

Public Workshop – Proposed Charter Changes
Breakout Session
May 31, 2018 6:00 p.m.

****All line references are using the Draft Proposed Charter****

ARTICLE 1

Section 1.01 – Line 12. Possibly add the date of when the name of the City was changed.

Section 1.03 - Line 35. The word “liberally” (is this inclusive) how do you make that whole to the conservatives and liberals –this word is to authoritative

ARTICLE 2

Section 2.02 – Lines 71 – 119. Should go back to having at large elections and not have districts. Add a couple of at large seats. Should not be required to live in the district of the seat. Sometimes Commissioners are elected and they don’t look out for your district. Suggest two at large commissioners. Keep the five elected. Add two at large seats. Want someone who is hired by the City Manager to help him go address safety issues focused on the public safety groups unions. Not sure if this would be a charter officer. Someone under the city manager but report to the commission. A new position in the city. Thinks Tampa and Ft. Myers has this. A Public Safety Commissioner Officer as a Charter Officer. So still with 5 commissioners two at large. Electing one at large per election cycle. Just so two at large are not elected at the same time.

Section 2.04 – Lines 138 – 142. Noon time needs to be indicated for submitting petitions.

Section 2.04 – Line 183. Likes that the swearing in 5 days after certification instead of noon the day after certification.

Section 2.05 – Line 208. No printed name on Petition – it is hard to read the signatures for verification. The information on the Petition is minimal. Precinct numbers don’t need to be on Petition most of the time they are incorrect.

Section 2.05 – Line 211. The signatures are for the entire city? Is the intent to have the signatures for the entire city regardless of the district they are running for. Needs to be clarified.

Section 2.05 – Lines 193 – 196. Qualifications one-year prior residence in City and to use voter registration is not appropriate, could be from North Port and never registered to vote. Wants proof of residence, rental, mortgage, bills, drivers license, instead of registered voter. Maybe forms of identification. Using only voters isn’t right and limits people’s right to run for office. Items listed governed by other laws that may be replicated? Explained yes to eliminate wordiness.

Section 2.06 – Line 217. Left out was noon on the 67th day prior to first primary.

Section 2.06 – Lines 216 – 218. There is nothing about paying the fee when the candidates qualify, and it should be outlined. It is in line 345 (current charter) and should be in line 218 with the other requirements to qualify.

Section 3.01 – Line 270. To qualify you need 25 but to fill a vacancy you need 100? Is that from the old charter. Is this District specific or City specific?

Section 3.01 – Line 275. It's important to make it sure that petitions are verified at the Candidates expense.

Supports removal from the current Charter Section 3.04 which is not in the proposed Charter

ARTICLE 3

Section 3.01 – Lines 235 – 293. Can appoint until next election, why can't someone be appointed rather than special election for 90 days in the short term?

Section 3.01 – Lines 235 – 293. Vacancy is for any reason. Stroke, incapacitated – is there something that someone is put in their place? It was explained no. Asking why. Should be considered. Was noted previously was discussed but appointment turned down because not voted in. Previously discussed how to replace someone. Needs removal of office or appointee for incapacitated and not in the Charter. State accounts for this, doesn't know if it applies to cities. Should be in the Charter. If the person doesn't want to resign, but you can't remove them – that needs to be in the Charter.

Section 3.01 – Lines 270 – 272. 100 signatures for election appointment, that's not a lot of people required.

ARTICLE 4

Lines 303 – 306. To be able to have an internal city investigation and respond to a Citizen's complaint about City staff that are not following City policies and to create transparency about any complaint.

ARTICLE 5

Section 5.03 – Lines 351 – 354. Should be 1 term for Mayor and Vice-Mayor– Keep existing language as in the current Charter - Should have full participation.

Section 5.03 – Lines 351 – 354. Mayor and Vice-Mayor have unlimited elections, previously made this limited so that change can happen. Can't have 2 consecutive terms of Mayor.

Section 5.04 - Line 370. Asked for clarification.

Section 5.04 – Lines 370 – 371. Is this the only opportunity to comment? Can submit comments to Commissioners.

Section 5.04 – Lines 370 – 371. Need a formula to bring up pay. Explained it did not get addressed due to working on employee pay. Commission pay is established by Ordinance. Explained an effective date. We pay Commissioners a low amount, City is growing, to have competent Commissioners, we need to pay them a salary to allow them to provide a family and should be done gradually. Need a formula to bring it up every budget. Shouldn't be in the Charter because then you can't change it. Should it be part-time? Alternative, with 5 full-time Commissioner's and we are a City Manager government, if it is a full-time job, need an assistant, pay 50 cents a resident, use a build-out for pay. Reflect pay based on population

annually and use BeBer counts for vehicle to pay commission pay. Wouldn't want it in the Charter because it's going to change, when people say no, it may not get increased and would lose competent people. Hard for commissioners to set their own pay. It should be no higher than what major Cities in the State pay their Commissioners. What is the role of the Commission? If the Commissioners run the City there should be a qualification and pay formula. Formula should be in the Charter to gradually increase pay and should be based on population.

Section 5.05 – Lines 381. Asked for an example of deactivated – provided clarification.

Section 5.05 – Lines 402. Asked for clarification.

Section 5.05 – Lines 381 -410. Something should be put in about powers of Citizens: accountability and transparency. Was looking for citizens' rights.

Section 5.06 – Lines 417 – 419. A question was asked on the process of being appointed to the Board/

Section 5.06 – Line 422 – 426. Clarification was requested on the number of Boards.

ARTICLE 6

Section 6.02 – Line 440. Parliamentary Procedure is the best way to get things done at your meetings but it will only work if you use it properly. 1. Allow motions that are in order; 2. Have members obtain the floor properly 3. Speak clearly and concisely; 4. Obey the rules of debate; 5. Most importantly, BE COURTEOUS.

ARTICLE 7

Section 7.02 – Lines 489-497. Thought of bond issue for Commissioners to vote on, County has, City doesn't. Should be an amount with a maximum. For projects that won't be voted because of emergency. In a catastrophe Commission should be able to determine bond to maintain the City. City Manager can order goods and services, but can't pay for them. Payment for temporary goods and services should be available to the Commission for emergencies. County can issue bonds without referendum for emergency, City should have it too. Loan might not be a good option because of interest rates. Add something in Charter to allow purchasing, including bonding, with a vote, for emergencies.

Section 7.04 – Line 506. Asked for clarification of annexation.

Section 7.05 – Line 514. Regarding petitions, asked for clarification.

Section 7.05 – Lines 509 – 510. Why can't City government and Citizen requirements be the same? Citizens should be the same as City. Can we say according to the current City requirements a citizen can initiate an Ordinance or make changes. Commission is there to make the changes. Voting slows things up. This should be simplified.

ARTICLE 8

Section 8.01 – Line 554. Clarification on the phrase "special laws"

Section 8.02 – Lines 560 – 602. Why not have this be 5% as in Section 7.05, It's just proposing an amendment and might get shot down.

ARTICLE 9

Section 9.01 – Line 643 – 694. Clarification was requested on the City Manager duties.

Section 9.05 – Line 645. Add 'directed by the Commission' at the end of the first sentence and eliminate the rest. Doesn't need to be in the charter. Its too restrictive to make changes in the future. Commission needs flexibility and not be stuck because of the Charter. The Charter is a guideline, not the law.

ARTICLE 10

Section 10.01 – Line 698 – 714. Clarification on the hiring process for Charter Officers was requested.

Section 10.04 – Line 725 – 732. All the Charter officials are consistent with vacancies etc. It is the with 'good cause' that changed.

ARTICLE 11

Section 11.01 – Lines 783 – 799. Deputy clerk was added. She did not used to be a charter officer.

Don't believe DCC should be a Charter Officer because she is an employee under the City Clerk. Why did they add her? It's like the Asst City Manager. She is not a charter officer. Position should report to City Clerk and be her employee not the Commission's.

ARTICLE 12

Section 12.01 – Lines 839 – 856. Regarding the City Attorney – question on how many are in the Department?

Section 12.03 – Lines 863 – 864. Now it adds good cause and it is all consistent.

Section 12.05 – Lines 877 – 915. Does the city attorney write his own contract? No.

ARTICLE 13

Line 917 – 925. Are there any current lawsuits?

ARTICLE 14

Lines 928 – 930. Clarification needed on the language and what is enforceable.

GENERAL COMMENTS

What about an open government pledge to be signed by employees. To ask all staff members to sign. Through the first amendment foundation. It's their format. Possibly add it under Section 9.05 or Section 10.05. Looking for an open government pledge. Maybe it's just a HR policy issue.

Why is it so long? Guiding principal for City, too much detail, have to take to voters for change. First reaction long and difficult for making changes and taking to the voters, too much detail, the constitution is not this long. Stuck with it until the next election. Needs to be looser. No flexibility in it, its spelling everything out to the nth degree.

No way for City to go out to get emergency loan, need program like County, can't wait for referendum, should be able to float a bond up to million for emergencies.

Powers for all charter officers should be not restricted. Powers and duties should be in job description, then the charter doesn't have to change. If changes in their duties are needed it can be done in the job description and not the charter. Flexibility in separating documents from the Charter. Charter should state basics. Charter states Commission is overview of Charter Offices. Don't need detail in the Charter of duties for all the officers. Mostly referring to item C and down. Don't need Human Resources for different Charter Officers. They should be governed by policy of the city. Processes and details should be in Ordinance, not Charter. Details need to be where Commission can control, not the Charter to control.

Reduce the number of pages in the Charter, give more control to the Commission.

Limitations of Commission powers seems repetitive. Basically, same for all officers. This Charter is longer than the County Charter.