

**Charter Review Commission
Other Boards and Agencies
Subcommittee Meeting
October 23, 2015**

A meeting of the Charter Review Commission, Other Boards and Agencies Subcommittee was held at Charlotte County Administration Complex, Room B-106, Port Charlotte, Florida.

Roll Call

The following Other Boards and Agencies subcommittee members were present:

Thomas J. Rice, Chairman

Kevin Russell

Thomas J. Thornberry

Citizens: None

Call to Order:

The meeting was called to order at 10:00 AM by Chairman Rice.

Agenda Items:

- I. Citizens Input – None
- II. Old Business
Approval of October 7, 2015 minutes; signed and adopted.

Commissioner Ken Doherty was invited to give his perspective on MSBU/MSTU's from the time they were originally used in the 1980's. He stated that these concepts were used to fund needed water and drainage projects in the unincorporated portions of the County that could not be financed through normal ad valorem revenues. In theory, as those portions of the County developed, ad valorem funding would be sufficient to pay for improvements and MSBU/MSTU's would not be needed. In the 1990's, the number of these units increased approximately 70 entities to include other capital projects other than just water and drainage projects. He stated the Board of County Commissioners (BOCC) was tackling these units to close or combine units that were not performing as intended. The BOCC found some units did not have functioning advisory boards as referenced in the Charter. He also noted Florida Statute 125.01 (q) states in part: Establish and subsequently merge or abolish those created hereunder, municipal service taxing or benefit units for any part or all of the unincorporated area of the county. Florida Statute 125.01 (r) states in part: There shall be no referendum required for the levy by a county of ad valorem taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit. He suggested we discuss this with Mr. Berntsson regarding taxing decisions and if we could refer these decisions to elections. After further discussion he indicated it might be appropriate for the current Charter wording to require some sort of annual review of the MSBU/MSTU's by the BOCC to confirm that the appointed Advisory Boards were functioning properly. The Commissioner then offered his views on the change at the last Charter Review to require that the Director of Economic Development report directly to the members of the BOCC. In his opinion, the change is still a work in progress. The change was pushed by the former director, but it has not caused "Sunshine Act" issues. More time is needed to see if this current model is best. If the structure is changed back to the former arrangement, it would slow decision-making down and might make recruiting for a new director more challenging. His suggestion is to leave this change alone, review it again at the next Charter Review process in six (6) years. The Commissioner was thanked for his time, comments and excused.

Interviews previously scheduled with Howard Kunik, City Manager, Punta Gorda City Council, Gary Quill, Executive Director, Charlotte County Airport Authority and Paul Andrews, District 3. The interviewees had been provided the list of updated questions prior to this meeting and are attached.

III. New Business

Gary Quill, Executive Director, Charlotte County Airport Authority and Paul Andrews, District 3 were absent. Both were invited to other scheduled subcommittee meetings, but declined to attend.

Interview with Howard Kunik, City Manager, Punta Gorda City Council

Mr. Kunik stated he was commenting on his own behalf, not on behalf of the City Council. The committee asked him to notify the City Council they could come to the next meeting scheduled on October 30, 2015 or submit written comments if they wished to be included in the committee's final report.

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

Single Member Districts

Mr. Kunik stated that the current Charter requirement for Countywide representation of members of the Board of County Commissioners (BOCC) should remain as stated in the Charter without change.

Term Limits

Mr. Kunik stated the current Charter language should not be changed to specify term limits.

Partisan vs Non-partisan Elections

Mr. Kunik stated Constitutional Officers should be appointed by the County Administrator instead of being elected or if that is not possible the races should be non-partisan.

Campaign Contribution Limits

Mr. Kunik stated the limits should be lower than the current maximum of \$1,000 dollars per person, but did not offer a recommended amount.

Should County Department Heads and members of Administration be required to be county residents?

Mr. Kunik stated the County Administrator is the only position that should be required to live in the County to attract the best candidates for the other positions possible. (The summary of the current residency requirement for Administration and staff specified in the Human Resources' policy was shared with Mr. Kunik.)

Should Constitutional Officers be appointed by the Board of County Commissioners or elected?

Mr. Kunik stated all of the Constitutional Offices should be appointed by the County Administrator rather than being elected. If they have to continue as elected positions, the elections should be non-partisan.

Should the County Administrator be appointed or elected?

Mr. Kunik stated the County Administrator should continue to be appointed as is now required in the current County Charter.

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?

Mr. Kunik stated he did not like the change and felt the director position should be appointed by the County Administrator. He further stated there had been some success under the new arrangement over the past few years that may have occurred under the former organization structure as well. He concluded by saying it was too soon to tell if the change was for the better. With a pending change in the position due to the incumbents announced intent to retire, the position should be left as it is for the next Charter Review term.

Should the Community Redevelopment Agency, Municipal Service Benefit Units and Municipal Service Taxing Units be required to "sunset" or reconstituted for designated time periods?

Mr. Kunik stated these units should not be sunsetted and used the seawalls in Punta Gorda that will need to continue with no foreseeable end in sight as an example. The decision to continue or not should remain with the people directly impacted by the MSBU/MSTU. He did state all of these units should be reviewed on a regular basis to ensure they are meeting their intended objectives.

Should they require re-approval at certain time limits?

Mr. Kunik stated re-approval should not be imposed, but regular review should be followed by staff and the Commission.

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?

Mr. Kunik stated the Charter should stay at ten (10) percent because if that many citizens want a change, it is a serious issue that should be considered.

Are there other changes to the County Home Charter that should be considered?

Mr. Kunik had no additional suggestions for the subcommittee to consider.

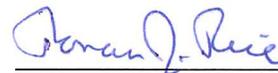
IV. Discussion

At this point, the scheduled interview was concluded and the members continued with the remainder of the agenda. The members reviewed the memo forwarded by another Commission member on behalf of a private citizen. The subcommittee members agreed that the proposed questions had already been included in the interview questions used to date with two (2) exceptions. The proposal to change the runoff procedure for candidates winning less than a majority during an election, and the proposed changes to the budget process were better left to discussion by the full Charter Review Commission at a subsequent meeting.

The next subcommittee meeting is October 30, 2015, with the final scheduled interviews. At this time, representatives from the League of Women Voters, Rotonda West Association and City Council of Punta Gorda plan to attend. The Curmudgeon Club and South County Alliance declined to be interviewed. The Englewood Chamber of Commerce, Executive Director, Ed Hill and Punta Gorda Councilmember, District 4, Tom Cavanaugh stated they were unable to attend, but would send their answers via email. The subcommittee members tentatively approved the following meeting to be November 6, 2015, which will be the first meeting to begin work on the final report.

V. Citizens Input – None

VI. Adjournment: Upon motion made and seconded the meeting was adjourned at 11:42 AM.



Thomas J. Rice, Chairman

Attachment #1
Updated Interview Questions

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?

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 they 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?

Are there other changes to the County Home Charter that should be considered?