

**CHARTER REVIEW COMMISSION
OTHER BOARDS AND AGENCIES SUB-COMMITTEE
Minutes of Meeting
February 2, 2010**

A meeting of the Other Boards and Agencies sub-Committee of the Charter Review Commission was held at the Administration Complex, Room 538, Port Charlotte, Florida.

Roll Call

The following members were present:

Bill Folchi (Chairman), Ken Doherty, John Hitzel

Absent members:

Connie Kantor (alternate)

Call to Order

The meeting was called to order at 1:00 p.m. EST by *Chairman Folchi*

Agenda Items

(1. Approval of Minutes of meeting January 14, 2010. *Chairman Folchi* confirmed that the members had previously reviewed these Minutes and there being no additions nor deletions a motion was made and seconded and the Minutes were approved as submitted.

Prior to addressing the Agenda items, *Chairman Folchi* instructed administrative support to contact *Connie Kantor* and make sure she was properly informed of the meetings.

(2) – (5) The **discussion of schedule for interviews, discussion and expansion of a list of questions** and specific **discussion of questions and issues for each organization** proceeded among the members. *Chairman Folchi* inquired if the members felt that the list of proposed entities for interview was comprehensive, and everyone present agreed that it was. *Ken Doherty* felt that relative to the Chambers of Commerce, it is a matter of getting information from them as they interface in the business community and ascertaining what if anything in the County's government structure relative to economic development they would see as beneficial to the community. He stated that those interviews of Chamber presidents would be a matter of getting their opinion on how things are working. *Chairman Folchi* agreed that there is no need to change the Charter to manage them, and also felt that the more people the sub-Committee talks to the more

information will be gathered and put into discussion relative to the Charter. It was decided that the three (3) Chambers could be scheduled for the same interview session. *John Hitzel* suggested that the same could apply when scheduling the Water Districts. During discussion of the Water Districts, *Ken Doherty* mentioned that the utilities in Punta Gorda are a department that reports Howard Kunik (Punta Gorda City Manager), but Englewood Water District is an elected group. It was decided that questions related to the Punta Gorda utilities would be handled during the interview directed to the Punta Gorda City Council. In connection with that *Ken Doherty* and *Chairman Folchi* discussed interviewing both the Mayor and the City Manager together. *Chairman Folchi* mentioned that the City of Punta Gorda had just announced their solicitation for people to do a review of the City Charter. With regards to the Charlotte County Health Department, *John Hitzel* suggested that rather than scheduling them at this time this sub-Committee should check with the Administration Staff sub-committee, as this entity might fall under their scope. *Chairman Folchi* then brought up interviewing Babcock Ranch (Kitson and Partners). It was his opinion that this would be a very important interview as that entity might want to have some business-friendly modifications to the Charter. One concern brought up by *John Hitzel* was that this sub-Committee would not want to offend any other large contractor by interviewing only Kitson and Partners. In discussion the members did not think that would be an issue as Babcock Ranch is such a unique undertaking and there are at present no other development concepts like it. *Chairman Folchi* then moved on to the **discussion of proposed list of questions and specific issues and questions for each organization.** (NOTE: A complete list of the interview questions is attached to these Minutes as Attachment "A"). *John Hitzel* mentioned incorporating some issues which had been brought up during public input at the meeting on January 21, 2010 and it was decided that it would be informative to get the opinion of each interviewee with regards to the current structure of the Board of County Commissioners and the issue of elected versus appointed Executive branch. Relative to the Airport Authority, *Ken Doherty* said that he could not recall whether or not the Charter can enter their domain (similar to the School Board), because of those organizations being a special entity established by the State Legislature. *John Hitzel* agreed, further indicating that it is difficult to get much online information about the Airport Authority. *Chairman Doherty* indicated to *Chairman Folchi* that it might be beneficial to get the opinion of Robert Berntsson, Esq. (attorney for the Charter Review Commission) regarding the Commissions' boundaries/authorities with some of these entities. *Chairman Folchi* agreed that he had also thought of this but did not want to incur expense without guidelines from the CRC. The members present agreed that this would be a proper use of Mr. Berntsson's time. *Chairman Folchi* also mentioned that he had been told that whether or not an amendment results, it is important for the Charter Review Commission to meet with the various entities in order to make available to the public as much information as they can. *Ken Doherty* concurred and said that this is part of the value of the Final Report that he has talked about in CRC meetings. His report is a document with no clout but one that reveals things that the Board of County

Commissioners or the School Board or whatever entity is mentioned should take into consideration. *Mr. Doherty* thought that Michael McKinley, Esq., a former CRC member, had been the first person to propose this type of document. *John Hitzel* mentioned that does not mean that any action will be taken, referring to debt/reserve policy Amendments that were passed by the voters as a result of the 2004 session. *Ken Doherty* confirmed that, mentioning that he had questioned the various Commissioners' about it during a BCC sub-Committee meeting on January 28, 2010. The members further agreed that it would have been interesting to see how Murdock Village would have integrated into an annual debt policy review had it been in place. *John Hitzel* also mentioned the General Development Utilities debt. *Chairman Folchi* thought that during a general CRC meeting he would propose that wording be inserted in the Charter causing it to be necessary for Amendments to be implemented in a timely manner. *Chairman Folchi* mentioned that another question he would like to include in the lists was to ask if there should be any limitation on the ability of the County to continue to remove land from the tax rolls when buying it. The members discussed environmental lands, etc. and said they would like to get an opinion from the various organizations they interview as to what those organizations would consider to be a rational plan. *Chairman Folchi* mentioned that this issue particularly applies to the Airport Authority, saying that he thought they also sell land. He questioned whether or not their land was on the tax rolls, *John Hitzel* replied that he was under the impression that when they sell land the business owner pays the taxes. *Ken Doherty* gave a history of how land ownership by the Airport Authority had developed and thought these topics should be explored. He again suggested that this sub-Committee defer the interview of the Airport Authority pending the aforementioned conversation between *Chairman Folchi* and Robert Berntsson. In connection with the organizations discussed so far, *Chairman Folchi* and the members briefly reviewed the question list from which *Chairman Folchi* was working. *Mr. Folchi* then moved on to the Charlotte County School Board, indicating that this was another entity about which he needs to consult with Mr. Berntsson. He said that he is not in full agreement with an opinion rendered during a previous CRC session which put the issue of elected/appointed School Superintendent outside of the purview of the Commission. *Ken Doherty* agreed that would be interesting to clarify, observing that even since the inception of Home Rule, the Charter has not changed any structure. Expanding on that thought, *Mr. Doherty* said that he would be interested in peoples' opinions on whether or not they thought that Charlotte County was ready to transition to a form of government structured more like a City. *John Hitzel* observed that in past years it sometimes appeared that the Commissioners were intimidated by the Administrator, and *Mr. Folchi* and *Ken Doherty* agreed that the people are better served by strong Commissioners. Moving on to another subject, *Chairman Folchi* said that he would like to see the Performing Arts Hall become a better used facility. *Chairman Folchi* then brought up the issue of utilities and impact fees, prompting the question of something in the Charter that enables the CRC help the utilities be more aggressive or cooperative with the City of Punta Gorda to aid economic development. He stated that the issue of economic development is where the City and the County come together. *John Hitzel* asked about the ability of the City to annex land and brief discussion ensued. *Ken Doherty* observed that the relations between

the City and County are going well and felt that the previously discussed general questions and the growth issue question would all be helpful in the proposed interview of the Punta Gorda City officials. In addition, he felt they could provide some insight into the concept of an elected/ appointed Executive branch. The members discussed the proposed interview of Englewood Water District and that entity's connection to the County. In further discussion of water districts, *John Hitzel* remarked that there is a certain degree of tension on the Board of County Commissioners as to County representation on the Peace River-Manasota Regional Water Supply Authority. It was decided that entity should be added to the list of interviewees. The sub-committee then formulated a tentative order of dates for all of the interviews, pending availability. It was confirmed that *Chairman Folchi* will initiate the process and follow up confirmations will be sent by administrative support. It was also confirmed that the list of questions will be distributed to the general membership when finalized.

(6) **Committee Comments:** None

(7) **Public Input:** None

(8) **Adjournment:** A motion was made and seconded and the meeting was adjourned 2:15 p.m. EST.

Bill Folchi

ATTACHMENT "A"

OBAC Operating Plan

In three meetings since being formed the Other Boards and Agencies Committee has formulated this operating plan to provide guidance going forward over the coming months. Our plan is as follows.

Scope The group will focus on the following agencies:

- A. Charlotte County Airport Authority
- B. Charlotte County Public School Board
- C. Punta Gorda Chamber of Commerce
Charlotte County Chamber of Commerce
Englewood Chamber of Commerce
- D. Babcock Ranch
- E. City of Punta Gorda
- F. Englewood Water District
- G. Peace River Manasota Regional Water Supply Authority
- H. Enterprise Charlotte Economic Council
- I. Charlotte County Health Department

Objectives The objectives of the committee are to:

Evaluate Possible changes in the Charlotte County Home Rule Charter as it applies to the focus agencies that would provide benefit to the citizens of Charlotte County.

Discover any changes in the Charlotte County Home Rule Charter that would help the focus agencies in their operation.

Obtain insight as to the advantages and disadvantages of general suggestions obtained in the initial Public Input meeting CRC, as well as other sources.

Strategy The BOAC will conduct public hearings with each focus agency or group of agencies. The format of these hearings will open discussion centered around agency specific points and a group of general interest points.

Operation The group will hold two regularly scheduled meetings per month in February, March and April, one on the first Tuesday of the month and one on the third Thursday of the month at 1:00 p.m., at the Murdoch Government Center. Additional meetings will be scheduled as needed to complete the fact finding and produce a Committee Report in June, 2010.

Below are questions and discussion points to be discussed by each group.

A. Charlotte County Airport Authority

Contacts: Chair, Don Lee
Executive Director, Gary Quill

Questions:

1. Should the CRC recommend changes to the Home Rule Charter that would require the Airport Authority to publish financial information on line to include annual budgets, operating statements, debt and debt service, pay policies, positions and pay rates including authority members, and benefit programs including those available to authority members?
2. Should the CRC recommend changes to the Home Rule Charter that would require the Airport Authority to publish on the internet a listing of authority members with a brief biography and position, if any, on the authority? The listing to include contact information.
3. Should the CRC recommend changes to the Home Rule Charter that would require the Airport Authority to submit an annual budget to the BCC for review and acceptance?
4. Business development is of primary importance at present. Should the CRC recommend changes to the Home Rule Charter that would help the Airport Authority in its business development efforts.
5. Noise Abatement has been the most common topic of public comment since the inception of regularly scheduled commercial flights. In view of the plans for increased commercial flights in the future, should the CRC recommend changes to the Home Rule Charter that help in this area?

B. Charlotte County School Board

Contacts: Chair, Sue Sifrit
Superintendent: David Gaylor

Questions:

1. In 2004 the only issue raised by the subcommittee was the election of a school superintendent. That function was found not to be in the purview of the Home Rule Charter however there is mention of elected School Superintendents in the Florida Constitution.
2. Questions regarding relationships between county government and the school board may be in order (zoning, utilities, road building and maintenance, personnel policies and others). The question would be what are those activities that should adopt, if not already adopted, a formal procedure to co-ordinate or simply communicate with the BCC.
3. The School Board manages the Charlotte Performing Arts Center. A valuable property that the community at large does not derive maximum benefit from. Should the management of this property be changed under a
4. The portion of the "ad Valorem Taxes" Paid by Charlotte County property owners for Education is about 42%. A third of this is charged by the Charlotte County School Board. The largest increase in Ad Valorem Taxes for were 2009 from the State and the School Board for education. An increase in the cost of education to property owners in a year of declining student population should be under a greater degree of public scrutiny. Should the CRC create an advisory board to provide the public with greater visibility and control of rising costs of the operation of the School Board?

C. Chambers of Commerce BOAC plans to meet with the chamber executive directors as a group.

Organization	Contact
Punta Gorda Chamber of Commerce	John Wright
Charlotte County Chamber of Commerce	Julie Mathis
Englewood Chamber of Commerce	Jon C. Bednerik

Questions:

1. Do the Chambers of Commerce have any recommendations for changes, deletions or additions to the Home Rule Charter to improve the business climate?

D. Babcock Ranch

Contacts: CEO, Sid Kitson

Questions:

1. What concerns does Babcock Ranch management have with reference to relationship to Charlotte County government?
2. What is the relationship between Babcock Ranch and county administrative departments such as CCU, Public Works, MPO, Parks, Recreation, Cultural Affairs Constitutional Officers and School Board?
3. Does Babcock ranch see the need for exceptions to county policies?
4. Does Babcock Ranch management have any recommendations for changes, deletions or additions to the Home Rule Charter that improve the development process?

E. Punta Gorda City Council

Contacts: Mayor, Harvey Goldberg
City Manager: Howard Kunik

Questions:

1. Has the event center or other county facilities within the city caused any issues between the county and city that might be addressed by Home Rule Charter?
2. Does the city of Punta Gorda have any geographic growth issues that might be improved by the consideration of changes, deletions or additions to the Home Rule Charter?
3. The City and County have initiated Quarterly Joint meetings and these have been successful in improving relations between the two groups. There have been attempts in the past to formalize these meetings. Would such a measure be helpful to future City Councils and Board of Commissioners.
4. Should the organization of the Community Redevelopment Agency be changed to include a County Commissioner?
5. Are there any issues such as Charlotte County geographic jurisdiction for water resources that might be addressed by the CRC?
6. How does the Punta Gorda Utility Department interact with the Charlotte County BCC?

F. Englewood Water District

Contact: Chair, Steve Samuels

Questions:

1. How does the Englewood Water District interact with CCU and the Charlotte County BCC?
2. Does the Englewood Water have any suggestions as to how the Charlotte County Home Rule Charter should be improved?

G. Peace River Manasota Regional Water Supply Authority

Contact: Chair, Jerry G. Hill

Questions:

3. How does the Peace River Manasota Regional Water Supply Authority interact with CCU and the Charlotte County BCC?
4. Does the Peace River Manasota Regional Water Supply Authority have any suggestions as to how the Charlotte County Home Rule Charter should be improved?

H. Enterprise Charlotte

Contacts: Kevin Russell

Questions:

1. How does Enterprise Charlotte interact with chambers of commerce, the Airport Authority, the CRAs and the City of Punta Gorda.
2. Does Enterprise Charlotte have any recommendations for changes, deletions or additions to the Home Rule Charter to improve the business climate?

I. County Health Department

Contacts: Administrator, Steven Mitnick

We are operating under the assumption that this agency will be covered by the Administrative Subcommittee.

General Questions for Each Group

The following points were brought up in our initial Public Input meeting and are offered for your reaction and opinion.

1. **Representation.** Charlotte County Commissioners are elected at large but may only run for the Commission District in which they reside. There have been suggestions to have commissioners elected only by the voters in their districts. What is your opinion?
2. **Structure.** There are currently five county commissioners all elected at large. Should there be more or less commissioners and should they all be elected at large or should there be a combination of at large and single commissioner districts.
3. **Management.** County operations are currently managed by an Administrator appointed by the Commission. Should this be an elected position?
4. **Land Management.** The amount of land owned by county as well as other government agencies increases every year. Should there be a limit on the amount of land removed from the tax rolls by county agencies?