

**Charter Review Commission
Other Boards and Agencies
Subcommittee Meeting
November 6, 2015**

A meeting of the Charter Review Commission, Other Boards and Agencies Subcommittee was held in the Building Construction Services Conference Room, 18400 Murdock Circle, 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 2:00 PM by Chairman Rice.

Agenda Items:

- I. Approval of October 23, 2015 and October 30, 2015 minutes.
- II. Citizens Input – None
- III. Old Business
All Interviews scheduled have been completed.
- IV. New Business
There were no final interviews as these organizations declined to participate.

The subcommittee discussed the final report draft and recommendations.

- V. Discussion

Based on the input received from organizations that met with the Other Board and Agencies and citizens input, the subcommittee members propose the following recommendations to the full Charter Review Commission for consideration:

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.

Discussion – The percentage of voters required to establish, amend or repeal a county ordinance was questioned by several of the speakers who addressed the subcommittee as being too high of a threshold. In 1986, when the Charter was first adopted, the electors eligible that year were 52,788 so signatures needed to request an ordinance change was 5,279. The number of electors in Charlotte County in 2014 was 120,030 so the number of signatures required now is 12,003. The CRC was provided with data from other Charter counties in Florida at the beginning of this year’s review process and the percentage of electors required varied from four (4) percent to thirty (30) percent. Of the fifteen (15) counties that specify a percentage of electors required to change an ordinance, the most common percentage selected by other Charter counties was seven (7) percent selected by seven (7) other counties. The subcommittee selected this percentage to propose to the rest of the CRC members.

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 MSBU or MSTU. **Each advisory board shall submit an annual report to the board of county commissioners on the MSBU’s or MSTU’s activities, objectives and funding requests.**”

Discussion – Several of the speakers to the subcommittee raised questions the management of MSBU’s/MSTU’s in the county early in the process. The subcommittee asked other speakers whether MSBU’s/MSTU’s should be required to be approved for limited time periods when initiated and require re-approval for set time periods thereafter. Speakers from the Rotunda West Association and the City of Punta Gorda stated the MSBU’s in their communities were working well and should not have time limits imposed. County Attorney, Jeanette Knowlton, addressed the full CRC stating that the Board of County Commissioners had started a process to review all MSBU’s/MSTU’s in the county to address those entities that were not performing as anticipated. Commissioner Ken Doherty asked to address the subcommittee on this topic. He provided an overview of the development of MSBU’s/MSTU’s in the county noting the original focus was on road and water drainage improvements. The number of such units and the projects covered expanded to the point that the BOCC has begun to review all of the units and to eliminate nonperforming units or combine them with other similar units. In his opinion, the units work well when there is an active and engaged advisory board. The subcommittee members took all of the comments into consideration and decided to recommend to the full CRC an addition to Article II, Section 2.2 H. a clarification of expectations of advisory boards selected for these units.

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.~~”

Discussion – The elimination of the language in this article preventing appointment of a new advisory board for a minimum of two (2) years after the abolition of a board was raised by one of the speakers to the subcommittee. The members of the subcommittee stated since the earlier testimony by speakers emphasized the importance of strong advisory boards to the success of MSBU’s/MSTU’s, if the BOCC believed it necessary to replace an advisory board, they should have the flexibility to quickly appoint replacements.

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.”

Discussion – During the interviews, several of the speakers voiced a preference for constitutional offices to be contested as non-partisan elections. The information provided on other Charter counties in Florida shows four (4) other counties with non-partisan elections for constitutional offices. There was enough support for the concept to offer this change to the full CRC.

Also; several recommendations came up during the interviews that may not merit inclusion in changes to the Charter, but merit consideration by the Board of County Commissioners and County staff:

In regards to Article II; Section 2.2 J. Debt policy and K. Reserve policy; The board of county commissioners should review the "best practices" issued by the Government Financial Officers Association when developing the County's budget, financial reserves and setting debt limits. Based on comments from several previous speakers on typographical errors in the current Charter, corrections are included in the final report.

The next subcommittee meeting is scheduled for December 16, 2015 at 2:30 p.m. and this time will be used to review final report draft.

VI. Citizens Input – None

VII. Adjournment: Upon motion made and seconded the meeting was adjourned at 3:02 PM.



Thomas J. Rice, Chairman