

Board of County Commissioners

Agenda Request

Date of Meeting: April 21, 2008

Date Submitted: April 10, 2008

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Andrea B. Simpson, Deputy County Administrator
Jennifer Langston, Special Projects Coordinator

Subject: Ratification of Board Workshop Regarding Consideration of Pursuing a Charter

Statement of Issue:

This agenda item requests Board ratification of the workshop held on April 7, 2008 regarding consideration of the steps and procedures necessary to become a Charter County.

Background:

On February 4, 2008, the Board directed staff to research becoming a Charter County. On April 7, 2008, the Board held a workshop to discuss information regarding what a Charter County is, an analysis of what this would mean to Wakulla County, and the process necessary to becoming one.

Analysis:

Staff presented the Board background and analysis as to what a Charter County is, the differences between Charter and Non-Charter Governments, and the steps necessary to becoming a Charter County, if deemed appropriate by the Board. After much deliberation, the Board directed staff to bring back an agenda item presenting the options necessary to begin the Charter County process.

Process to Become a Charter County:

Part II, Chapter 125, Florida Statutes provides two methods to establish a county charter government: The County Commission can take the lead and set up a Charter “study” Commission to write the charter; or a petition signed by 15% of the registered voters can be presented to the County Commission which is then required to set up the Charter Commission. The Charter Commission then holds public hearings to write the charter. Within 18 months of the first meeting, the Charter Commission must present the Board of County Commissioners a proposed Charter.

Part IV, Chapter 125, Florida Statutes, the “Optional County Charter Law,” provides the statutory guidelines for counties proposing a home rule charter to the local electorate by ordinance. This section does not require a citizen study component. This option also leaves it to the Board’s discretion if, and when to put the Charter before the voters.

Most counties begin with a “simple,” or “starter” charter concept. Charters like these do not seek broad changes to county government.

Per the Supervisor of Elections, ballot language should be provided to her office no later than June 7, 2008 for the charter question to be posed to the electorate on the primary election ballot, or October 1, 2008 to be on the November ballot.

Conclusion

Should the Board desire, staff could be directed to draft a simple or starter charter that does not substantially change any aspect of how Wakulla County government functions - leaving all aspects of government as is today under current law. In short, this option would direct staff to establish a “foundation charter” leaving future reforms, if any, for voters to decide on an issue-by-issue basis (Option #1).

The Board could also direct staff to hire Kurt Spitzer & Associates as a consultant on this endeavor (Attachment #1). Charter initiatives are most successful when a diligent education component is included and citizens are well informed on the matter. Kurt Spitzer & Associates are experts with regard to Florida Charters. Due to this firm’s extensive knowledge and experience regarding Florida Charters, the Board would be within its authority to “sole source” the hiring of this consultant. The cost for this consultant would be \$10,000 as presented in their proposal (Attachment #2). The proposal encompasses assistance with drafting (and re-drafting) the charter, researching and responding to questions from the Board, staff or citizens, facilitating meetings or hearings regarding the charter and drafting appropriate ballot language (Option #2).

Likewise, the Board could convene a Charter Commission via Resolution. The Charter “study” Commission would be created by Resolution and would be given 18 months to complete a Charter. Under this scenario, the Board must place the Charter on the ballot and would have no authority to change the document (Option #3).

In either case, when the final Charter document is presented to the voters, a simple majority is needed to adopt the charter.

Options:

1. Direct staff to draft a simple or starter Charter that presents Wakulla County Government as found in current State law.
2. Direct staff to engage Kurt Spitzer & Associates as consultants on this endeavor.
3. Direct staff to draft a Resolution that creates a Charter “study” Commission.
4. Board Direction.

Recommendations:

Options #1 and #2

Attachments:

1. Vitae on Kurt Spitzer
2. Kurt Spitzer & Associates Proposal