messrs. Davis and Robinson, Chairman Thrower highlighted charter Section 8.02. Mr. Tokley wished all a happy holiday season and appreciated the opportunity to serve on the CRB.

Mr. Robinson moved to adjourn, seconded by Mr. Reddick, and carried ten to zero. (Members Leytham, Preseau, Reback, and Sullivan were absent.)

There being no further business, the meeting was adjourned at 7:56 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: _____
Deputy Clerk

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