



Special District Governance

Joe Petrillo, Fire Commissioner

I would like to begin by stating that I am an elected official of Palm Harbor Fire Rescue. Palm Harbor Fire Rescue is a full-service department serving approximately 65,000 residents in a 20 square mile area within unincorporated Pinellas County.

Palm Harbor Fire Rescue is chartered as a state independent fire control and rescue district, which is governed by a board of five commissioners. The fire commissioners are elected district-wide for four year terms which are staggered, and are non-partisan. The Board is empowered to govern District operations by the District's charter (Chapter 2000-386), as well as FS 189 and F.S. 191.

Under its operating authority, the Board of Commissioners is the governing Board of the Palm Harbor Special Fire Control and Rescue District. The Board has the power to supervise, control, regulate and manage the Fire Department, which provides services to the District and to promulgate and enforce all necessary and desirable rules and regulations. The Board also is authorized to undertake any action required to accomplish this directive including, without limitation to: making contracts, borrowing money, levying assessments and ad valorem taxes, and collecting same, building necessary facilities, acquiring firefighting equipment, hiring a fire chief and other such personnel as are required; to inspect property, and to provide administrative support. The Board shall adopt a fire code and adopt ordinances for the District and such rules and regulations as it deems necessary to transact its business and carry out the provisions of the charter.

The Board shall hire a fire chief to serve as the administrative head of the fire department. As such, the chief shall be responsible for all personnel, property, and operation of the Department.

The major responsibilities of the board are twofold, i.e., policy making and setting the annual budget.

Serving under the board is the Fire Chief, who is responsible for the day to day operation of the Department, and carrying out the policy decisions of the board.

The fire chief is responsible for the organization, management, and direction of all functions, decisions and personnel within the parameters of the fire district's enabling legislation and direction and policies set forth by the Board of Fire Commissioners.

In essence, the chief is the CEO of the Department.

Both the Chief and the Board (elected officials) should provide leadership and guidance to

the fire district's community. In the case of the special district, it is the sphere of government closest to the people. They act on behalf of all residents of the district collectively.

Overview of special district organization and administration:

At the most general level, all special districts as defined by Florida law, are a form of special purpose local government. All Special Districts are defined as political subdivisions of the State of Florida by general law, Section 1.01 (8), Florida Statutes.

Additionally, special districts are creatures of statute in that they are typically either created by special act of the Florida legislature or authorized by a general law. As such, special districts have the limited purposes specified in the special act or general law that has authorized their creation.

Districts are categorized by general law as either independent or dependent. Section 189.403, Florida Statutes, essentially defines an Independent Special District to be a Special Purpose local Government with an independent governing board (either elected or appointed) which establishes its own budget and collects taxes, assessments or fees and spends them without oversight by a county or city.

Dependent Districts functionally operate as an arm of either a city or county.

An important difference between districts and counties or cities is the fact that as creatures of statutes, districts do not have "local home rule" power that has been granted to general purpose governments. Districts have only the explicit authority granted by statutes. Typically, the Boards are comprised of either three, five or seven members.

Commissioners are encouraged to visit each fire station and meet with the personnel. They may ride-a-long with the operations crews, and by doing so, gather firsthand information and view the issues that crews face in the street.

Commissioners are also encouraged to represent the fire district at special meetings and events, such as the Chamber of Commerce. A commissioner may be asked to:

- * speak at community functions
- * elicit feedback from constituents regarding district operations
- * represent the District at local and state organizations e.g., FASD
- * represent the Board at Department functions
- * be open to the public, as "a local unit of special purpose, as opposed to general purpose government," a special district falls within the parameters of Florida's Government in the Sunshine Law, as set forth in Section, 286.011, F.S. The law is applicable to any gathering whether formal or casual, or two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission.

Each January, the State Commission on Ethics mails surveys to all counties, municipalities, and special districts to find out who must file Commission on Ethics Form 1, Statement of Financial Interest (Form 1) the Limited Disclosure form.

In 2005, Chief Angle sent our Board of Fire Commissioners a Memo on National Incident Management System Training which stated that the President of the U.S., issued Homeland Security Presidential Directive-5(HSPD-5). HSPD-5 directed the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). This directive requires that all levels of government have this training.

NIMS provides a consistent nationwide template to enable all government, private-sector, and non-governmental organizations to work together during domestic incidents.

Our Board of Commissioners has complied and taken the necessary course and final exam.

Although the Homeland Security Advisory System is binding on the Executive Branch, it is voluntary to other levels of government and the private sector. The State of Florida has adopted the Homeland Security Advisory System.

The Palm Harbor Board of Fire Commissioners formally adopted by Resolution No. 05-02, the National Incident Management System (NIMS) for emergency planning, training, response, and recovery planning and operations.

Fire OPS 101

Pinellas County Fire Chiefs and Professional Fire Fighters, along with St. Petersburg College, recently hosted a program for elected and appointed officials, as well as member of the media, which is known as "Fire Ops 101".

This daylong program included hands-on fire fighting and rescue operations under the controlled supervision of Pinellas County professional fire fighters and paramedics. I might add, Chief Angle gave the concluding presentation, which, as usual, was great.

Each participant performed mock duties such as fighting a live fire, search and rescue in a smoke-filled structure extrication, performing emergency medical service, and much more. The workshop was designed to educate public officials about the realities and risks of being a fire fighter and a first responder on the front line of every disaster and emergency. I might add, the attendees were assigned to teams of approximately five individuals consisting of participants who were suited up in bunker gear, air packs and masks, and observers. Yours truly used discretion as the better part of valor and chose to be an observer with my team.

Elected officials must live with the consequences of their decisions. Even the decision to do nothing, is, in fact, a decision. The decision maker must find a way to assess what demands the situation places upon those involved, what solutions (and their consequences) would be personally desirable to him/her, and what possible alternatives can accommodate both the situation and the decision maker.

As a decision maker, it is always important to ask yourself the question, is this the best decision, taking into account all relevant factors? The situation itself is a powerful determinant of the appropriate decision. There is NO, one best decision. What is best depends upon the situation and the values of the decision maker.

In other words:

- * be fully informed
- * be scrupulously fair
- * be highly objective

There is a saying, "I am not willing to discuss it; I just don't want to talk about it."

Good decision making should be:

- * Balanced
- * Collective
- * Unbiased
- * Factual
- * The result of consideration of all aspects of matters before them
- * Made in the public interest rather than personal interests
- * Made entirely on merits of case
- * Made without conflict of interest

Blaise Pascal once said of a decision, "The entire ocean is affected by a pebble."

The politician's (elected official) shrewd sense of when to speak, when to listen, and when to duck, is equally essential for his self-defense.

An organization can be thought of as consisting of a network of interconnected relationships. In contemporary organizations, more and more jobs require the ability to work effectively with diverse individuals.

As George Bernard Shaw once said, "The worst cliques are those which consist of one man." Also, as a famous Guinness Stout stated, "I don't know I don't like it, because I never tried it."

Harry Truman told us, "Leadership, is the ability to get men to do what they don't want to do and like it." And, "the buck stops here."

And with that, I want to conclude with a quote from Barnard Baruch, "I'm not smart. I try to observe. Millions saw the apple fall, but Newton was the one who asked, why?"