

**Charter Review Commission  
Administration Staff  
Subcommittee Meeting  
September 10, 2015**

A meeting of the Charter Review Commission, Administration Staff Subcommittee were held at Charlotte County Administration Complex, Room B-106, Port Charlotte, Florida.

Roll Call

The following Administration Staff members were present:

Julie Mathis, Chairman

Stephen J. Vieira

John Hitzel

Donald McCormick

Citizens: None

Call to Order:

The meeting was called to order at 1:00 PM by Chairman Mathis.

Agenda Items:

- I. Citizens Input – None.
- II. Approval of Minutes of meeting September 2, 2015; signed and adopted.
- III. Old Business

Interviews with Administrative staff in the county had been previously scheduled and the interviewees had been provided the list of questions prior to this meeting. (The question list had been previously appended to the minutes of September 2, 2015).

- IV. New Business

Interview with Janette Knowlton, Esq., County Attorney

Chairman Mathis and the subcommittee members welcomed Ms. Knowlton and thanked her for attending.

What are your specific duties? Ms. Knowlton stated according to the Charter, the Administrative Code, my responsibility is to provide efficient and effective legal representation to the Board of County Commissioners, Administration, Department Heads, I think we have ten departments now, with 1,000 plus employees, the Metropolitan Planning Organization we represent, and all the advisory boards, so that is basically what I do. What that means is every contract, every document before the Chair signs is reviewed and whether we are involved in any negotiations or anyone appealing, maybe staff has negotiated something, and utilities, litigation; all of that. I have seven attorneys, four administrative secretaries and paralegal.

What, if any, local government re-structuring could be proposed for the Charter that would improve your ability to deliver services? Ms. Knowlton stated I do not think there is any that could be done, it works well the way that it is.

In the performance of your duties are you affected by the Charter? Ms. Knowlton stated I am to the extent that I do report directly to the Board of County Commissioners, which is important. Nothing comes to mind where there has been a disagreement with something that Administration is proposing, if we do have issues we resolve them before something is presented, but it could be and you want your legal counsel separate from anybody else, so to that extent I am affected by it, but also you know the non-interference affects all of us, the agenda provision does come into play.

John Hitzel asked Ms. Knowlton; what do you mean by the agenda provision?

Ms. Knowlton stated requiring the agenda be put out seven days in advance of a meeting that just affects the mechanics of how early we have to have something ready to present to the board.

John Hitzel asked Ms. Knowlton; are you saying you are the watchdog over that?

Ms. Knowlton stated no, Administration oversees the agenda, but it does affect everything that we do, because we work together with Administration or the departments, do we need to bring this item to the board, do we have enough time and when the Charter says seven days in advance that basically, in order for us to get enough time to review things, it puts it out two weeks before so that we can review it in time. To put something on the agenda, it has to go through typically the department that is working on the item and it does not come to us until they are done with it. So, then it comes to legal, then it goes to budget, if we have questions then the item is not going to make it to the agenda if it is given to us at the last minute.

John Hitzel stated the last Charter Review made that change in the time frame.

Julie Mathis asked Ms. Knowlton; does that negatively affect your work of the county government?

Ms. Knowlton stated I think it does add additional time because if we have to put it forward it may increase the add-on's, is the problem, because there is only so many hours in a day and so many people that have to put their approval on it, so it may increase. It may have added to the amount of add-on's items at the last minute because we could not make the agenda in time.

Steve Vieira stated realistically getting items on the agenda and actually being able to discuss the business and get it done in a proper manner, it does not make sense to overload the agenda.

Have you had experience working under an elected Administrator, and what is your opinion on an elected executive form of government? Ms. Knowlton stated I have not and I think it should stay the way it is, because if you have an elected position they are just making it more political, whereas I think the board does a really good job of interviewing and picking who they believe is the most qualified.

Donald McCormick stated, I would like clarification on that, you are not in favor of an elected County Administrator and are you including not being in favor of an elected Mayor?

Ms. Knowlton stated I would think so, but I have not had any personal, first-hand experience.

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

Ms. Knowlton stated I think for the most part it is and when people come close to it, it is addressed. I am the one who addresses that with Commissioners and I always bring Mr. Sandrock with me, for multitudes of reasons, so that I have a witness, and so that it shows more importance when we are getting into whatever the issue is and we handle it and advise the best that we can.

Is the Administrative Code current? Ms. Knowlton stated it is being updated as we speak, I think parts of it are current and parts still need updating.

The annual debt policy? Ms. Knowlton stated yes, all policies are up-to-date.

Are economic impact statements faithfully prepared in accordance? Ms. Knowlton stated they are, we have been trying to since the last Charter review improve the information that goes in there, so I would say it is a much improved process.

Are there any aspects you know from other communities that the Charter Review Commission should consider for Charlotte County? Ms. Knowlton stated I do not know about for other communities, but I did have some suggestions just in reviewing our Charter, just my personal opinion, to make 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 because you really want to be an independent group reviewing the process and just something to think about or discuss with Charter Review Commission Attorney Mr. Berntsson about removing the six month residency requirement prior to qualification because State law (six month prior to assuming office) takes precedence. Also a suggestion from staff, allow sole proprietor business owners who are not residents and local voters to serve on the MSBU Advisory Committee.

Is the two year budget cycle working, does it impact the MSBU process? Ms. Knowlton stated I do not think it so much impacts the MSBU process because that goes on year round, but I think the two year, from my prospective it is a good thing, it is working and gives us time in the off year to reflect, do a complete analyst and see what efficiencies can be made.

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? Ms. Knowlton stated I think you already have that in place, different provisions govern non-interference, I think there are penalties already in place and there are statutes, commission on Ethics and they are effective.

Should the reporting structure of the Director of Economic Development be changed? Ms. Knowlton stated my personal opinion is yes, it has nothing to do with the Economic Development Director, but we all should be taken out of the equation and look at the structure itself.

Do you think there are inefficiencies that an independent body to oversee and review could correct? For example; the permitting process and deadline decisions presented to the commission without sufficient information provided by staff? Ms. Knowlton stated I am not quite sure about that and whenever you are creating another layer or another body, I would think twice about doing that, maybe you want to improve what you have in place but that specifically talked about permitting and I think you have that body in place, it is the Building Industry Oversight Committee (BIOC), that looks at fees and processes and makes suggestions for improvement.

This concluded the interview with Janette Knowlton, Esq., County Attorney.

#### Interview with Claire Jubb, Community Development

Chairman Mathis and the subcommittee members welcomed Ms. Jubb and thanked her for attending.

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? Ms. Jubb stated basically my department is responsible for anything to do with land development in the County so we go from comprehensive plan development down to land development regulations and then to building permits, code enforcement, contractor licensing and we have a huge number of different types of applications, we deal with a large part of the population as we can be dealing with big developers, attorneys, land owners, single home owners. It is a big responsibility and it is a very key department to the County, we have around 80 employees, I have a fantastic team.

In the performance of your duties are you affected by the Charter? Only in so much that it is the governing document and we refer to the Administrative Code.

In your experience is the non-interference clause observed? Is the method of enforcement adequate? Ms. Jubb stated yes, I would say more now than ever before and not only that we are very comfortable in pushing back if we have to, but we never have to as we have that relationship with our Commissioners and we have support from the Administration, I would say absolutely yes to both.

What about the annual debt policy? Ms. Jubb stated I do not really deal with that, Gordon Burger does.

Are economic impact statements faithfully prepared? Ms. Jubb stated yes they prepare them for everybody we need to have them for and make sure we consider them and what the impacts are going to be on the citizens or County, and so forth, before we put them through. They help clarify the purpose of the change or ordinance, or whatever we are doing to make sure it is beneficial and helps explain to Commissioners why it is beneficial, it is a good summary they can refer to, just for quick information.

Are there any aspects you know from other communities that the Charter Review Commission should consider for Charlotte County? Ms. Jubb stated I do not think so, not in my experience, it is a good, strong working document.

Is the two year budget cycle working? Ms. Jubb stated I absolutely love it, gives us time to really see how our programs are working and gives us time to concentrate on that down time on how programs are developing, what we need to do for the next two years and see if we are going down the right path and occasionally we do need to make adjustments especially in the building side of things.

John Hitzel asked Ms. Jubb; how much of that process is paid for from fees that you collect?

Ms. Jubb stated on the building side for anything that has to do with the building permits and of course the Florida Building Code we are actually at 100 percent fee driven, we do not use general funds for anything on that side. The rest of the department is probably about 30/40 percent fees, maybe a little more in some areas, but with Code Enforcement which does not have fees we have fines, we do not get a huge amount of revenue from those.

John Hitzel asked Ms. Jubb; what is the problem with not getting much from Code Enforcement fines?

Ms. Jubb stated it is in collecting the fines, we typically get collection when a property sales, but sometimes we do not although we do have a lien relief program which is helping getting some of the money but it drops the cost of the fine in return for compliance and compliance is what we are looking for, that is what is important.

Have you had experience working under an elected Administrator, and what is your opinion on an elected Administrator? Ms. Jubb stated no, we spend a lot of time every two years getting to know our new Commissioners and to understand what their wants and needs are and understand what direction they are going to take and adding that in with an Administrator would make it hard for consistencies and getting solid direction, and if it was an elected position that we would get the right person for the job, with someone that has the history and has been working with government for a long time.

This concluded the interview with Claire Jubb, Community Development

Interview with Tom Patton, Economic Development Director

Chairman Mathis and the subcommittee members welcomed Mr. Patton and thanked him for attending.

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? Mr. Patton stated my job duties are I report to the five Commissioners and we try to recruit new businesses, new jobs, new tax base to the community that is our number one priority, we work with our existing business base to try to expand that, but since most of that is in the retail sector we do not put the same type of emphasize on it that you might in other economic development areas because we do not have very many of the primary job types to work on developing their business and we also have responsibility for the community redevelopment areas, which goes into the second part of your question of Charter amendments that could approve our ability to deliver services, I know one of the things that is talked about a lot is whether or not the Commissioners should give direction to a person outside of a department head. Also, if I want to put something on the agenda I must have it in three weeks in advance that is not fast and responsive government.

In the performance of your duties are you affected by the Charter? Mr. Patton stated yes, the agenda items as I mentioned earlier that having a week, which means I have to get it in two weeks before that week, I am affected by the Charter on that, obviously by my reporting.

Have you had experience working under an elected Administrator, and what is your opinion on an elected Executive form of government? Mr. Patton stated no, and I do not think I want to because one thing that people do not understand in the community quite often is that within County government are professionals, professionals in what they do, but to go higher it makes the process too political and an appointed Administrator has the education and professional background needed for the position.

In your experience is the non-interference clause observed? Mr. Patton stated I do not know, nobody is trying to direct my staff so I do not have any issues and I am not being told by anyone on how to do my job.

Can you tell us your thoughts on the annual debt policy and the economic impact statements? Mr. Patton stated economic impact statements in most cases are real easy if there is a client that is an incentive we have a formula that is driven by a software program. Fiscal has to do an analysis on how that relates to my incentive budget or how that relates to my department budget, but we conduct our own economic analysis of projects and is done professionally with a third party, so it is not a big factor with me.

You have worked in other counties are there any aspects that the Charter Review Commission should consider for Charlotte County? Mr. Patton no, not on the Charter side.

Tell us your thoughts on the two year budget cycle? Mr. Patton stated it is great, have nothing but good things to say.

Do you think there are inefficiencies that an independent body to oversee and review could correct? Mr. Patton stated no, because you are an independent body and you are overseeing and correcting through the Charter. There are cases where bringing in an independent party makes sense, but not here, where County employees are professionals and here to do their job.

John Hitzel commented that he did not know, because he did not make up this question, but I think this question was more at looking at creating an advisory board.

Mr. Patton stated if staff is not giving you the information that you need, I do not believe another committee can.

This concluded the interview with Mr. Patton, Economic Development Director

#### Interview with Tommy Scott, Director of Community Services

Chairman Mathis and the subcommittee members welcomed Mr. Scott and thanked him for attending.

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? Mr. Scott stated my duties as the Director of Community Services I am responsible for the budget operation and planning of the divisions of community services, parks and recreation, library and historical, natural resources and I oversee extension, the sports park and manage the contract with the event center. We have approximately 160 full time/part time employees, we also have a seasonal pool that helps out with spring training camps, life guards and those kind of things and that number can be anywhere from 25 to 150 employees at any given time. We are typically around the 200 mark. Regarding re-structuring I do not have any recommendations.

In the performance of your duties are you affected by the Charter? Mr. Scott stated yes, as it is our governing document and how we operate as a business, but it does not really affect me it just gives us the general guidance of what we do on a daily basis.

Have you had experience working under an elected Administrator, and what is your opinion on an elected Executive form of government? Mr. Scott stated yes and I believe it has created challenges because having an elected mayor plus an elected city council, it creates significant challenges because of local pools and multiple directions, having an elected Administrator they are typically having to run for re-election instead of running the business of the organization, county and the city. I like appointed Administrators I think it functions better to have an elected body.

In your experience is the non-interference clause observed? Mr. Scott stated with elected officials yes, I have not had any issues or my staff that I know of.

Are the economic impact statements faithfully prepared in accordance with the Charter? Mr. Scott stated we prepare whatever our involvement is, pieces that we are responsible for providing we submit, those are administrative budget functions, so we provide our part to that.

Are there any aspects you know from other communities that the Charter Review Commission should consider for Charlotte County? Mr. Scott stated I thought about that, I do not have a tremendous amount of experience in County forms of government most of my opinions are principalities, so they do not have as much of that Charter rule concept, so I do not have much experience that I can lend to that.

Donald McCormick asked about the annual debt policy. Mr. Scott stated we are responsible for our budget we have pieces that fall under capital improvement, we are responsible for some sales tax projects, but as far as the debt of them that is beyond the scope of what we do, we are beholden to our budget and our reporting structure, but we do not set that policy or deal with that component of business.

Do you think there are inefficiencies in local government that an independent body could oversee and review? Mr. Scott stated I cannot think of any.

John Hitzel stated this was not one of our original questions however I get the impression that this is a suggestion that some type of advisory committee might be created to oversee the financial and budgeting process of the county, I do not know for sure.

Julie Mathis stated I am guessing that if there are inefficiencies in your department, you are handling that?

Mr. Scott stated if the Administrator thought this he would direct us to do differently, if the board thought that there were things we could do or should be doing differently than they would work through the Administrator and we would make that process happen, but we have several advisory committees that are in connection with multiple businesses that we have, but we are not inefficient people and are business models are not built to be inefficient. Our staffing models are set how they require us to be efficient as possible.

Is the two year budget cycle working? Mr. Scott stated yes, it allows us to actually develop a budget and then work it without constantly having to always be in that budgetary cycle, so as an organization it works well for us and for me as a department director.

This concluded the interview with Mr. Scott, Director of Community Services

#### Interview with Dan Quick, Public Works Director

Chairman Mathis and the subcommittee members welcomed Mr. Quick thanked him for attending.

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? Mr. Quick stated my duties as Public Works Director is general oversight and management of all the different divisions that make up public works and all our respective operations that includes engineering, solid waste, signing and marketing group, the lighting district, monitoring and managing the counties MSBU system and I have 206 employees. I think over time any local government re-structuring may include a review of County funding and right now the County has the MSBU services and there are approximately 30/40 of those within Charlotte County plus there are various water way units in which makes up another maybe 10 or so, I think over time it would be much more efficient, an overall cost saving effort if another way could be found to fund and budget a significant amount of public works operations, maintenance and operations of paving programs and fall more in line on how funding is obtained for those types of services within other local governments throughout the United States, I think it would take years to get there, but should be a goal. I think it would be better if it was done under a single funding source.

In the performance of your duties are you affected by the Charter? Mr. Quick stated yes in one way, it is my understanding not having a lot of detailed information but it has an effect and establishes a clear line of communications, a chain of command within the organization.

Have you had experience working under an elected Administrator and what is your opinion on an elected Executive form of government? Mr. Quick stated no and I would prefer that it would not be an elected Administrator, I think it would be a more comfortable setting, a more straight forward environment in not being an elected Administrator but someone that has a same or common background, knowledge and experience and just manages from the aspect of what really needs to be done specifically versus dealing with someone that has to be involved in an elected type position.

In your experience is the non-interference clause observed? Mr. Quick stated in my experience to date, it is definitely observed.

Do you have to prepare economic impact statements? Mr. Quick stated well, that is prepared by the County, fiscal division that is within the budget office, so they are always done.

Are there any aspects you know from other communities that the Charter Review Commission should consider for Charlotte County? Mr. Quick stated no.

Tell us your feelings on the two year budget cycle? Mr. Quick stated I think this is the second budget cycle where we have had the two year budget cycle and I think it has worked out very well, I think it leads to better planning as we focus on what needs to be done the most current year but at the same time it gives us an opportunity to plan and think forward and program what needs to be done. I think overall it is efficient and it saves a lot of staff time.

Stephen J. Vieira stated it was just an observation on my part whether the two year budget cycle impacted MSBUs, do you feel like it does and from a point of view where committee members do not really understand what the process says and what it takes to adapt to that?

Mr. Quick stated that is understandable, the County needs to remain flexible in the two year budget particularly with the MSBUs because to me if a MSBU has the funding available and they want to do projects that are not identified specifically within that two year budget, I think they should be allowed to do it and move forward with it if the ability is there to do it, I believe we should be flexible.

Donald McCormick asked does all of your revenue come through Avalon tax? Mr. Quick stated no, right now public works is really three or four sources, it is through the MSBUs funds assessment or gas tax or impact fees that is the primary three sources for what we do and projects, capital road projects, new construction and general maintenance within the MSBUs and then certainly solid waste, people pay that on their tax bill, the lighting district we collect funds to maintain all the traffic signals in Charlotte County including the ones in the city of Punta Gorda, we have an agreement with the city, plus it also pays for the County to maintain all of the traffic signals on US 41, State Road 776 and US 17 through a State agreement, it also pays the light bill for all of those plus it also pays the light bill for the street lights on the neighboring streets and those lights and all of that infrastructure is owned, operated and maintained through FPL.

This concluded the interview with Mr. Quick, Public Works Director



- V. Discussion – Nothing further.
- VI. Citizens Input – None
- VII. Adjournment: Upon motion made and seconded the meeting was adjourned at 4:38 PM.

  
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Julie Mathis, Chairman