

**Charter Review Commission
Board of County Commissioners
Subcommittee Meeting
December 16, 2021**

A meeting of the Charter Review Commission Board of County Commissioners Subcommittee was held at Charlotte County Administration Center, 18500 Murdock Circle, Room B-106, Port Charlotte, Florida at 11:00 A.M. on December 16, 2021.

Roll Call:

The following members were present:

William Abbatematteo, Chair
Richard Pitz
Donna Peterman
Jeffrey Anlauf

Absent Members: None.

Citizens Present: None.

Call to Order:

The meeting was called to order at 11:00 a.m. by Chairman William Abbatematteo.

Agenda Items:

I. Approval of Minutes:

MOTION WAS MADE BY RICHARD PITZ AND SECONDED BY DONNA PETERMAN TO APPROVE THE MINUTES FROM DECEMBER 9, 2021.

MOTION CARRIED 4:0

II. Citizens Input: None.

MOTION WAS MADE BY RICHARD PITZ AND SECONDED BY DONNA PETERMAN TO CLOSE CITIZEN INPUT.

MOTION CARRIED 4:0

III. Old Business: Regarding the previously raised issue of the use of County Buildings by non-county entities; we received a response from Deputy County Administrator Emily Lewis that the County does not have a written policy for use of County facilities, especially by political action groups.

IV. New Business:

a. 11:00 A. M. Interview with Commissioner Joseph Tiseo:

Opening Statement: I was elected County Commissioner in 2016. It is a pleasure to be with you today at my first Charter Review. I have lived in Charlotte County for over forty years. I graduated Port Charlotte High School in 1984, in its first graduating class. I went to Florida Southern and received a Bachelor of Science in Political Science. I became a certified Class A General Contractor when I was 25. I got my real estate license between classes while in college and I am recently retired, selling all my business interests. I have 4 kids.

Is there anything in the Charter that is restricting your ability to get the job done in providing services to citizens and is there anything that is not in the Charter that should be to provide those services? From your position as a Commissioner, what is wrong with the Charter, if anything? Nothing stands out that is impeding me in performing my job. The Charter is all about self-governance and local control, but unfortunately the State can still pre-empt us. **Anything you would like to add?** The Charter is a short document by design. The more you put in it will limit flexibility of local government. You don't want to limit this flexibility. I don't see anything that is strapping the Board or future Boards. Times are changing and you want to keep that flexibility.

We have had some discussions concerning the Economic Development Office (EDO) and how the Director of Economic Development reports to the Board of County Commissioners and not to the Administrator. What is your perception about that? I can't speak to how other Florida counties handle the position. This change of reporting to the Board of County Commissioners happened before I became a Commissioner. For direct reports to the Board there is the County Administrator, the County Attorney, and the Director of Economic Development. We have our "one-on-ones" every Monday where I sit down with Dave Gammon, the Director. He informs me then of new deals or his new ideas for economic growth and I find that time valuable. I do find this of value in meeting with him, and this could continue regardless of who he reports to. However, if the position was under the Administrator, I could not give him direction as I can now. The issue is control over the position. Economic Development is a pretty big thing. Right now, the Board can hire and fire the person in the position. If the position was under Administration, the Administrator would hire and fire – we could only give our feedback/recommendations should the person not be working out for us as a Board. Having this position as a direct report gives us the authority to hire and fire should the person not be working out. However, I give feedback throughout the year to the Administrator regarding his performance and his direct reports. The Charter does not preclude me from doing that.

Chair Abbatematteo commented that Charlotte is the only charter to put part of our operations under the Legislative Branch where the EDO/Director reports to 5 bosses. This defies the principals of management and the unity of command. This role is a built-in obstacle to efficiency. Are there any issues not being addressed by the Charter like the office being used by a 501C6 (political action)? I was informed of this issue regarding Economic Development Partnership using the Economic Development Office when I became a Commissioner. When Dave Gammon was hired as the Director of EDO, I advised him to separate the two offices, which he ultimately did. I agree we should not be using taxpayer resources for an organization like that and if you feel that it needs to be in the Charter, recommend it. I don't think it is a systemic issue and there is no need to create a new law to take care of a situation that is already taken care of.

How do you feel about having Term Limits? After my first term, I learned there are many moving parts in government. You become a better public servant once you learn all those things. There is a learning curve. I think you really become more effective in your second term because you have learned all the different agencies you are working with (State and Federal) that you need to navigate. Over time you get that institutional knowledge. I am getting better by learning that institutional knowledge and at the end of eight years, am I a better commissioner? Yes, probably. If I am termed out, I am termed out and then all the time invested in me is gone and then it is started all over again with someone else. Is that good or bad? I don't know. It is for the voters to decide. Every time you are on the ballot, that is a term limit. There are a lot of one term commissioners and for one reason or another they were voted out. The voters see if you are doing your job or not.

With Sunseeker becoming a reality, there is a demand for tax relief by citizens and gambling would be the ideal venue to help in that regard. What is your opinion concerning gambling? I believe there was a gambling Pac that was agreed to by the Governor and the Seminole Indian Tribe that was overruled in a recent court ruling. I believe it was found to be unconstitutional or done incorrectly and it was overturned. If Sunseeker could offer gambling, as a commissioner I would vote no. If the State approves and we are pre-empted from doing anything, there is nothing I can do. **What if we would be pro-active and put it into the Charter?** If we put it on the ballot, I would want a super majority.

Commissioners are elected "At-Large". How do you view your role? Do you just represent people in your District, or do you represent everybody? I have only experienced being elected County-wide. In the scenario of being voted on by District, I would imagine I would be more focused on "bringing home the bacon" for my district as they are my direct constituency. Being re-elected is all you are looking at. I find when matters come before the Board and are voted upon by everybody, I think you have a more balanced approach. You are not just focused on your District. You potentially could have several commissioners "horse trading". It only takes three commissioners to get something done so if you have three commissioners carving out the other two, you essentially have them voting for everything in their Districts and leaving the other two out. Now, we get invited to go to all types of forums all over the County. If I was invited to go to West County, why would I go if it was not related to my District? Commissioners now are generally more receptive to looking at everyone's problems. Politics would really come into play if it was District voting.

When the Charter was founded in 1986, we had roughly 70,000 citizens. Now, each district has about 38,000 citizens. When people talk about representation, it is easier to know the lesser number of people in your district as opposed to the 189,000 disbursed all over the county. At what point do we need more commissioners? Back in 1986 each commissioner represented 14,000 citizens, today it is approaching 40,000. I find it is very doable now. I get invited to forums, neighborhood watch meetings and there is no problem with me attending. I have no problem with access to invited events that I couldn't handle or was too overwhelmed to attend. Now, when we get to 500,000 people, that might be a discussion for a Charter Review Board down the road. It is very manageable now.

What do you think about partisan elections for Commissioners? We run as partisan, the School Board and City Council does not.

Do you feel the number of commissioners is sufficient for the future with the population growth we are experiencing? You can look to other counties in Florida to see how many commissioners they have in comparison to their population. I know of counties with double our population who are still working efficiently with just five commissioners. Five commissioners are the standard. I have spoken with my colleagues in other larger counties who have more commissioners, and it is difficult for them as politics come into play and it is hard for them all to speak at meetings. We have no problem with the ability to speak at our meetings about our position on any item. With a larger number of commissioners (say 12) it gets very inefficient at times when allowing everyone the opportunity to speak. There are a lot of counties with higher populations and only five commissioners and they function very well.

Our requirement for Citizen Initiatives is 10% which is at the top end and only a few counties are that high. Most counties are in the 5-6% range with one even being 3%. Do you think our percentage should be lower? There is a concern that unreasonable initiatives might get on the ballot if it is too easy. We have public input. Every two years commissioners come up for election/staggered. The people have a revolving election cycle. If they do not like what is happening, they can vote you out. People always have the last word. The Public can always email and call us concerning issues that need to be addressed. I have not heard a public outcry concerning this percentage. With technology today, some activists can come up with some crazy stuff and savvy people can make it look good on paper, get the signatures, and then get it on the ballot, but the reality is it could impact their lives beyond what they can understand. **Would you object to having a lower percentage put on the ballot again?** The people spoke last time by rejecting the reduction to 7% - if the tool is not being used, why break it? I have not received one comment regarding reducing the percentage.

What is the standard for County Funds being given to certain Non-Profits, NGO's ? How do you Audit the funds given to entities or projects funded through the one percent sales tax? Who makes sure it was spent appropriately? The one percent sales tax cannot be spent on payroll or other expenses, it must be spent on infrastructure. The School Board put in a request after the Sales Tax was passed and gave the review committee a budget for the security system. They submitted their request and proposal with a funding request for what they required. When it is installed, we check and pay in installments to make sure the work is done. We can't give them the money and then have it spent somewhere else. There is a process in place to audit and get the money back. You could put it into the Charter that there will be no more funding to the School Board from the one percent sales tax if this is an issue.

Thank you for your time and service Commissioner Tiseo.

b. 12:00 P.M. Interview with Commissioner Stephen R. Deutsch:

Opening Statement: I have spent most of my life in and around government and several years as a non-elected bureaucrat. In leadership positions I have directed a housing authority, directed adult education, was a city planner, a town planner, and an economic development director. I have a broad understanding of how government functions. As an elected official I started out as a Town Councilman and State Representative. I have an experiential perspective that is unique. I am a

team player.

Is there anything in the Charter that is restricting your ability to get the job done in providing services to citizens and is there anything that is not in the Charter that should be to provide those services? From your position as a Commissioner, what is wrong with the Charter, if anything? I have not thought about what I would like to see changed or what I would like to do different. We are blessed. We are considered the best County Commission in the State of Florida. It wasn't that way when I started and I worked hard to get us to this point. We treat each other with respect. We deal with the issues. We don't get personal or do things like leave early or throw chairs. We work through the process to deal with the issues. We don't always agree – i.e., the recent meeting on impact fees. I feel my role is to be like Henry Kissinger and bring all the sides together. Nothing in the Charter constraints me – frustrates me, yes. **Anything you would like to add?** We've had some discussions on term limits. In some instances, it is conceivable, and I would agree, but I am not proposing it now. If the people wanted it, I would live with it. We need to keep the best and most qualified people working, not necessarily those who know a lot about government.

We have had some discussions concerning the Economic Development Office (EDO) and how the Director of Economic Development reports to the Board of County Commissioners and not to the Administrator. When you were an Economic Development Director, who did you report to? The City Manager. I am fine with the way it is. I can see it working either way and it has in the past, but I am comfortable with the way it is – we have good people in those positions, and they have good working relationships.

Chair Abbatematteo commented that Charlotte is the only charter to put part of our operations under the Legislative Branch where the EDO/Director reports to 5 bosses. This defies the principals of management and the unity of command. This role is a built-in obstacle to efficiency. I think it works but I have no strong feeling about it. Our three direct reports (Administrator, Attorney and Economic Development Director) meet regularly and interact together. I don't micro-manage. I will talk to Administration and Department Heads but never in a directive way. The Administrator and Attorney also have five bosses. I speak with the Economic Development Director weekly and sometimes daily.

Commissioners are elected "At-Large". How do you view your role? Do you just represent people in your District, or do you represent everybody? Keep it the way it is – it is not broken. I was in a community that switched to "At-Large", and they saved about 8 percent in their budget. It worked much better. The citizens have the advantage as they have five commissioners to help them as opposed to just one. I am here to serve the community not just the area in which I live. People do not understand, and we need to educate the community that we represent the whole county. I would like to see us stop using the District numbers after our name once the election is over. In single districts you have no recourse if your commissioner is not available. You get competitiveness in meetings between commissions in single districts to gain votes for projects. I take my role very seriously and I think it works much better the way it is than to change it.

With Sunseeker becoming a reality, there is a demand for tax relief by citizens and gambling would be the ideal venue to help in that regard. What is your opinion

concerning gambling? I am not a fan of casinos. I do not see it happening right away. I do not support gambling. I do not see it happening in the next five to ten years. **What if we would be pro-active and put it into the Charter?** I could live with that. We could deal with the issue via a referendum if not in the Charter.

What is the standard for County Funds being given to certain Non-Profits, NGO's ? How do you Audit the funds given to entities or projects funded through the one per cent sales tax (School Board)? Who makes sure it was spent appropriately? As a former educator, I am disappointed in our public school system. Maybe we can have more involvement in the school system through how the sales tax is broken up. We need accountability and parental input. **Should we put into the Charter to prohibit sales tax money from going to another taxing district?** Interesting idea and I might be interested. We follow the review committee's recommendation most of the time with some variations. We respect and appreciate the input from the community. It is important and I value that input.

Do you feel the number of commissioners is sufficient for the future with the population growth we are experiencing? We are going to hit 200,000 people this winter. We are now looking out to 10/15/30 years down the road. We need to find another way to get over the Myakka River – South Gulf Cove and Rotonda are exploding, and Placida is not far behind. We need another bridge or tunnel – one hour if you must go around due to a traffic issue on the bridge. We are already talking about 6 lanes on Burnt Store Road. **Do we need to expand the number of commissioners?** Five commissioners with our population are fine. At some point down the road, maybe. We are here to serve – five commissioners work great now.

We only have one municipality in the County, do you foresee the need for more municipalities? Financially it would be of benefit to the County. I think Englewood and Babcock Ranch will be a City at some point. A couple of more cities would take some pressure off the County. There is a lot of land to cover in Charlotte County. We have more miles of utility lines than San Francisco or Los Angeles. We are still cleaning up the mess General Development left behind, but we are trying to do things right this time, which is costly. When I moved here, I knew nothing about Phosphate Mining and MSBU's. We need MSBU's because we are not built out enough to deal with what we have. I predict in less than 15 years we will do away with MSBU's because ad valorem will cover the costs and we will save the 16-18% we spend to administer the MSBU's. It will be about a 15% tax reduction at that time. We still have 150,000 vacant lots in Charlotte County but when they are built out, we will be done with the MSBU's and TU's.

Should the County Administrator be appointed or elected? Appointed, as it is less political.

What do you think about partisan elections for Commissioners? I believe in partisan elections. By and large we are non-partisan here. I do not see partisan issues come into play here in the County. We all do what is best for the County.

We discovered that the County does not have a written policy regarding use of county facilities by 501c6 entities. This was an issue in the past with Economic Development Office. Should we have such a policy? I would be fine with that. The reality is that tax money supports Economic Development Partnership (EDP). That group made a major and positive impact in

getting the one percent sales tax passed. Should we prohibit it? Yes, I agree. We could add it by policy or directive. It is all about perception. The EDP supports the goals of the County but does not control it. I see them as a benefit to the County in promoting economic development.

Final Comments: Thank you for volunteering your time. It is a good process to go through as it serves the community. I appreciate you soliciting my input.

Thank you for your time and service Commissioner Deutsch.

c. 1:00 P.M. Interview with Commissioner Christopher Constance:

Opening Statement: I think this is a great process – to revisit the Charter every six years. We give the citizens an opportunity to weigh in with an objective view outside the commission seats. As time goes by, we get more separated. This is my second Charter Review, and it makes tremendous sense as it gives you the ability to glean what you can from the citizenry, the commissioners, the constitutional officers and from your own experience. To know that everything is working great, but what if any, we can do to make it better. The experience and the current interaction and the workability of this county commission is exceptional.

I don't feel that anything is broken – there is no infighting. I look to our neighbors north and feel they made some major errors – **term limits**. I think term limits is a mistake. We already have term limits; it is called the voting booth.

Regarding **single member districts**, I think they have hamstrung themselves because if done here, you will quickly have a coalition of three districts that get together to decide that if we all help each other we will starve out the other two and there will be nothing they can do about it no matter who is in that seat. I don't see an advantage to single member districts. As it is, I must care about and speak to the people of West County, East County, Mid County, and I must make all my decisions not based on where I live but on WHERE I LIVE which is a very different thing.

The Charter Review is a very good process. I appreciate all of you and all your time spent here as it is important that you are stepping up and doing this job that needs to be done.

Is there anything in the Charter that is restricting your ability to get the job done in providing services to citizens and is there anything that is not in the Charter that should be to provide those services? From your position as a Commissioner, what is wrong with the Charter, if anything? Anything you would like to add? In my almost 12 years of doing this, I have never looked through the Charter and said that "this is a problem". I know the big change came with the adjustment in the reporting status of the **Economic Development Director** due to staffing conflicts. Ray Sandrock came in as Administrator and began upgrading all the departments which took him a decade, but we now have some outstanding staff. It has worked and it hasn't worked. Worked in the sense that we have direct control. For me it hasn't worked because I am one voice when I see a deal I don't like, I am stuck. Maybe it would be different with Administration being that buffer, as some things with Economic Development seem to get done in a vacuum. There have been many deals by Economic Development where Administration is totally on the other side and they must keep reminding Economic Development what the rules are. If

Administration was in control, they would be coordinating Economic Development, Legal and others. Pertaining to Sunseeker, lots of things were done haphazardly (i.e., tie-in to Bayshore Park). Because Economic Development is their own entity (and it is different everywhere else) the ball has been dropped in certain categories. At the end of the day this reporting change cured one disease and created others. Maybe it is time to throw this one back. If all the deals were great, I would say fine, but we have had contracts with big holes and developer agreements with big holes, so I am wondering who is dropping the ball. Is it Legal not seeking outside consultants on the big deals? The Charter change years ago was voted upon based on the personalities involved, not because the system was broken and maybe we shouldn't have changed the system.

If Economic Development was changed back to reporting to Administrator, would you approve the risk of losing the individual? We would still meet and get briefed by the Economic Development Director. Tourism does not report directly to us and I enjoy working with them. I would not be upset if it was placed on the ballot for the people to decide. While we would lose the ability to hire the person, we would still get to review and approve (or not) whomever the Administrator recommends for hire. We have the ability to validate the candidate and if we vote the person down, they must begin the process again.

What is the standard for County Funds being given to certain Non-Profits, NGO's (School Board /5 Million)? Why does the School Board get funded through the one per cent sales tax when they are a taxing district? I believe the 5 million given to the School Board was from the one percent sales tax. A portion goes to the City of Punta Gorda and the School Board gets some per a formula. We do not give them anything but what we are required to. The School Board gets 43% of our County tax dollars and we have nothing to say about it. I believe it is per state statute that they are entitled to a percentage.

We discovered that the County does not have a written policy regarding use of county facilities by 501c6 entities. This was an issue in the past with Economic Development Office. Should we have such a policy? It would be logical to have a written policy.

What is your opinion concerning potential future legalizing gambling in Charlotte County? What if we would be pro-active and put it into the Charter like four other counties? It would be beneficial if it was in Charter now and then it could be grandfathered in if the State makes it legal. It makes sense. We are doing just fine without gambling. It is important to add that extra hurdle and allow the people to have a say. This will be a huge political fight for those votes when it happens. What's wrong with giving people more power? I don't have a problem with that at all. The problem is that the Legislature finds ways to take away our power even though we are Home Ruled (like impact fees). Anything we can do to harden our defenses is a good idea.

Thank you for your time and service Commissioner Constance.

d. 2:00 P.M. Interview with Commissioner Bill Truex:

Is there anything in the Charter that is restricting your ability to get the job done in providing services to citizens and is there anything that is not in the Charter that should be to provide those services? No. **Anything you would like to add?** No, not really.

How do you feel about having Term Limits? I believe the voters have the right to term people out. I am not in favor of term limits at the local level as I believe it is hard to find good people that want to run for these positions. You see this issue in Sarasota County who are dealing with term limits and single member districts. They have lost some good people to these issues.

Do you feel the number of commissioners is sufficient for the future with the population growth we are experiencing? I think five is fine. Why spend more of the taxpayer dollars for more commissioners. I say no because of how well our office is run, our assistants work well together as a lot of our work is done through them to staff. Eventually we will have to add more commissioners but not at this time. I had a meeting with the Punta Gorda Mayor, and you are going to see more annexing into the City. We will see over time how that move affects the budget for services.

What do you think about partisan elections for Commissioners? Yes, for us. We don't work in partisan ways. We work well together. We are all Republican. At the end of the day at the local level we look more at what is best for the community. It is an indicator of one's beliefs.

What is the standard for County Funds being given to certain Non-Profits, NGO's (School Board /5 Million)? How do you know the funds are being used for the purpose given? We get reports back concerning progress and completion. They get the money when it is available, but we get reports, and the money must be dedicated and utilized for the purpose. **Why does the School Board get funded through the one per cent sales tax when they are a taxing district?** To my knowledge there is no formula or statute but just historically done. We generally limit the money and we do not give approval for frivolous things. When they've asked for too much money, we have asked them to rethink the amount they are asking for. We look at project requests as either a "want" or a "need".

What is your opinion concerning the potential future of legalizing gambling in Charlotte County? What if we would be pro-active and put it into the Charter like four other counties? I think it is a good idea. I think it should be up to the community. I have no problem with that, it should be up to the citizens.

Our requirement for Citizen Initiatives is 10% which is at the top end and only a few counties are that high. Most counties are in the 5-6% range with one even being 3%. Do you think our percentage should be lower? Would you object to having a lower percentage put on the ballot again? I see no problem in putting it to the citizens for a vote.

Election of Charter Review Members? Please no. Have you seen what happens in Sarasota? The least qualified people seem to get elected. I like our system. Elected Charter Review members seem to be more politically motivated.

Commissioners are elected "At-Large" how do you feel about election by Single Member Districts? Not in favor.

Do we have too much home development in this area to the detriment of business? People are putting money into their businesses and we are seeing a lot of multi-million-dollar

renovations. Distribution centers are coming out at the airport. More business will come. It always lags behind the building of homes. Of the people who live here, only a small percentage works. Finding the workforce is difficult. People work remotely but you don't see their physical plant. The Town Center Mall will be redeveloped under the mix-use designation. It will be developed into something good for the community as well as the Promenades Mall property.

Final Comments: I like the fact that you have said you are having a hard time figuring out what to do. Don't create a solution to a problem that does not exist, government does enough of that.

Thank you for your time and service Commissioner Truex.

End Interview:

V. Discussion: None

VI. Adjournment:

The meeting adjourned by consensus at 2:35 p.m.

The next meeting is scheduled for January 5, 2022 at 1:00 P.M.

 1/5/2022

William Abbatematteo, Chairman Date
Board of County Commissioners Sub-committee