

City of Pensacola City Clerk's Office Operational Study

FINAL REPORT



Evergreen Solutions, LLC

June 26, 2017

City of Pensacola – City Clerk’s Office Operational Study

1.1 OVERVIEW OF THE STUDY

The City of Pensacola, Florida (“City”) retained Evergreen Solutions, LLC (“Evergreen Solutions”) in March 2017 to conduct an operational study of the City Clerk’s office. The goal of the study was to address the following key questions:

- What tasks should the City Clerk perform?
- How should Council meetings be managed by the City Clerk?
- How can the current operation be improved?

By completing this outside assessment, the City will be able to make strategic decisions on how to best move the organization forward utilizing its available resources.

Evergreen Solutions employed best practice methods for conducting and providing findings of this study to maximize participation and results validity. The major components of the study included:

- interviewing with the City Clerk, Assistant City Clerk, Human Resources Administrator, Director of Information Technology, and Assistant City Administrator;
- examining of statutory guidelines, specifically F.S. 166.041, in reference to city and county council/commission agendas and meetings;
- reviewing of major, relevant documents, including Florida Association of City Clerks Manual, City of Pensacola City Council Rules and Procedures, Charter for the City of Pensacola, City Clerk’s office job descriptions (City Clerk, Assistant City Clerk, Clerk Administrative Assistant), City Council staff job descriptions (Executive Assistant to Council, Executive Assistant, and Council Executive)
- observing of Ft. Lauderdale, Tallahassee, Pensacola and Escambia County Council/Commission regular meetings, and agenda conferences and workshops;
- documenting of major processes;
- determining common and best practices among a subset of peers;
- developing recommendations; and
- creating a final report.



The remainder of the report will summarize the current situation, major findings, and summary.

1.2 MAJOR FINDINGS

The City of Pensacola operates under a strong mayor form of government in which the City Clerk is one of the positions that is appointed by the Mayor with the consent of the City Council by an affirmative vote of a majority of the Council Members.

The City Clerk's office includes two staff in a City Clerk and an Assistant City Clerk classifications. Responsibilities include:

- **Clerk:** Manages the operations of the Clerk's office and serves as the City's official records management liaison officer. Additional responsibilities consist of responsible for the custody of all City Council documents to include books, records, legal and other documents, and journals of City proceedings and Council actions, and signature and notary responsibilities of official documents as provided in the City Charter and Florida Statutes. Distributes Council meeting packets to Council and City staff as appropriate. Performs additional duties as requested by Mayor and Council.
- **Assistant City Clerk:** Provides administrative support for the Clerk and Clerk's office and has primarily responsibility of ensuring meeting minutes, to include City Council and other boards, are accurate and published at the end of the next business day following the meeting. In the absence of the City Clerk, serves in the City Clerk's capacity. Performs other duties as assigned by the Clerk, Mayor and Council or City administration.

What tasks should the City Clerk perform?

The duties and responsibilities of the Clerk are provided for in the City Charter. Although an appointee of the Mayor, the Clerk serves the entire City government.

Section 4.03 Council Procedures:

- **City Council Meetings:** Council shall meet regularly at least once every month. City Clerk will ensure prescribed notice to Council members and public is given when practicable.
- **Voting:** Voting on ordinances and resolutions shall be by electronic tally devices or by such other means as may be adopted by Council. City Clerk Reports of Council Action shall be written and permanently recorded.

Section 5.01

- City Clerk duties and responsibilities include keeping, care and custody of the books, records, papers, legal documents and journals of proceedings of the Council and additional duties as required by the Mayor and Council.



- Nonpartisan Elections – The Clerk shall be the judge of qualifications for candidates for the positions of Mayor and City Council and shall provide notice of the time and place of City elections in the newspaper. The county’s canvassing board submits certified election results to the City Clerk.
- Responsible for collection and retention of oath or affirmation and filing fees for candidates running for City elected positions.
- Council District Plans once adopted by the Council and Commission, are delivered to the City Clerk to maintain.
- Clerk receives all petitions and ensures filing deadline is adhered to.
- Responsible to receive and maintain requests to withdraw petitions that have been filed.

There were twelve major processes identified by the Clerk’s office. They are listed in this report by process title only and do not represent the complexities involved with each item.

- Maintains Official Records of all Council Actions
- Notification of all City meetings to media and when applicable to the Mayor, City Council and City Staff.
- Records retention of all municipal documents and City’s official seal
- Council Minutes – Includes Council votes on ordinances and resolutions
- Election Responsibilities – Judge qualifications of candidates for Mayor and Council positions, swearing in, oath attestations, and election process support
- Council District Plans custodian
- Public Information Requests
- Domestic Relations Registry
- Council Agenda preparation and packets distribution to Mayor and Council
- Signature and notarization of documents
- Administration of City Codes – maintained in Municode
- Other boards and commissions support

When juxtaposing the duties provided in the City Charter with the duties provided for this study we find the following matches:



- Notification of all City Council meetings
- Maintains records of all Council actions in writing and recordings
- Custodian of all official City records
- Judges qualifications for candidates for Mayor and Council positions and provides notice of time and place of elections to the newspaper
- Collection and retention of oath or affirmation and filing fees for candidates running for City elected positions
- Retains certified results received from canvassing board for City elections
- Maintains Council District Plans

In contrast, the following duties are provided by the City Charter or City Clerk that do not match when compared to each list of duties:

- Listed by Charter: Collection of affidavit to begin a petition for recall, initiative or referendum an issuance of appropriate petition forms to the committee
- Listed by Charter: Receives all requests to withdraw petitions prior to 25th day preceding date vote is scheduled
- Listed by Clerk: Public records requests
- Listed by Clerk: Domestic Relations Registry administration

Exhibit A – Compares the City’s subset of peer organizations city clerk’s major processes. This peer subset was approved by the City based on comparable populations and included the cities of Sarasota, Ocala, and Fort Myers. For cities with populations closest to Pensacola’s that operate under a strong mayor form of government, Apopka, population of 46,571, Plantation, population of 87,496, and West Palm Beach with a population of 106,525 were selected. The City’s focus was to survey a mix of city population and strong mayor form of government when possible. Of 421 cities in the State of Florida, there are 49 with a strong mayor form of government, three of the 49 cities with a population size that came closest to the City of Pensacola consists of Apopka with a population of 46,571, Plantation with 87,496, and 106,525 in West Palm Beach. The remaining 46 cities, with a strong mayor form of government, have populations ranging from less than 200 to over 400 thousand.

Major Processes: The survey responses reflect all six City peers’, city clerks are responsible for maintaining official records of council actions, agenda and other city meetings notifications, municipal records retention, local city elections, records management, public information requests, notarization of documents, council agenda and minutes responsibilities, city code updates and retention.



Elections: Additional survey responses show the City’s peer group’s city clerks are responsible for elections and serve as the supervisor of elections for council positions and other local elections. In Pensacola, the Clerk works in coordination with the supervisor of elections for elected positions with the exception of Council and Mayor positions, where the Clerk serves as the supervisor of elections.

PIR: All public information requests are managed by the clerk’s office in all six peer cities. This responsibility is managed by the City Attorney’s office for Pensacola, with the Clerk’s office fulfilling requests for documents that are maintained as part of the Clerk’s office span of control.

Records Management: In Pensacola, this process is managed by each department. The Clerk serves as the subject matter expert and reviews each department’s records schedule to ensure compliance and consistency by each department. The survey responses demonstrate that records management for peer cities is part of the city clerk’s job functions and is managed for all departments.

Major processes of the city clerk’s office identified by peer cities that differ from the major processes in Pensacola include:

- **Notary Services for Citizens:** Apopka, Fort Myers, Ocala, Plantation and Sarasota City Clerk’s office provides all notary service for the city and citizens. In Pensacola, this service is provided for all City departments and for citizens when the notary service is for City business transactions only.
- **Boards or commission support:** Clerks in two peer cities provide support for boards or commissions as assigned and also serve on the city’s pension board. Community Redevelopment Agency was reflected as a common area where support is provided by most clerk’s offices.
- **Scanning and indexing of documents:** Survey respondents reported this responsibility as part of the clerk’s office scope of responsibilities and provides this service for all city departments. The Clerk’s office in Pensacola, is responsible for these processes for Council and Clerk’s office documents only.

How should Council meetings be managed by the City Clerk?

One of the focus areas for this study was the length of regular Council meetings and other functions that may be refined or modified to realize better utilization of staff and resources. The Council President is required to read the entire agenda to include reading in its entirety, each consent agenda item. During the Agenda Conference, all agenda items to include consent agenda items are read, entirely, recorded by video and audio, captured through hand written notes during the Agenda Conference, and captured in Granicus, the City’s electronic agenda system. The City Clerk’s office is responsible to ensure all meeting information is captured through video/audio recordings, supporting documents and minutes at the Agenda Conference, as well as at regular Council meetings, and to make edits to the information in Granicus when necessary. This study explored various aspects of the Council meeting to



determine if the consent agenda concern brought to our attention contributed to the meeting's length, and if there were other processes that are being performed by Granicus or other resources that are currently being duplicated by City staff.

In our interview with the City Clerk, we requested the reference source relied upon to require the Council President to read all agenda items, to include consent agendas, in their entirety, at regular Council meetings. Florida Statute 166.41. was provided as the source authority. Upon review of the statute, the Florida Association of City Clerks' Manual, and guidance provided by the Florida Association of City Clerks' Executive Director and legal department, we find no language that supports an interpretation that requires all consent agenda items be read fully during regular Council meetings.

Furthermore, all surveyed cities reported not requiring all items on the consent agenda to be read fully during regular council meetings. A consensus of the respondents was that they read the consent agenda as item numbers, or in some instances, by consent agenda titles only. Additionally, the surveyed cities' council meetings and processes support meeting lengths that are considerably shorter when compared to the processes and meeting length experienced in the City of Pensacola. Research and observation of council meetings for the peer cities revealed there is a distinct separation of responsibilities that eliminates duplication of functions.

How can the current operation be improved?

In order to streamline processes in an organization with competing priorities, any validated practice that reduces repetition, shortens the time required to complete, and further enhances the process is desired.

- Based on our research, Evergreen recommends that the City of Pensacola's Council President or designee, read consent agenda items by the item number or other unique identifier only, and no longer require a second reading of the complete consent agenda item during regular Council meetings.
- An effort to streamline processes would be greatly enhanced by training and cross training on the creation of Council memos. As the subject matter expert, the City Clerk, should provide training on how to create Council memos required for agenda items. Training should include appropriate format, reference documents and any approval requirements and budgetary references, if appropriate, to expedite the agenda process.
- All City departments, specifically administrative support staff, should receive training on how to scan and create pdf copies that are required to be retained as official City documents. Quality is currently an issue and evident when requests are received to provide official copies.



1.3 SUMMARY

Evergreen’s report is based on comparing identified major processes provided by peer city clerk’s offices, the cities’ population, department staff size, responsibilities, tasks and volume of work performed, and resources available to the clerk’s office.

What tasks should the City Clerk perform?

Major functions were identified by the City and are reflected in **Exhibit A** to show the comparison with the City’s surveyed peers.

- Maintains Official Records of Council Actions – Applies to all cities surveyed;
- Notifications for City Meetings and other board and commission meetings (as appropriate) – Applies to all cities surveyed;
- Records and maintains Municipal documents – Applies to all cities surveyed.
- Council meetings and other commission and board meeting minutes – Function of all surveyed peer cities. In Pensacola, Granicus software is used to record meeting minutes while in other surveyed cities, audio recordings or handwritten notes, are used primarily.
- Council Elections Supervisor - Responses from all surveyed peers reflect the city clerk serves as the supervisor of elections for all city and county contests in contrast to Pensacola where the City Clerk serves as the SOE for City official elections only.
- Records Management – applies for all city records in surveyed peers. In the City of Pensacola, the Clerk’s office manages records for the Clerk’s office only.
- Public records requests in all surveyed peer cities is a function of the clerk’s office and is provided for the entire city. In Pensacola, this responsibility was transferred to the City Attorney’s office some years ago and the Clerk’s office is responsible for providing documents for PIRs for requests of official City business only.
- Domestic Relations Registry – the City of Pensacola and West Palm Beach are the only cities within the surveyed group that reported this function.
- Signature and notarization of official city documents – Applies to all cities surveyed.
- Scan and index all documents – This responsibility falls under the clerk’s office for all surveyed peers. In Pensacola, the Clerk’s office is responsible for documents maintained in the Clerk’s office only.
- City codes custodians – Applies to all surveyed cities.
- Notary services for citizens and city business in all surveyed cities while in Pensacola the Clerk’s office provides these services for City Council or City business only.



- Municipal code maintenance – Applies to all cities surveyed.
- Training responsibilities – two respondents provide training for poll workers and other city employee training, as compared to Pensacola City Clerk’s office provides specific office protocol and office functions training for Clerk’s office staff only.
- Serve on boards and commissions as staff assignment – Community Redevelopment Agency is assigned to all city clerks. Apart from Pensacola, all surveyed clerk’s offices are assigned additional boards and commissions and may serve in an advisory or board role for employee pension boards.

Tasks identified by peer cities not assigned to the City of Pensacola’s Clerk:

- Risk management – 1 - peer
- Agenda creation - 1 peer
- Cemetery administration – 2 peers
- Lobbyist registration & reporting – 2 peers
- Council support – 2 peers
- Fine Reduction Requests – 1 peer
- Fleet Licensing & Disposal – 1 peer
- Issuance/Renewal of Operational License – 1 peer

How should Council meetings be managed by the City Clerk?

Evergreen found no official guidelines, preferred procedures, or statutory regulations in the Florida Association of City Clerk’s Manual, F.S. 166.41, City Chapter, or City of Pensacola City Council Rules and Procedures that identified protocols regarding how city council meetings should be managed. Additionally, through observation of city council meetings and conversations with other municipalities, we find no de facto authority that dictates the management of city council meetings.

We can make the following recommendations: The City has the authority and should make changes to the City of Pensacola Council Rules that will allow for modifications to agenda items and other processes of the City Council meetings. It is important that all changes to the Council Rules adhere to the City Charter and Florida Statute.

Once an agenda item, for regular or consent agenda, has been read, it should be considered to have been “read into the record” and can be identified by agenda item identifier and a short agenda title, in subsequent meetings regarding the same agenda item, which may include regular City Council meetings.

How can the current operation be improved?

Efficiencies may be realized through coordination and cross training of other City department staff in the creation of Council memos, notary services, quality scans of City documents, and



back up support in the event the Clerk and Assistant Clerk are not available during Council and other City meetings.

Through collaboration with Council staff, Council President, and City staff members processes for streamlining City Council meetings and elimination of redundant processes may be modified to improve efficiencies. As long as those modifications adhere to the City Charter, Florida Statute, City of Pensacola Council Rules and Procedures. It is advisable to fully vet all proposed changes prior to implementation.

By eliminating a requirement to read the entire consent and regular agenda items in their entirety, and implementing other efficiencies brought about through the collaborative effort of City staff, Council staff and Council President, meeting lengths should be reduced significantly allowing for more efficiencies in the approval and implementation process of Council items and other associated functions.

In conclusion, we can make the following statements:

- The staffing level for the Clerk’s office based on work responsibilities and volume is appropriate and does not support adding additional personnel to the staff. (refer to Exhibit A)
- In comparison to peer city clerk’s salaries, responsibilities, volume of work and resources available, we find the current salary to be appropriate and our study does not support a higher salary for this position. (refer to Exhibit B)
- The City is in a position to modify City Council meeting procedures to realize efficiencies while adhering to all official guidelines to include the City Charter, Florida Statutes, City Council Rules and Procedures and accepted practices as identified in the Florida Association of City Clerks Offices Manual. It may also be appropriate to refine the City Council Rules and Procedures to further realize additional efficiencies in processes.

Of Note: The Florida Association of City Clerks recommends city clerks continuously review steps to eliminate, combine, and simplify procedures. The City of Pensacola has been pro-active and made great strides towards that end by using iPads for Council members thereby eliminating the duplication of many paper documents.



EXHIBIT A

CITY CLERKS MAJOR PROCESSES

Function:	City of Pensacola	City of Apopka	City of Fort Myers	City of Ocala	City of Plantation	City of Sarasota	City of West Palm Beach
Maintains Official Records of Council Actions	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Agenda & Other City Meetings Notifications	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Clerk's Office Operations (staff size)	Yes - 2	Yes - 1.5	Yes - 3	Yes - 2	Yes - 3	Yes - 3	Yes - 4
Record & Retain Municipal Documents	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Council Minutes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Council Elections Supervisor	Council/Boards (coordinate w/SOE)	City/County	Supervisor of Elections	SEO Council/Canvassing board	SEO	SEO	SEO
Records Management	Clerks office only	Entire City	Entire City	Entire City	Entire City	Entire City	Entire City
Public Information Requests (PIR)	Clerks office	City	City	City	City	City	City
Domestic Relations Registry	Yes	No	No	No	No	No	Yes
Council Agenda Creation	No	No	No	No	No	Yes	No
Signature & Notarization of City Documents	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Scan & Index all City Documents	Clerks office	Entire City	Entire City	Entire City	Entire City	Entire City	Entire City
City Codes Custodian	Yes	Yes	Yes	Yes	Yes	Yes	Yes
City Population	52,703	47,084	62,298	56,315	53,326	87,496	106,525
Agenda Memorandums	No	NA	NA	NA	NA	NA	NA
Council Staff	Yes	No	No	Yes	Yes	Yes	Yes
Risk Management	No	Yes	No	No	No	No	No
Issuance/Renewal of Ops. Licenses	No	Yes	No	No	No	No	No
Administer City bids	No	Yes	No	No	No	No	No
Fleet Licensing and disposal	No	Yes	No	No	No	No	No
Notary Service (City & Citizens)	No - (yes - If City business related)	Yes - City & Citizens	Yes - City & Citizens	Yes - City & Citizens	Yes - City & Citizens	Yes - City & Citizens	-
Municipal Code (updates, edits)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Training Responsibility	Clerks office	Yes - Poll workers	NA	Yes	NA	NA	NA
Lobbyist registration & reporting	No	No	No	No	Yes	No	Yes
Other Board/Commission	CRA	CRA + As Assigned	CRA + As Assigned	CRA + As Assigned	City Pension Board	Pension Plan + CRA	CRA + As Assigned
Fine Reduction Requests	No	No	No	No	Yes	No	No
Administration of City cemetery	No	Yes	Yes	No	No	No	No

Exhibit B

City of Pensacola office of the City Clerk Compensation Data						
City of:	Minimum	Mid Point	Maximum	Current Salary	Staff Size	Population
Pensacola				\$77,000.00	2	53,058
Apopka	\$74,034.00		\$115,811.00		1.5	46,571
Fort Myers	\$76,606.40		\$122,553.60		3	72,395
Ocala	-		-	\$85,643.00	2	58,355
Plantation	\$83,000.00		\$136,000.00		3	87,496
Sarasota (Auditor/Clerk)	-		-	\$171,075.00	3	52,905
West Palm Beach	\$79,310.00	\$102,841.00	\$126,373.00	\$92,011.86	4	106,525

Assistant/Deputy City Clerk Compensation Data				
CITY	Minimum	Mid Point	Maximum	Current Salary
Pensacola				\$60,000.00
Apopka			\$43,284.00	
Fort Myers			\$41,038.40	
Ocala			-	
Plantation			-	
Sarasota			-	
West Palm Beach		\$47,348.00	\$61,349.00	\$75,349.00