

JANUARY 31, 2011 - CHARTER REVIEW BOARD - DRAFT MINUTES

The Charter Review Board (CRB), Hillsborough County, Florida, met in Public Hearing, scheduled for Monday, January 31, 2011, at 1:00 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	Rochelle Reback
Ralph Fisher	Frank Reddick (arrived at 1:06 p.m.)
Gina Grimes	Joseph Robinson
Beth Leytham	David Sullivan
Jan Platt	James Tokley Sr. (arrived at 1:15 p.m.)
Greg Preseau	Gerald White

Chairman Thrower called the meeting to order at 1:04 p.m. Mr. Robinson led in the pledge of allegiance to the flag.

JULIANNE HOLT, PUBLIC DEFENDER

Chairman Thrower advised Public Defender Holt was unable to attend.

FINANCIAL IMPACT STATEMENT

Chairman Thrower reviewed public comment procedures.

Ms. Elizabeth Staub, 8402 Caladesi Island Drive, and Mr. Kenneth Roberts, 5235 Moon Shell Drive, supported financial impact statement requirements.

Mr. Al Davis, 3717 East Wilder Avenue, opposed impact statement requirements, suggested the County Administrator be responsible for impact statement preparation, questioned the necessity of the measure, and felt the Board of County Commissioners (BOCC) should address the issue.

Ms. Marilyn Smith, County resident, opined on unintended consequences and believed impact statements were essential.

Mr. Brian Blair, 12702 North Boulevard, remarked on transparency and voiced support for financial impact statement requirements for all referenda.

Responding to Mr. Davis, Chairman Thrower highlighted proposed resolution language. **Mr. White moved to approve the resolution to take the measure to ballot, seconded by Mr. Robinson. Mr. Fisher offered an amendment for the financial impact statement to be a 20-year projection, and secondly, if a group gathered signatures to place an item, they might place their own financial impact alongside the County budget director's estimate.** In reply to

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Chairman Thrower, Senior Assistant County Attorney DeBora Cromartie-Mincey advised the amendment was appropriate. Mr. Fisher restated the amendment, **seconded by Ms. Platt.** CRB member comments related to financial impact projections, citizen initiatives, sunshine law requirements, government serving the best interest of the people, transparency, the motion, and concerns regarding the proposed 20-year financial impact projection. Mr. Reddick voiced support for the motion if amended for 5 years. **Mr. Fisher agreed to the amendment** and remarked on previously approved measures imposing long-term financial impacts. Mr. Sullivan contended projections exceeding 2 years were over burdensome and the BOCC budget process would address financial issues and would support the motion if amended for 2 years. Replying to Mr. Robinson, Attorney Cromartie-Mincey offered procedural direction and Mr. Fisher clarified the amendments applied to resolution whereas clauses to provide direction to the BOCC on what to include in the ordinance. Dialogue ensued concerning resolution language and CRB authority to compel BOCC action. Attorney Cromartie-Mincey confirmed the CRB could not require BOCC action. Ms. Platt perceived inconsistencies. Procedural discussion followed relative to the amended motion and ballot language restrictions. **Mr. Fisher revised the amendment to state, "Whereas, the CRB request that the BOCC have the budget analysis cover a 5-year period and if an independent group is successful in placing a measure on the ballot, that group shall have the right to place their own independent financial impact statement on the ballot," seconded by Mr. Reddick.**

Believing voters would not be privileged to sufficient information in the ballot language, Ms. Platt opposed the motion; however, expressed support for financial impact projection time frame within the ballot language and felt an ordinance requirement was unnecessary. Ms. Leytham commented on procedures, the resolution, amendments, BOCC action, and vetting. In answer to CRB member queries, Managing County Attorney Mary Helen Farris expounded on public records, procedures, vetting, ordinance flexibility, and potential legal challenges/anti-campaign issues. Following clarification, **Mr. Robinson called the question, seconded by Mr. Reddick, and carried fourteen to zero. The amended motion failed three to eleven; Chairman Thrower and members Amon, Grimes, Leytham, Platt, Preseau, Quintela, Robinson, Sullivan, Tokley, and White voted no.**

In response to Chairman Thrower, **Mr. White restated his motion to place the resolution on the ballot as drafted. Ms. Platt amended the motion to insert the words "for 5 years" into the ballot language, seconded by Mr. Fisher.** CRB members would support the amendment for 2 years. **Ms. Platt agreed.** Language

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clarification followed. Mr. Sullivan suggested ballot language stating, "not exceeding 75 words, a 2-year projection of the increase or decrease in revenues or costs." **Mr. Robinson called the question, seconded by Mr. Reddick, and carried fourteen to zero.** Responding to a request for reiteration, Mr. Sullivan said the motion was for the ballot question to state, "that the BOCC shall require by ordinance that for all County elections, a separate financial impact statement not exceeding 75 words include a 2-year estimate of increase or decrease in revenues or costs to the County," and the rest would remain the same. Dialogue followed confirming the amendment related to charter and ballot language. Replying to CRB member queries, Attorney Cromartie-Mincey asserted the 75-word limit would be accommodated and the amendments did not require additional public hearings. **The motion carried thirteen to one; Ms. Reback voted no.** (CRB Resolution 2011-02) **Mr. White moved to place the ballot question, as amended, on the ballot, seconded by Mr. Robinson.**

Mr. Fisher elucidated concerns for citizen initiatives. Following comments relative to moving forward, **Mr. Sullivan called the question, seconded by Mr. Robinson.** Ms. Reback felt financial impact statements were unnecessary, citing a lack of overwhelming support, and opined on motives. **Ms. Leytham called the question, seconded by Mr. Robinson, and carried twelve to two; members Platt and Reback voted no. The motion carried eleven to three; members Fisher, Reback, and Tokley voted no.** Mr. Sullivan noted he would second Mr. Fisher's motion on the issue of citizen initiative impact statements if included in whereas clauses.

Mr. Reddick offered cordial remarks. **Mr. Robinson moved to close the public hearing, seconded by Mr. Reddick, and carried fourteen to zero.**

APPROVAL OF THE MINUTES FOR THE JANUARY 10, 2011, REGULAR MEETING AND PUBLIC HEARING

Mr. Robinson moved to approve the minutes of January 10, 2011, seconded by Mr. Reddick, and carried fourteen to zero. Mr. Reddick left the meeting at 2:18 p.m.

NEW BUSINESS

Attorney Cromartie-Mincey responded to Mr. White regarding charter Section 9.08, recall.

Comments followed relative to final meeting minutes approval.

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Mr. White offered appreciative remarks, regretted the CRB was unsuccessful in attempts to expand BOCC membership, and commended Chairman Thrower. CRB members echoed congenial sentiments. Chairman Thrower relayed laudatory statements, advised the CRB was not required to adjourn sine die, and suggested a motion to adjourn.

PUBLIC COMMENT

Ms. Smith talked about being actively involved with government/community issues.

CRB members expressed appreciation for citizen attendance/input.

Mr. Davis thanked the CRB and questioned revised charter availability, voiced concern relative to a County budget director position, and touched on terminology amendments and separation of powers.

In reply to Chairman Thrower, Ms. Edith Stewart, Public Affairs Administrator, stated the revised charter was available online. CRB members made closing comments. Mr. White believed the BOCC should create a Blue Ribbon Committee to evaluate the public desire for an elected County mayor. **Mr. Robinson moved to adjourn, which was duly seconded, and carried thirteen to zero.** (Mr. Reddick had left the meeting.)

There being no further business, the meeting was adjourned at 2:35 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: _____
Deputy Clerk

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