

# **Overview of CRC Process and Status**

Pinellas County CRC

May 23, 2005

# **Dillon's Rule**

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# Home Rule

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# 1968 Florida Constitution

## ***Dillon's Rule replaced by Home Rule***

- *Non-charter* counties - all powers of self-government as provided by law
- *Charter* counties - all powers of self-government not inconsistent with general law or special law approved by the electorate

# County Pressures

- Growth - rate and distribution
- Citizen demand for services
- Coordinators/providers of regional services/policies
- Devolution of programs from federal and state government to counties
- “Municipal” services

# Electorate in 19 of 67 Counties Have Adopted Charters

COUNTY	Adopted	Population	# Cities
Alachua	1987	228,607	9
Brevard	1994	494,102	15
Broward	1975	1,669,153	30
Charlotte	1986	148,521	1
Clay	1991	149,901	4
Columbia	2002	58,372	2
Duval	1968	809,394	5
Hillsborough	1983	1,055,617	3
Lee	1996	475,073	5
Leon	2002	248,039	1

# Electorate in 19 of 67 Counties Have Adopted Charters

COUNTY	Adopted	Population *	# Cities
Miami-Dade	1957	2,312,478	31
Orange	1986	955,865	13
Osceola	1992	193,355	2
Palm Beach	1985	1,183,197	37
Pinellas	1980	933,994	24
Polk	1998	502,385	17
Sarasota	1971	339,684	4
Seminole	1989	387,626	7
Volusia	1971	459,737	17

***\* About 80% of Florida's residents live in a charter county.***



# **The Pinellas Charter**

Unique in the State of Florida – Limited H.R.

- Originally presented to voters by Special Act in 1980
- Legislature retains significant oversight - Proposed charter amendments concerning County Officers must first be approved by the Legislature prior to being placed in front of voters. Numerous Special Acts.
- Proposed charter amendments setting policy countywide must be approved by “Dual Vote” of voters

# **The Pinellas Charter**

## 1998 CRC

- Considered measures to bring full powers of Home Rule to Pinellas electorate
  - Legislative oversight retained in matters concerning County Officers
  - Requirement for “Dual Vote” added in Legislative process

# **The Pinellas CRC Options**

## Two Types of Recommendations

- Amendments to the Charter. Require approval by the electorate. May also require approval by the Legislature.
- Non-binding recommendations to BCC, Legislative Delegation, etc.

# Charter Amendments

## Two Types of Charter Amendments

1. Matters concerning the charter's amendatory process itself . . . . . process or procedural in nature.
2. Matters concerning specific issues. Examples: BCC structure; countywide environmental policy; fire service delivery; performance audit; etc.

# **The Pinellas Charter**

## Question:

How would the Charter be amended so as to provide “Full” Home Rule Powers within the context of the Florida Constitution to the electorate in Pinellas County?

## General Answer:

1. Amend Section 6.04 so that future amendments affecting the County Officers are not required to be first approved by the Legislative Delegation before considered by the voters.
2. Amend Section 6.04 so that future amendments concerning countywide policy are not required to be adopted by a “Dual” vote of the electorate.

# **The Pinellas Charter**

## Process Amendments

Matters concerning the charter's future amendatory process itself.

- There are only two.
- They have no immediate effect on structure or service delivery.

# **The Pinellas Charter**

## Substantive Amendments

Matters concerning specific policies or programs, service delivery mechanisms, structure, etc.

- There are numerous possibilities to consider.
- Many require extraordinary measures to adopt, given current charter.

# **The Pinellas Charter**

## Disaggregating Service Delivery

Large, densely populated urban county with multiplicity of service providers.

Needs single mechanism to coordinate policy and programs.

Limited HR Charter may not be adequate to address future problems



# Example Policy Areas

*Generally, primary policy areas that may be effected by charters are:*

- Legislative-Executive Branch
- County Constitutional Officers
- City-County Relations
- Powers reserved to The People

# Legislative Branch

- Districting schemes
  - number of Commissioners
  - at-large
  - single member
  - mixed

# **Legislative Branch**

- Election methodology?
  - partisan vs. non-partisan
- Salaries?
  - Use State formula or other method

# Legislative Branch

- Terms of Office
  - length of term
  - limits on number of terms

# **Executive Branch**

- Head of Executive Branch
  - Appointed Professional Administrator
  - Elected Chairman
  - Elected Executive

# **Executive Branch**

- Appointed Administrator
  - Policy on hiring/firing
  - Employment authority
  - Qualifications
  - Non-interference clause

# County Officers

- Leave as in current law
  - Elected charter officers
  - Appointed charter officers
- 
- “Process” Amendment

# County Officers

- Policy questions
  - budget approval
  - “team” approach
  - performance audit
  - uniform support services
  - responsiveness
  - independence



# County Officers

- Other issues
  - salaries
  - recall
  - non-partisan elections

# Countywide Policy

- Policy on county ordinances in city limits
    - city prevails - default
    - county prevails in specific policy areas
    - county prevails in specific areas but cities permitted to have more stringent standards
- 
- “Process” amendment

# Countywide Programs

- Functional Consolidation - Transfer of programs/assets/people
  - e.g. police, fire
  - Requires dual (concurrent) positive vote of the electorate

# **Citizen Initiative**

- Ordinances proposed and adopted by petition
- Policy questions
  - by what percentage/distribution of electorate?
  - excluding which subject areas?
  - procedure for BCC action

# **Charter Amendment Process**

- Amendments proposed by:
  - BCC
  - Citizen petition
  - Charter Review Commission

# **Charter Review Commission**

- Frequency of creation?
- Timing with elections?
- Membership?
- Appointing authority?
- Single subject rule?
- Independent CRC or Advisory Committee?

# **2004 CRC**

1. PPC
2. Office of the County Administrator
3. Accounting/Finance/Audit; Office of the Clerk of the Court
4. General Countywide Powers
5. Parks and Recreation
6. Transportation

# **2004 CRC**

7. Fire and EMS
8. Construction Industry Licensing Board;  
Pinellas Police Standards Council
9. Annexation
10. Housekeeping and Technical Revisions
11. Powers/Duties of CRC; Comprehensive  
Revision of Charter



# 2005 CRC

1. Special Districts
2. Annexation
3. PSTA
4. Supervisor of Elections
5. Fire Service Delivery
6. Building Services
7. Growth Monitoring
8. “Strategic Planning” Entity
9. Other Issues

# *Questions?*



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