

**CITIZEN CHARTER REVIEW COMMITTEE
DECEMBER 10, 2009
Leon County Courthouse**

Attending: Chris Holley (Chair), Marilyn Wills, David Jacobsen, Linda Nichol森 Donna Harper, Jon Ausman, Ralph Mason, Cathy Jones, Rick Bateman, Sue Dick, Lester Abberger, Lance deHaven-Smith, Larry Simpson. Absent were Chuck Hobbs and Tom Napier. Also attending were Parwez Alam, Herb Thiele, Vince Long, Patrick Kinni, Kurt Spitzer, Shington Lamy and Rebecca Vause

I. Call to Order

Chairman Holley called the meeting to order at 11:40 a.m.

II. Invocation and Pledge

The invocation was provided by Rick Bateman. Chairman Holley then led the Pledge of Allegiance

III. Roll Call

The roll was conducted by Shington Lamy; who confirmed a quorum was present.

IV. Approval of Minutes of Previous Meeting

Lester Abberger moved, duly seconded by Sue Dick, to approve the November 19, 2009 minutes. The motion carried unanimously.

V. Reports of Chairperson

Chairman Holley shared that his outreach efforts have included:

- A meeting was held with Maryann Lindley, Tallahassee Democrat, to inform her of the January 7, 2010 evening meeting and to encourage citizen participation and input.
- He will meet with City Manager Anita Favors next week to share some of the issues on the Committee's agenda and to invite her to attend a future meeting.
- Noted there had been an interest to include involvement of the Council of Neighborhood Associations (CONA) in the process. Vince Long indicated that he would invite a CONA representative to attend the January 7, 2010 meeting.

VI. Presentations by Invited Guests/Consultant

1. Presentation by Constitutional Officers

a. Clerk of Court Bob Inzer

Mr. Inzer presented a power point presentation that provided a detailed overview of his offices responsibility, structure and function. He noted that his office is governed by the Florida Constitution and Statutes. Duties of the Clerk's Office include:

- Clerk to Board of County Commissioners;
- Accountant for the Board;
- Auditor;
- County Recorder, and
- Clerk of Circuit and County Courts

There was dialogue between Mr. Inzer and the Committee regarding these responsibilities. There was further discussion regarding the role of the Clerk's Office in its auditing responsibilities.

Mr. Inzer shared that an Audit Committee has been established and is functioning well. However, he stated that there was concern that the current Charter language which

provides the Clerk with its audit authority references State Statute and noted that there was a potential impact from a Collier County lawsuit and its effect on State Statute language. He mentioned that it would be helpful for the Charter to clarify his role is in the audit function. Mr. Thiele concurred that the current Statute is ambiguous and has resulted in the filing of lawsuits, specifically in Collier County where their Board has challenged the authority of its Clerk's Office and its auditing authority. There was considerable discussion and support from the Committee to alleviate any conflicting language in the County's Charter.

Mr. Bateman suggested that the County Attorney and Clerks office collaborate on proposed language that could be incorporated into the Charter which would codify the current process used in the County and remove any conflicting language. Mr. Thiele stated that he would prepare this language for the Committee's review.

Ms. Harper and Mr. Abberger asked Mr. Inzer's opinion on what potential Charter issues could be problematic or have repercussions in the community. Mr. Inzer responded that he was unaware of any issues that would be applicable here as the Charter is working well and that the County has a fiscally sound government that is well prepared and structured.

Chairman Holley asked Mr. Inzer's opinion on partisan/non partisan elections as this was an issue that the Committee would address and commented that would ask this question of each Constitutional Officer. Mr. Inzer commented that he was comfortable with the current process.

Chairman Holley voiced his desire to streamline County government to make more efficient in areas such as integrated computer systems, human resources, and risk management and discussed with Mr. Inzer ways that his office could work with the County in this regard, while continuing to maintain some control and independence.

Chairman Holley confirmed with Mr. Inzer that there was not a budget appeal process on funds received from the Commission.

Mr. Ausman inquired if there were "best practices" that should be included in the Charter. Mr. Inzer stated that Clerks statewide are actively engaged in best practices activities and have created a "Best Practices Committee" that is moving toward standardization of activities and processes and finding the most efficient way to deliver services.

Prior to the Tax Collector's presentation, Ms. Harper suggested that the Committee determine if it will include or exclude the Superintendent and School Board in its deliberations on the County Charter.

b. Tax Collector Doris Maloy

Ms. Maloy utilized a power point presentation to share information regarding her office. Highlights of her presentation included:

- Enters into contracts with other state agencies, i.e., Dept. of Highway Safety & Motor Vehicles and the Fish and Wildlife Conservation Commission;
- Mission Statement: Educate, Collect and Distribute;
- Is considered a fee based office which generates revenue; therefore receives no appropriation;
- 2009/10 Budget is \$6.3 million, which is 2% less than the 2008/09 budget;
- \$7.2 million generated from fees last year;
- All fees and commissions are set in statute;
- Major functions of her office include: operations, tax administration, financial services, general administration and information systems;
- Described interaction with County and other Constitutionals;

Ms. Maloy opined that the current Charter is working effectively.

Mr. Bateman asked if it was within the Charter's purview to direct how the Tax Collector administers non-mandated vs mandated services. Mr. Spitzer responded that there was some discretion on non-mandated services; however mandated functions would still have to be conducted. Ms. Maloy pointed out that it has been her offices position to provide these services as staff are available and the public is expectant to be able to receive these services at her locations.

Mr. Ausman inquired if there were "best practices" that should be included in the Charter. Ms. Maloy indicated that she spends a lot of time keeping up with other Tax Collector practices around the state and is on target with all best practice activities.

Chairman Holley asked Ms. Maloy's opinion on partisan vs. non-partisan elections and established that Ms. Maloy favored that the elections process continue in its current form.

VII. Remarks of Interested Citizens

None

VIII. Unfinished Business

1. Analysis of the Citizen Charter Review Committee's Legal Scope of Board and County Commissioners Charter Issues 5:30 at the commission chambers.

Chairman Holley led discussion on the formation of the Committee's Issues Agenda for the December 17, 2009 and January 7, 2010 meetings. The following agenda was agreed upon.

- Full Consolidation/Functional Consolidation: placed on January 7th Issue Agenda
- Countywide Stormwater Standards/Environmental Ordinances: placed on January 7th Issue Agenda
- Tourist Development Council Structure: placed on its **Decision Agenda**
- Non-partisan elections: placed on its December 17th Issue Agenda
- Lower Charter Petition Threshold: placed on its December 17th Issue Agenda
- Protection of Water Supply: did not agenda
- Annexation Policy: placed on January 7th Issue Agenda
- Charter Officers/Constitutional Officers: placed on January 7th Issue Agenda
- Commission Structure/District Schemes: placed on its December 17th Issue Agenda
- Chairman of the Board of County Commissioners: placed on its December 17th Issue Agenda
- Campaign Finance Reform: No action taken, however the Committee identified for possible future issue agenda
- Intellectual Property: did not agenda
- Petroleum Commission: did not agenda
- One House Per Ten Acres: did not agenda
- Affordable Housing: No action taken, however the Committee identified for possible future issue agenda
- Southside Projects and sewer infrastructure: No action taken, however the Committee identified for possible future issue agenda
- Citizen Utility Review Advisory Board: No action taken, however the Committee identified for possible future issue agenda

Chairman Holley requested that a revised schedule be distributed. Mr. Lamy indicated that this would be done.

IX. New Business

1. Charter Issues

- a. Tourist Development Council Structure
Jon Ausman moved, duly seconded by Sue Dick, to codify the current Tourist Development Council structure, which places the TDC Program under the County Administrator. The motion carried unanimously.
- b. Non-Partisan Elections was rescheduled to December 17, 2009.
- c. Annexation Policy rescheduled for January 7, 2010.

2. Staff/Consultant Discussion (Pertinent Updates)

Mr. Lamy suggested that the December 17, 2009 meeting be extended to 2:00 p.m. This was accepted by the Committee. Chairman Holley recommended that future Constitutional Officer presentations be limited to a total of 30 minutes (15 minutes presentation and 15 minute question and discussion)

3. Member discussion (Direction to Staff/Consultant)

None

X. Adjournment with Day Fixed for Next Meeting

The next meeting of the CRC will be held on December 17, 2009 from 11:30 – 2:00 in the Commission Chambers.

Mr. Ausman moved, duly seconded by Dave Jacobson, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 1:55 p.m.

Christopher Holley, Chair

Bob Inzer, Clerk of Court