

CHARLOTTE COUNTY

2016 CHARTER REVIEW COMMISSION

Final Report



July 12, 2016

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SECTION I.

Introduction

This is the final report of the Charlotte County 2016 Charter Review Commission (the “2016 CRC”). The 2016 CRC is an independent commission consisting of fifteen (15) members and three (3) alternates; however upon a member’s resignation the first alternate moved to full member status which left two (2) alternates. This commission was appointed by the Board of County Commissioners and empowered to conduct a comprehensive study of all aspects of Charlotte County’s government. The 2016 CRC is authorized to place proposed amendments and revisions to the Charlotte County Charter on the ballot of the 2016 general election and such proposed amendments do not require prior approval from the Board of County Commissioners. The 2016 CRC has conducted a comprehensive review of the Charlotte County Charter and has chosen to place four (4) prospective Charter Amendments on the 2016 general election ballot for consideration by the electorate. The 2016 CRC reached this decision after receiving testimony from County officials, staff, constitutional officers, representatives of community organizations, members of the public and other interested parties; and holding three (3) formal public hearings. There were four (4) prospective Charter Amendments considered during the public hearing process, with none rejected by the CRC after the public hearings. Charter Amendment numbers 2 and 3 were passed unanimously by the 2016 CRC, while Charter Amendment numbers 1 and 4 were each approved with one dissenting vote.

This report contains a summary of the organization and approach followed by the 2016 CRC, a discussion of the various potential Charter amendment concepts that were presented and evaluated by the CRC’s four (4) subcommittees, the CRC’s evaluation and decision regarding the various committee proposed Charter amendments, the text of the proposed Charter amendments; and the final approved text and ballot language of the proposed amendments.

This report also contains a section which identifies additional considerations for organizational and procedural changes that the CRC decided were important for the Board of County Commissioners to hear; but did not warrant being elevated to proposed Charter amendments.

Finally, this report includes a section that recommends certain organizational and procedural items for future Charter Review Commissions to consider. The 2016 CRC believes addressing these recommendations will improve the overall process for the future members and the public.

SECTION II.

CRC Organization and Approach

The 2015-2016 Charter Review Commission (2016 CRC) was appointed on April 14, 2015, by the Board of County Commissioners. At its initial meeting on May 13, 2015, the 2016 CRC elected as its Chairman, William Dryburgh and Vice Chairman, Donald McCormick.

As with prior Charter Review Commissions, the 2016 CRC decided in June, 2015 to form four (4) Subcommittees for the purpose of the study/interviews/recommendations phase of the process. The Subcommittees and their respective Chairs were as follows:

- Administration Staff – Julie Mathis
- Board of County Commissioners – William C. Abbatematteo
- Constitutional Officers – Katherine D. Ariens
- Other Boards and Agencies – Thomas J. Rice

The 2016 CRC also approved the hiring of Tammy Hoyt to serve as the CRC's Administrative Support and selected Robert Berntsson, Esq. on June 24, 2015, as its legal counsel.

Subsequently, the four (4) Subcommittees began the work of studying their respective portion of the existing Charter.

With the Charter Review process being schedule driven, the 2016 CRC approved the following list of critical milestone dates associated with completing the CRC's responsibilities in keeping with the time frames established by Florida Statutes:

	<u>Activity</u>	<u>Deadline</u>
1.	Final Reports from Subcommittees	01/20/2016
2.	CRC Votes on Recommendations from Subcommittees	03/16/2016
3.	1 st CRC Required Public Hearing	04/27/2016
4.	2 nd CRC Required Public Hearing	05/11/2016
5.	3 rd CRC Required Public Hearing	05/25/2016
6.	CRC Final Vote – BCC Agenda/Documents	06/15/2016
7.	BCC Mtg. – CRC Presentation/Amendment Report	07/12/2016
8.	Election	11/08/2016

The following are the reports produced from the 2016 CRC's four (4) original Subcommittees:

**Administration Staff Subcommittee
Final Report**

**CHARTER REVIEW COMMISSION
CHARLOTTE COUNTY ADMINISTRATION CENTER
18500 MURDOCK CIRCLE
PORT CHARLOTTE, FLORIDA 33948**



**Charter Review Commission
Administration Staff Subcommittee
FINAL REPORT
December 17, 2015**

Committee Members:

Julie Mathis, Chairman

John Hitzel

Donald McCormick

Stephen Vieira

Introduction:

The Administration Staff Subcommittee was charged by the full Charter Review Commission to review the portion of the Charlotte County Charter as it relates to the Administration Staff. Accordingly, this subcommittee met four (4) times as follows:

September 02, 2015 – Organizational meeting and review of questions for interviewees

September 10, 2015 – Administration Staff interviews

September 11, 2015 – Administration Staff interviews

December 04, 2015 – Discussed potential recommendations

Charlotte County Administration staff interviewed:

Janette Knowlton, County Attorney

Kelly Shoemaker, Deputy County Administrator

Ray Sandrock, County Administrator

Gordon Burger, Budget Director

Gary Hubbard, Utilities Operations Manager

Claire Jubb, Community Development Director

Tom Patton, Economic Development Director

Tommy Scott, Director of Community Services

Dan Quick, Public Works Director

Each interview took approximately thirty (30) minutes, with the exception of the County Attorney and County Administrator which had been scheduled for sixty (60) minutes. The interviewees were asked to begin discussion by describing their duties and functions. In addition to some entity specific questions, each official responded to a general set of questions and a brief summary of responses follows. As the interview format was informal, questions were not asked or responded to in any particular order. Full interview responses can be obtained by reading the posted meeting minutes of the interviews.

Summary:

What are your specific duties and in the performance of those duties what, if any, local government re-structuring could be proposed for the Charter that would improve your ability to deliver services?

Eight (8) interviewees indicated that no changes are needed.

One (1) interviewee suggested that the lead time for agenda items is too long (three (3) weeks) and it makes quick response difficult.

The staff re-organizes as needed.

In the performance of your duties are you affected by the Charter?

The Charter is our governing document.

Have you had experience working under an elected Administrator, and what is your opinion on an elected Executive form of government?

Only one (1) interviewee had worked with an elected Administrator.

Each interviewee said they would not like to see an elected Administrator because it could make the process too political. They also like that an appointed Administrator has the education and professional background needed for the position.

In your experience is the non-interference clause observed? Is the method of enforcement adequate?

Each interviewee said the non-interference clause is observed.

If there is a concern, the interviewees suggested the Commissioner talk with Ray Sandrock or make the suggestion under Commissioner comments and get a consensus to move forward.

One (1) interviewee suggested using an independent practice audit as a routine check.

Is the Administrative Code current? (Charter Section 2.3 E.)

The annual debt policy? (Charter Section 2.2 J.)

Are economic impact statements faithfully prepared in accordance (Charter Section 2.2 I.)

The Administrative Code is a working document and is currently undergoing a major review.

The annual debt policy review is occurring and the policy is good. There was a suggestion to review the level of debt annually (not the policy).

Economic impact statements are being prepared and are helpful.

Are there any aspects you know from other communities that the Charter Review Commission should consider for Charlotte County?

One (1) interviewee noted that some larger counties have elected Charter Review members.

The County Attorney suggested making the residency and non-interference provisions for the County Attorney and the Economic Development Director consistent with the County Administrator. Exclude County employees from the Charter Review Commission. Remove the six (6) month residency requirement prior to qualification because State law (six (6) months prior to assuming office) takes precedence. Allow sole proprietor business owners who are not residents and local voters to serve on the MSBU Advisory Committee.

Is the two (2) year budget cycle working?

Each interviewee loved the two (2) year budget cycle which gave staff time to review items, analyze data, focus on other issues (twenty (20) year unfunded project list), planning, saves staff time; an efficient process.

The question does the two (2) year cycle have an impact on the MSBU process?

The budget cycle does not have an impact. If the MSBU has the money, then they should do the project. There may be too many MSBU's.

Should there be an entity for enforcement of the Charter? How should this enforcement be handled? Should there be penalties for non-compliance in addition to those for non-interference?

Not needed, works well now.

Do you think there are inefficiencies that an independent body could oversee, review and correct?

This question was requested to be included that morning by another subcommittee member and we were not exactly sure what it meant.

Those who answered the question did not think another layer was needed. Building issues are handled by the Building Industry Oversight Committee and the agenda by Administration.

We use consultants from time to time.

Should the reporting structure of the Director of Economic Development be changed?

Yes, taking the current people out of the discussion; confidentiality and coordination are concerns.

The BCC is not part of the Economic Development Agency so confidentiality could be an issue.

It depends on who hold the positions of the Director and Administrator.

The Economic Development Director at the time stated he spent about 20 percent of his time meeting weekly with the BCC.

With a direct report it gives the Director a heightened importance.

There is a lot of pressure on the Director dealing with five (5) Commissioners on confidential issues.

An interviewee was not sure; the key is communication.

Should commissioners be elected countywide or by district?

I've seen it both ways and prefer countywide elections because it gives a better balance.

District can box you in, prefers countrywide election.

Not sure what two (2) additional Commissioners would add.

I do not like term limits.

Let the ballot take care of concerns.

Noted Trends in County Government /Suggestions:

Technology
Mentoring

Transparency
State mandates

Women in government
Health care costs


Could have a citizen committee review items, e.g., space needed for the Justice Center.

Recommendation:

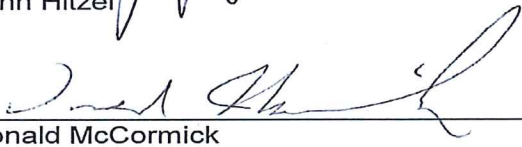
The Administration Staff Subcommittee's recommended change is that the Director of Economic Development report to the County Administrator instead of the Board of County Commissioners.




Julie Mathis, Chairman



John Hitzel



Donald McCormick



Stephen Vieira

**Board of County Commissioners Subcommittee
Final Report**

**CHARTER REVIEW COMMISSION
CHARLOTTE COUNTY ADMINISTRATION CENTER
18500 MURDOCK CIRCLE
PORT CHARLOTTE, FLORIDA 33948**



**Charter Review Commission
Board of County Commissioners Subcommittee
FINAL REPORT
February 17, 2016**

Committee Members:

**William C. Abbatematteo, Chairman
Paula E. Hess, Secretary
Thomas P. Conroy III
James M. Brown
Raymond A. Corcoran**

Introduction:

The Board of County Commissioners Subcommittee was charged by the full Charter Review Commission to review the portion of the Charlotte County Charter as it relates to the Board of County Commissioners. Accordingly, this subcommittee met six times as follows:

**June 24, 2015 – Organizational meeting to select subcommittee chairperson
August 12, 2015 – Organizational meeting to establish interview questions
September 9, 2015 – Organizational meeting to discuss future interview dates
October 19, 2015 – County Commissioner interviews and Executive Assistant
December 11, 2015 – County Commissioner interview
December 15, 2015 – County Commissioner interview**

Charlotte County Board of County Commissioners and Executive Assistant interviewed:

**District 1: Ken Doherty
District 2: Christopher Constance
District 3: Bill Truex
District 4: Stephen R. Deutsch and Joann Dillon, Executive Assistant
District 5: Tricia Duffy**

Each interview took approximately sixty (60) to ninety (90) minutes. Each interviewee had been provided the list of questions prior to the meetings. The interviewees were told the subcommittee had prepared more and may ask other questions in response to their answers. Full interview responses can be obtained by reading the posted meeting minutes of the interviews.

Questions and Responses:

What is your opinion on Elections by District, Non-Partisan Elections, Term Limits, Elected Mayor/Administrator, Appointed Sheriff?

On these topics; none of the Commissioners favored any change to the Charter and gave reasons to leave the Charter as it is which can be found in the minutes of each meeting.

Regarding MSBU/TU's; do you favor adding periodic review and where appropriate, sun-setting language?

To this question from the Other Boards and Agencies Subcommittee regarding MSBU/TU's; each said that is exactly what the Commission is doing now and realize it is long overdue. Commissioner Constance said to memorialize this in the Charter for future Commissions is worthy of discussion. All thought the basic idea to have benefits paid for within the area instead of adding to ad valorem taxes is good and would not support elimination or putting it to the vote.

On the subject of churches not being taxed, they wanted further stats on the effect of revenue loss on the taxing districts. Commissioner Doherty, who as a staff member worked on the creation of MSBU/TU's, expressed the desire to meet with the subcommittee who referred the question.

Any changes, additions to the Charter you would like to see and why?

No Commissioner had any suggestions for changes/additions to the Charter. All were welcoming, enthusiastic in discussions with us and expressed gratitude to the entire Charter Commission.

Economic Development Director employed by Commission added in 2010: Better than employed by Administrator or not?

Each Commissioner thought the 2010 change to have the Economic Director report to the Commission is working well. They all are aware and careful that details of negotiations not be made public until completed.

Do you think there are inefficiencies that an independent body to oversee and review could correct?

The discussion of how inefficiencies in government could be addressed in the Charter, which all agree is difficult to formulate, resulted in a suggestion by our Committee Chair that the Charlotte Assembly be scheduled every three (3) or four (4) years with the mission to make recommendations for improvement and critique areas where the Commission and staff could be held accountable. Each was neutral on this until language of the Charter proposal is made available.

Recommendations:

Continuation of the present form of government as prescribed in the Charter:

Five (5) Commissioners, one (1) from each District elected countywide at large, terms of four (4) years, no limits on number of terms. The County Administrator appointed by the BCC. All Constitutional Officers remain as elected.

Examine merits and drawbacks of the Economic Development Director responsible to the BCC instead of the County Administrator as prior to 2010.

Discuss addition to language regarding MSBU/TU to expand requirements of BCC.

Research ramifications of exempting churches from these assessments.

Explore adding scheduling of Citizens Forum; such as Charlotte Assembly to critique and make recommendations to hold BCC and Administrator more responsive and accountable to the public.

Submitted by:



William C. Abbatematteo, Chairman

**Constitutional Officers Subcommittee
Final Report**

**CHARTER REVIEW COMMISSION
CHARLOTTE COUNTY ADMINISTRATION CENTER
18500 MURDOCK CIRCLE
PORT CHARLOTTE, FLORIDA 33948**



**Charter Review Commission
Constitutional Subcommittee
FINAL REPORT
February 11, 2016**

Committee Members:

**Katherine D. Ariens, Chairperson
Jerry J. O'Halloran
William Dryburgh
Frank C. Weikel
John M. Davidson**

Introduction:

The Constitutional Officers Subcommittee was charged by the full Charter Review Commission to review the portion of the Charlotte County Charter as it relates to the Constitutional Officers. Accordingly, this subcommittee met five times as follows:

**June 24, 2015 – Organizational meeting to select subcommittee chairperson
August 12, 2015 – Organizational meeting to establish future interview dates and questions
September 24, 2015 – Review and finalization of interview questions
October 20, 2015 – Constitutional Officers interviews
November 16, 2015 – Constitutional Officers interview and discussed Final Report**

Charlotte County Constitutional Officers interviewed:

**Honorable Paul Stamoulis, Supervisor of Elections
Vickie L. Potts, Tax Collector
Paul L. Polk, Property Appraiser
Barbara T. Scott, Clerk of the Court
William Prummell, Jr., Sheriff**

Each interview took approximately thirty to forty-five minutes, with the exception of Ms. Scott, who was unable to attend and provided her answers via email. The interviewees had been provided the list of questions prior to the meeting. The interviewees were asked to begin discussion by describing their duties and functions, a description of their opinions follow. Full interview responses can be obtained by reading the posted meeting minutes of the interviews.

Summary:

Overall the Constitutional Officers believed that the current system of checks and balances worked well. The majority felt term limits were not needed as they do not make the law, they follow the law and term limits are decided at the ballot box. Most were not for non-partisan elections, they believe naming the party gives the voter the core values of the person seeking office. They felt that being appointed rather than elected gave control to the government.

Questions asked each Interviewee:

What is your opinion of non-partisan elections for Constitutional Officers?

A clear definition was given as to what non-partisan means; essentially, “the name of the party affiliation does not appear on the ballot.” All believed that it was important for the voters to know who they were voting for and their cores values. Therefore, it would be helpful in knowing the candidate’s party affiliation; however, all believed they performed their duties as a non-partisan public official.

What is your opinion on setting term limits for Constitutional Officers?

The majority felt that term limits were already in effect; every four years the citizens have the opportunity to vote to remove the sitting official.

What is your opinion on changing the Constitutional Officers to an appointed position rather than elected.

All believed it would take power away from the citizens and give that power to the County government. The separation of power allows for a system of checks and balances between the Board of County Commissioners and the Constitutional Officers.

What are your observations regarding the relationship of Constitutional Officers and the Board of County Commissioners?

The Constitutional Officers expressed the working relationship between themselves and the Board of County Commissioners was exceptional. Additionally, they stated that the relationship they had amongst themselves was positive and supportive.

Do you feel the Charter Review is beneficial to your department or is this process a waste of time?

All respondents appreciated the opportunity to sit down and have this discussion on the checks and balances. They all indicated this was a positive experience and a worthwhile use of their time, making government closer to the people.

Questions asked only pertaining to a specific office:

Supervisor of Elections

Would a change to the Charter making county commissioner elections non-partisan be more expensive than the current system, less expensive or about the same?

From my perspective there is no difference in cost.

What suggestions would you make to improve the position or office?

As far as what is going on here in Charlotte County, I cannot image a better relationship than the one I have with my fellow Constitutional Officers, the Board of County Commissioners, people in general and I have the best group of employees. We have one of the highest registration rates not only in the State, but in the country. We also have one of the highest voter turnout rates, people here care about their government. I cannot think of anything that I would change.

What methods do you have in place to purge the polls?

In accordance with State law every two years if there has not been any contact with the voter we send them a card which states; Are you still at this address? If the card comes back nothing further happens, if it does not come back we are required by law to send another card and if that does not come back we put them on the inactive list. What this means is a clock starts to run, they are still registered voters, they can still show up and vote at any election. If they contact our office during the inactive period it takes them off the clock. The clock runs for two election cycles which is four years and if at that time we have not heard from them in any way, by voting or even a phone call, after a total of six years they are then purged from the voter list.

Property Appraiser

Do you have any changes/suggestions to the office that you would recommend?

I would recommend that the Geographic Information Services (GIS) be within the Property Appraiser's office like in Lee County. Our office works closely with the County's GIS department and we have a very good relationship with their staff. We are required statutorily to provide the GIS department with the aerial photography every two (2) years. They do not have a large staff, but we do deal with them quite a bit. These additional positions would need to be approved by the Department of Revenue as they are responsible for approval of the Property Appraiser's annual budget.

Frank C. Weikel – Could that be done by administrative changes or does that need a ballot change?

Paul L. Polk – I think that would be administrative.

William Dryburgh – That is something we probably should ask our attorney and make sure, he could make that suggestion to the County Commission.

What Charter amendment would you propose is needed to improve the efficiency of your office in relevance with serving the citizens of Charlotte County?

Mostly what we do is required statutory and again we are kind of different because our budget is approved by the Department of Revenue it does not go directly to the Board for approval. No, I cannot really think of anything that the Charter could change.

How do you enforce Homestead Exemption eligibility?

We have a lien process if we come across somebody that is not entitled to Homestead, we can lien them back ten (10) years and apply penalties and interest. Florida has to be your primary residence to receive Homestead and you must own your home. It is not malicious we do have some people who are truly doing it as fraud.

How are you informed of the latest technology changes to your office?

There is an exception in the legislation which states the Property Appraiser's office can use drones to view aerial photography, I am not saying we will use them, but we are allowed to. We have started using Tablets in the field, we are trying to go paperless and through our conferences we find out about new software. We are also trying to get more people to file for Homestead Exception on our website.

Katherine D. Ariens – How do you coordinate with the other Constitutional Officers, do you have overlap of your duties?

Paul L. Polk – We do, primarily with the Tax Collector and the Clerk of the Court, but we all work well together.

Clerk of the Court

Do you have any ballot suggestions for alternative forms of funding?

If you are asking about alternative forms of funding for my office; the legislature and Florida Statutes dictate

the funding mechanism for the courts and official records. These budgets are funded through service fees established by the legislature. The budget to the Board of County Commissioners is for the services provided. This ad valorem budget is presented annually, reviewed and approved by the Board of County Commissioners. I do not have any suggestions for alternative funding for the County budget.

Sheriff

Do you have any alternative forms of funding?

We progressively go after different grants, we have crime prevention monies, forfeiture funds, things of that nature for getting equipment and items we necessarily would not be able to get through the budget. We try to keep the budget as controlled as we can. We do not have any alternative forms.

Katherine D. Ariens – You are now under MSTU’s and they did that for transparency; how is that affecting your budget?

Sheriff Prummell – I do not think it has really affected the budget, I think it is more transparency when people see what they are paying for law enforcement. After our Citizen Police Academy graduation last week a gentlemen told me he noticed it on his tax bill and now he understands what he is pay for and did not have a problem with it.

Would you favor the Sheriff’s Office no longer being the franchisee of the jail?

There are certain things where I believe that government should not contract out. If you are asking me about the County running it versus a for profit organization, I would kind of be against either one. The jail can be the biggest liability that a Sheriff can have, but we are trained in budget safety and dealing with inmates so we run a very professional agency here in Charlotte County. We are a model jail and are looked at by other agencies nationwide. As using a for profit organization there are several examples where that has failed.

What Charter amendment would you propose is needed to improve the efficiency of your office in relevance with serving the citizens of Charlotte County?

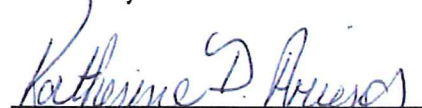
Personally things are running very well, right now I would not recommend anything.

Recommendation:

Based on the interviews with all the constitutional officers, our research, discussions and feedback from citizens in our community, the Constitutional Officers Subcommittee has no recommended changes for the Charter.

Regarding the suggestion by Paul L. Polk, to incorporate the County Geographic Information Services (GIS) Department within the Property Appraiser’s office, after further research and discussion with staff Mr. Polk withdrew this recommendation.

Submitted by:


Katherine D. Ariens, Chairperson

**Other Boards and Agencies Subcommittee
Final Report**

**CHARTER REVIEW COMMISSION
CHARLOTTE COUNTY ADMINISTRATION CENTER
18500 MURDOCK CIRCLE
PORT CHARLOTTE, FLORIDA 33948**



**Charter Review Commission
Other Boards and Agencies Subcommittee
FINAL REPORT
December 15, 2015**

Committee Members:

Thomas J. Rice

Thomas J. Thornberry

W. Kevin Russell

Introduction:

The Other Boards and Agencies Subcommittee (OBA) was appointed by the Charter Review Commission Chair, Bill Dryburgh, at the June 24th meeting. The members appointed to the OBA were: Thomas J. Thornberry, Thomas J. Rice, Scott D. Schermerhorn and W. Kevin Russell (alternate). At the following CRC meeting, Mr. Schermerhorn resigned from the Commission due to a job change and Mr. Russell took his place as a full member. Mr. Rice was selected as Chair of the OBA. The OBA was charged with engaging other governmental bodies and civic organizations in the County that are not explicitly mentioned in the Charlotte County Home Rule Charter, but nevertheless are involved in public policy and might be affected by or have recommendations on the current Charter. The group met three (3) times between June and August to prepare an outline of questions to pose to invited organizations and to list the organizations to invite to meet with the committee. Interviews were conducted four (4) times from September through October with representatives from eight (8) different organizations. Two (2) representatives could not meet with the committee, but submitted responses via email. The Draft final report was prepared in two (2) meetings in November and December. This report includes a concise summary of the operations and conclusions from the OBA based on the meetings and discussions referenced above. Minutes for each meeting were maintained and forwarded to the Charlotte Review Committee for inclusion in the full report and are not repeated in this summary.

Organizations invited to meet with the OBA:

Representatives from the following organizations met with the subcommittee:

- **Charlotte County Chamber of Commerce**
- **Punta Gorda Chamber of Commerce**
- **Charlotte/DeSoto Building Industry Association**
- **Punta Gorda /Port Charlotte /North Port Association of Realtors**
- **Enterprise Charlotte Economic Council**
- **City of Punta Gorda**
- **Rotonda West Association**
- **League of Women Voters**

Ed Hill, Executive Director, Englewood Chamber of Commerce and Tom Cavanaugh, Punta Gorda Councilmember, District 4, could not attend, but did submit responses which have been taken into consideration in the final recommendations. Other organizations that were invited to meet with the OBA, but declined to participate where:

- **Charlotte County School Board**
- **Punta Gorda/Charlotte Airport Authority**
- **South County Alliance**
- **Curmudgeons Club**

Meetings with the groups ranged from thirty minutes (30) to ninety (90) minutes. The questions were submitted in advance as well as web connections for the current Charlotte County Home Rule Charter and the 2010 CRC Report. Each meeting allowed for citizen input and three (3) citizens did attend with two (2) offering comments. The OBA also received written citizen comments from another CRC Subcommittee for consideration in the final report.

Interview topics:

The members of the OBA developed a number of topics to pose to the invited organizations with the purpose of focusing on the current Charter and recommended changes. The initial topics included:

Are there changes in the current election process that should be considered?

- **Single Member Districts**
- **Term Limits**
- **Partisan vs Non-partisan Elections**
- **Campaign Contribution Limits**

- **Should County Department Heads and members of Administration be required to be county residents?**
- **Should Constitutional Officers be appointed by the Board of County Commissioners or elected?**
- **Should the County Administrator be appointed or elected?**
- **At the last Charter Review Commission in 2010, the County Director of Economic Development was changed to report directly to the Board of County Commissioners; has that been successful?**
- **Are there other changes to the County Home Charter that should be considered?**

After the first meeting with invited organizations, additional topics came up from discussion and citizen input that were posed to the remaining invited organizations:

- Should the Community Redevelopment Agency, Municipal Service Benefit Units and Municipal Service Taxing Units be required to “sunset” or reconstituted for designated time periods?
- Should MSBU/MSTU’s require re-approval at certain time limits?
- Should the percentage of the required signatures for the public to propose a change or a new ordinance be reduced from 10 percent to another number?

On October 21st, the members received a citizen’s comments from Bill Bigelow that was forwarded by the Chair, Mr. Dryburgh, and the request they be included with the remaining interviews. The majority of the points raised had previously been covered during the OBA interviews with two (2) exceptions. The first was a recommendation for runoff elections in any election for County candidates who does not receive over 50 percent of the votes cast. The second point was a request that the Charter include a section requiring greater transparency of the budget process the public can access online. These items should be forwarded to the full CRC for discussion.

Recommendations:

Based on the input received from organizations that met with the OBA and citizens input, the subcommittee members propose the following recommendations to the full CRC for consideration:

1. Amend Article II; Section 2.2 G. (1) as follows: “The people of Charlotte County shall have the right to initiate county ordinances in order to establish new ordinances and to amend or repeal existing ordinances upon petition by a number of electors equal to ~~ten (10)~~ seven (7) percent of the number of electors qualified to vote in the county as a whole in the last preceding general election.
2. Amend Article II; Section 2.2 H. to include the following sentence “..... The ordinance shall provide the terms of the board of advisors and for the responsibilities of the board of advisors to request such services and facilities as deemed necessary to serve the residents of the MSTU or MSBU. Each advisory board shall submit an annual report to the board of county commissioners on the MSTU’s or MSBU’s activities, objectives and funding requests.”
3. The last sentence of Article II; Section 2.2 H. shall be amended as follows “..... The board of county commissioners may abolish a board of advisors after a public hearing(.) and, upon abolition of the board of advisors, no new petition for the creation of a board of advisors, shall be considered for a period of two (2) years.”
4. Add a section under Article III, to be Section 3.3 as follows: “Elections for the offices of sheriff, property appraiser, tax collector, clerk of the circuit court and supervisor of elections shall be non-partisan.”

Several recommendations came up during the interviews that may not merit inclusion in changes to the Charter, but merit consideration by the BOCC and County staff:

1. In regards to Article II; Section 2.2 J. Debt policy and K. Reserve policy; The BOCC should review the “best practices” issued by the Government Financial Officers Association when developing the County’s budget, financial reserves and setting debt limits.

2. Several sections of the current Charter appear to contain typographical errors or require clarification. The sections in questions are:

Section 2.2 G. (2); “by the approval by the supervisor or elections”.... should be of.

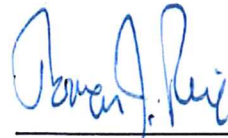
Section 2.2 G. (3); “it shall, be resolution,” and “those registered electors voting the on the question”.... should these words be removed?

Section 2.2 I. (5); “Inadequacy or inaccuracy of an economic impact estimate shall not be grounds for invalidation of a county ordinance.” The recommendation was to add the word “alone” after the word “grounds”.

Section 4.2 A. and B. (1); “shall embrace but one (1) subject and matter”.... is this correct or should it be “or” instead of “and”?

Section 4.2 C. (2); “shall elect a chairman and vice chairman form among”.... should be from.

Thank you for the opportunity to serve the citizens of Charlotte County through participating in this term of the Charter Review Commission as the Other Boards and Agencies Subcommittee.



Thomas J. Rice



Thomas J. Thornberry



W. Kevin Russell

SECTION III.

Proposed Charter Amendments and Approved Ballot Language

The 2016 CRC voted on and proceeded to the three (3) required Public Hearings on April 27, 2016, May 11, 2016 and May 25, 2016 with the following proposed amendments.

Charter Amendment No. 1

Reduction of percentage of electors needed to initiate county ordinances.

Shall Article II, Section 2.2.G (1) of the Charlotte County Charter be amended to reduce the number of electors needed to initiate county ordinances in order to establish new ordinances or amend or repeal existing ordinances upon petition, from ten (10) percent to seven (7) percent of the number of electors qualified to vote as a whole in the last preceding general election?

Yes for Approval

No for Rejection

Section 2.2.G. (1) is amended to read: "The people of Charlotte County shall have the right to initiate county ordinances in order to establish new ordinances and to amend or repeal existing ordinances upon petition by a number of electors equal to ~~ten (10)~~ seven (7) percent of the number of electors qualified to vote in the county as a whole in the last preceding general election."

Charter Amendment No. 2

Deletion of restriction of reestablishment of MSTU/MSBU Advisory Boards created by petition of electors.

Shall Article II, Section 2.2.H. of the Charlotte County Charter be amended to abolish the two (2) year period prohibiting consideration of a petition for the creation of a Municipal Service Taxing or Benefit Unit (MSTU/MSBU) board of advisors upon abolition of a previous board of advisors?

YES for Approval

NO for Rejection.

Section 2.2.H. is amended by revising the last sentence to read: "The Board of County Commissioners may abolish a board of advisors by ordinance after a public hearing, and, upon abolition of the board of advisors, no new petition for the creation of a board of advisors, shall be considered for a period of two (2) years."

Charter Amendment No. 3

Annual report of MSTU/MSBU advisory boards.

Shall Article II, Section 2.2.H. of the Charlotte County Charter be amended to require Municipal Service Taxing or Benefit Unit (MSTU/MSBU) advisory boards to provide an annual report on the unit's activities,

objectives, work programs and funding requests to the Board of County Commissioners by March 1st of each year?

YES for Approval

NO for Rejection

Section 2.2.H. is amended by renumbering existing section 2.2.H to 2.2.H. (1) and adding a new Section 2.2.H.(2) to read: “Each MSTU or MSBU advisory board shall submit an annual report to the Board of County Commissioners on the MSTU’s or MSBU’s activities, objectives, work programs and funding requests by March 1st of each year.”

Charter Amendment No. 4

Creating term limits for Charter Review Commission members.

Shall Article IV, Section 4.2.C. (1) of the Charlotte County Charter be amended to limit the number of terms a Charter Review Commission member may serve to three (3) full terms as a voting member?

YES for Approval

NO for Rejection

Section 4.2.C. (1) is amended by amending the second sentence to read: “No elected officer shall be a member of the Charter Review Commission, and no member may be appointed who has served three (3) full terms as a voting member of the Charter Review Commission.”

Note: Upon completion of the June 15, 2016 Charter Review Commission Meeting, the 2016 CRC voted to approve the following amendments and ballot language to be proposed to the voters at the General Election to be held on November 8, 2016:

APPROVED BALLOT QUESTIONS (June 15, 2016)

Charter Amendment No. 1

Reduction of percentage of electors needed to initiate county ordinances.

Shall Article II, Section 2.2.G.(1) of the Charlotte County Charter be amended to reduce the number of electors needed to initiate county ordinances in order to establish new ordinances or amend or repeal existing ordinances upon petition, from ten (10) percent to seven (7) percent of the number of electors qualified to vote as a whole in the last preceding general election?

YES for Approval

No for Rejection

Section 2.2.G.(1) is amended to read: "The people of Charlotte County shall have the right to initiate county ordinances in order to establish new ordinances and to amend or repeal existing ordinances upon petition by a number of electors equal to seven (7) percent of the number of electors qualified to vote in the county as a whole in the last preceding general election."

Charter Amendment No. 2

Deletion of restriction of reestablishment of MSTU/MSBU Advisory Boards created by petition of electors.

Shall Article II, Section 2.2.H. of the Charlotte County Charter be amended to abolish the two (2) year period prohibiting consideration of a petition for the creation of a Municipal Service Taxing or Benefit Unit (MSTU/MSBU) board of advisors upon abolition of a previous board of advisors?

YES for Approval

NO for Rejection

Section 2.2.H. is amended by revising the last sentence to read: "The board of county commissioners may abolish a board of advisors by ordinance after a public hearing."

Charter Amendment No. 3

Annual report of MSTU/MSBU advisory boards.

Shall Article II, Section 2.2.H. of the Charlotte County Charter be amended to require Municipal Service Taxing or Benefit Unit (MSTU/MSBU) advisory boards to provide an annual report on the unit's activities, objectives, work programs and funding requests to the Board of County Commissioners by March 1st of each year?

YES for Approval

NO for Rejection

Section 2.2.H. is amended by renumbering existing section 2.2.H to 2.2.H.(1) and adding a new Section 2.2.H.(2) to read: "Each MSTU or MSBU advisory board shall submit an annual report to the board of county commissioners on the MSTU's or MSBU's activities, objectives, work programs and funding requests by March 1st of each year."

Charter Amendment No. 4

Creating term limits for Charter Review Commission members.

Shall Article IV, Section 4.2.C.(1) of the Charlotte County Charter be amended to limit the number of terms a Charter Review Commission member may serve to three (3) full terms as a voting member?

YES for Approval

NO for Rejection

Section 4.2.C.(1) is amended by amending the second sentence to read: "No elected officer shall be a member of the charter review commission, and no member may be appointed who has served three (3) full terms as a voting member of the charter review commission."

SECTION IV

Organizational/Procedural Changes Forwarded to Board

Introduction; This section of the Final Report pertains to the Charter Review Commission's decision to forward certain organizational and procedural changes to the Board of County Commissioners for implementation; but did not rise to the level of proposed Charter Amendments. The following list was developed from the CRC's interviews of the various elected officials, county administration, staff and numerous community organizations; as well as from individuals participating at the CR's Public Hearings.

- Provide an orientation for new members to the MSBU/MSTU Advisory Boards.
- Leave it up to the MSTU/MSBU Advisory Boards as to who will write their Final Report with the BCC providing directive for guidance.
- Televise and tape future CRC meetings to promote community involvement.
- Explore scheduling a Charlotte Assembly (Citizens Forum) to make recommendations to the BCC and the County Administrator, with a timeframe that does not exceed four years between assemblies (forums).
- Research the possibility of exempting churches from the MSTU/MSBU.

SECTION V

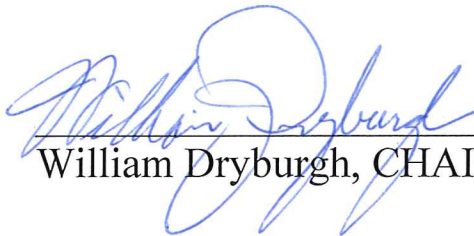
Recommendations to Future Charter Review Commissions

Introduction: This section of the Final Report pertains to the Charter Review Commission's decision to formalize certain organizational recommendations to future Charter Review Commissions. These recommendations were developed from the 2016 CRC's observations of the overall process.


- Add an item to the CRC Agenda just prior to adjournment for the Commission to correct any misconceptions or misstatements.
- Adjust the CRC's time schedule so as to allow for additional public hearings if changes are needed.

FINAL APPROVAL BY THE 2016 CHARLOTTE COUNTY CHARTER
REVIEW COMMISSION ON

Date: June 15, 2016



William Dryburgh, CHAIRMAN



Robert H. Berntsson, ESQ
CRC General Counsel

Appendix A

Appendix A

List of Regular Meetings, Special Meetings and Public Hearings

(Note: The minutes of all meetings and the recorded audio tapes are on file at the County)

<u>DATE</u>	<u>TOPIC</u>
05/13/2015	Organizational-Election of Chair and Vice-Chair
06/10/2015	General Membership-Discuss Selection of Counsel and Subcommittees
06/24/2015	General Membership-Selection of Counsel and Subcommittee Assignments
06/24/2015	Subcommittee BCC Organizational meeting to select chairperson
06/24/2015	Subcommittee Constitutional Officers Organizational meeting to select Subcommittee chairperson
06/24/2015	Subcommittee Other Boards & Agencies (OBA) Organizational meeting to select subcommittee chairperson
08/12/2015	General Membership-Subcommittee Discussion
08/12/2015	Subcommittee BCC Organizational meeting to establish interview questions
08/12/2015	Subcommittee Constitutional Officers Organizational meeting to establish future interview dates and questions
08/12/2015	Subcommittee OBA Organizational meeting to establish interview questions
08/27/2015	Subcommittee OBA Finalize interview questions
09/02/2015	Subcommittee Administration Staff Organizational meeting
09/09/2015	Subcommittee BCC Organizational meeting to discuss future interview dates
09/09/2015	General Membership-Subcommittee Discussion
09/10/2015	Subcommittee Administration Staff interviews
09/11/2015	Subcommittee Administration Staff interviews
09/24/2015	Subcommittee Constitutional Officers Review and finalization of interview Questions
09/29/2015	Subcommittee Other Boards and Agencies interviews
10/07/2015	Subcommittee Other Boards and Agencies interviews
10/14/2015	General Membership
10/19/2015	Subcommittee BCC County Commissioner/Executive Assistant interviews
10/20/2015	Subcommittee Constitutional Officers interviews
10/23/2015	Subcommittee Other Boards and Agencies interviews
10/30/2015	Subcommittee Other Boards and Agencies interviews
11/06/2015	General Membership
11/06/2015	Subcommittee Other Boards and Agencies Final interviews / Final Report
11/16/2015	Subcommittee Constitutional Officers interview and discussed Final Report
12/04/2015	Subcommittee Administration Staff Discussed potential recommendations
12/11/2015	Subcommittee BCC County Commissioner interview
12/15/2015	Subcommittee BCC County Commissioner interview
12/16/2015	General Membership Subcommittees/Final Report discussion
12/16/2015	Subcommittee Constitutional Officers discussed Final Report
01/20/2016	General Membership Constitutional Officers and OBA Subcommittee Final Reports and MSBU/TU discussion

02/17/2016	General Membership Subcommittee BCC Final Report and Economic Development discussion
03/16/2016	General Membership Subcommittee and Citizen Recommendations
04/13/2016	General Membership
04/27/2016	CRC Public Hearing – Murdock Administration Center
05/11/2016	CRC Public Hearing – Punta Gorda Event Center
05/25/2016	CRC Public Hearing – Tringali Recreation Center Englewood
06/15/2016	CRC Public Hearing Continued/CRC Regular Meeting
07/12/2016	BCC Mtg. – CRC Presentation/Amendment Report