

CITY OF TALLAHASSEE CHARTER REVIEW COMMITTEE
REPORT AND RECOMMENDATIONS
APRIL 13, 2009

The 1996 change to the Tallahassee City Charter, which established the Leadership Mayor, mandated that the City Commission appoint a Charter Review Committee to examine the role and powers of the Mayor and City Commissioners and to make recommendations for any amendments to the City Charter the committee deems appropriate and necessary. The City's first Charter Review Committee was appointed in 2003 and presented a series of recommendations to the Commission. One of these recommendations adopted by the City Commission in 2004 was the requirement to appoint a second charter review committee in January 2009 to perform the same level of review.

In January 2009, the following citizens were appointed by members of the City Commission to constitute the second Charter Review Committee:

Samuel M. "Buddy" Streit, Chair	Alphonso B. Whitaker, Vice-Chair
Sheila Costigan	J. Everitt Drew
William D. "Bill" Law	Henry Lewis
Nancy Linnan	Sean A. Pittman
David Reid	Carol S. Weissert

Section 2-251 and 2-252 of the City Charter required the Charter Review Committee (CRC) to complete its review process within 60 days of appointment and submit a written report to the City Commission. After conducting four (4) meetings, the CRC requested that a 30 day extension be granted. Subsequent to the Commission direction to present the report no later than the April 22, 2009 City Commission meeting, the CRC conducted nine (9) meetings to fulfill its charge, including one public hearing.

During the Committee's deliberations, presentations were made by the following persons:

Mayor John Marks
City Commissioner Debbie Lightsey
City Commissioner Allan Katz
City Commissioner Mark Mustian
City Commissioner Andrew Gillum
Former City Commissioner Jack McLean
Former City Commissioner Steve Meisburg
City Manager Anita Favors Thompson
2003 CRC Vice-Chair and County Commission Chair Bryan Desloge
Lynn Tipton, Florida League of Cities

Dr. Bob Lee, Florida State University
William Roberts, Esquire, Nabors, Giblin and Nickerson, P.A.
Glenda Thornton, Chair, Tallahassee Area Chamber of Commerce
Sue Dick, President, Tallahassee Area Chamber of
Commerce/Economic Development Commission Director
Todd Sperry, Chair of Growth Management Committee, Tallahassee
Area Chamber of Commerce
Windell Paige, President, Capital City Chamber of Commerce
Peggy Lannutti, League of Women Voters
Barbara Sterling, League of Women Voters
Leon County Sheriff Larry Campbell

Additionally, the following persons appeared before the CRC at its public hearing:

Brian Armstrong	Darwin Gamble
Steve Stewart	Pace Allen
John Proctor	Troy Brimmer
Mike Phinazee	Charles J. Scriven
George Mortimer	Steve Slade

Each person discussed personal observations, perceptions and suggestions pertaining to the current role and powers of the Mayor and Commission as well as the relationship to the duties and responsibilities of the City Manager. Recommendations for changes beyond those relating to the role and function of the Mayor and Commission were also discussed and formalized.

CHARTER RECOMMENDATIONS

Duties of the Mayor – Form of Government

The change in the City Charter in 1996 to provide for a directly elected Mayor (Leadership Mayor) was an excellent decision by the City Commission and the electors of the City. The change obviously allowed for continuity in elected leadership and better recognition of the City in its relationship to other local, state, and federal governments. The Charter change provided for flexibility in the assignment of additional duties and responsibilities for the

Mayor and that flexibility has been used effectively. The Charter Review Committee heard suggestions that the duties of the Leadership Mayor be expanded to reflect the experiences of the mayor and the commission since 1997. Based on these experiences and our own examination of the important role of mayors in city governance, we recommend that the duties of Tallahassee's leadership mayor include:

1) Initiating and carrying out intergovernmental duties including working with federal and state officials on projects of joint interest, actively participating in national and state associations of mayors and city officials, and representing the city on national and state programs and boards. The Mayor shall be responsible for developing and implementing necessary activities to strengthen and support the relationship of the City with the State of Florida and with federal programs as necessary.

2) Carrying out activities regarding diplomatic events and programs that involve the city including welcoming officials and issuing appropriate proclamations or statements. Beyond the ceremonial responsibilities, the Mayor shall be responsible for developing and leading activities to enhance the role of Tallahassee in expanding diplomatic or business presence within the Capital City of the State of Florida; and

3) Playing the primary role in directing and coordinating the city's economic development strategy. The Mayor shall be directly responsible for assistance to Commission defined targeted industries, including existing local businesses meeting targeted industries criteria. Upon identification of such economic development opportunities, the Mayor shall establish, with the assistance of each involved City department, a specific schedule for the fast tracking of development approval to ensure that full approval for the development is granted within 120 days of identification of the project. The Mayor will be responsible for monitoring the progress of the development approval of these projects and shall report the same to the City Commission not less than monthly. The Mayor shall be responsible for recommending annually to the City Commission an appropriation for an economic development account to be used for business incentives and upon approval by the City Commission, shall be authorized to expend those funds. The Mayor shall regularly report to the Commission on the expenditures of those funds within 30 days of expenditure. The Mayor shall prepare periodically, but not less than annually, and submit to the

Commission for approval a comprehensive development policy which shall consider the City's physical, economic and social aspects and state the goals and objectives of Tallahassee and its citizens and the necessary recommendations, policies, plans, programs, and priorities for attaining them.

The Committee recommends that the City Commission pursue amendments to the City Charter to formally establish the responsibility of the Mayor for these functions.

Method of Electing City Commissioners

The Charter Review Committee heard suggestions that the current method of election of City Commissioners, i.e. with all Commissioners running at large, be changed to provide that Commissioners would be required to reside in and be elected by the citizens in single member districts. The Committee believes the citizens of Tallahassee have been well served by the current system. No change is recommended.

City Commission Responsibility for Managing Employees

The Charter Review Committee heard concerns from some City Commissioners that these Commissioners believed that they could have a greater impact in providing leadership in the government if they had direct authority over City Executive Management employees. Currently, the City Charter provides that the City Commission has direct authority over the City Manager, City Attorney, Treasurer-Clerk, and Auditor (the appointed officials) and further provides the Commission is prohibited from interfering with the hiring, firing, and other management of City employees below the level of the appointed officials. The Committee believes that the City has been well served by the separation of policy leadership and management functions and recommends no Charter change with regard to management of personnel.

Future Charter Review

The Charter Review Committee considers it very important that the City Charter be reviewed regularly, and recommends to the City Commission

that a Charter Review Committee be appointed to convene in January 2013 for a period of 90 days.

NON-CHARTER RECOMMENDATIONS

Aviation Authority

The Charter Review Committee received suggestions that the City and the Region may well be better served if the operation of the Tallahassee Regional Airport was transferred to an aviation authority or an aviation/transportation authority. The Committee requested specific information on airport operations in Florida and specifically airport authorities. The Committee heard a presentation by Mr. Bill Roberts, Special Counsel for the Florida Airport Council. The Committee believes that the City and the Region would be better served by transferring the operation of the Tallahassee Regional Airport to an airport authority which could provide greater focus and concentration by the authority board on airport activities, be more aggressive in pursuing airport related economic development opportunities, and more effectively deal with airport competition. The Committee recommends the City Commission pursue the establishment of an airport authority and transfer operations of the Tallahassee Regional Airport to such authority.

Regional Transportation

The Charter Review Committee heard from elected officials regarding the importance of dealing with transportation issues on a regional basis. The Committee recommends that the City Commission commit to increase support for the Capital Regional Transportation Planning Agency (CRTPA).

Electric Utility

The Charter Review Committee heard concerns and is familiar with issues regarding the City's electric rates and the lack of fuel diversity within the City generating assets. The Committee recommends that the City pursue joint ventures, sale of generating assets or other alliances with existing electric providers with the objective being to achieve an electric utility rate equal to or less than the state average.

Functional Consolidation

The Charter Review Committee believes that it is essential that the City and County unify, where appropriate, the growth management ordinances, regulations, and policies and consolidate the growth management departments. The Committee recommends that the City establish a formal schedule to consolidate City and County Growth Management. The schedule should provide for: (1) 90 days for staff to present to the city and County Commissions a report detailing the differences between the respective growth management ordinances, regulations, and policies (2) 180 days for City and County Commissions to make uniform or justify any differences in the ordinances, regulations, and policies, (3) one year, but not later than October, 1, 2010, consolidate the City and County Growth Management departments and functions. The intent of this is that the City and County would still maintain separate ordinances, regulations and policies but would attempt to make them identical if practical, and would seek to combine the staff serving each similar to the Tallahassee/Leon County Planning Department model.

The Committee similarly believes that the City and County should thoroughly examine and aggressively pursue the consolidation of the existing city and county parks and recreation, animal control, and stormwater functions.

Reduction in Differences in City and County Ordinances/Regulation

The Charter Review Committee heard testimony to the effect that City and County regulatory ordinances may be very different with regard to certain subject matters. While the Committee recognizes that there may be some justifiable differences in regulatory ordinances dealing with the unincorporated area of the County as opposed to the area within the City limits, the Committee believes the public would be best served by making the regulatory ordinances as similar as possible. It is recommended that the City and County establish a formal mechanism as changes are made to regulatory ordinances to reduce differences as much as possible. This mechanism should include an "intergovernmental impact statement" on the ordinance

agenda item indicating distinctions and differences from the other local government's ordinance on the same subject.

Growth Management

The Charter Review Committee heard from public officials and organizational representatives with regard to the City's current Growth Management program and its impact upon economic development. It is essential that the City has an efficient and effective regulatory program and process to permit critically needed economic development consistent with the community's well established values. The current system including its ordinances, regulations, and processes is not working effectively and has acted as a significant deterrent to economic development and the important objective of diversification of the local economy. The Committee recommends that the City Commission expeditiously undertake a thorough review of the City's ordinances, regulations, and processes and make the changes necessary to provide a growth management system which provides for the efficient and expeditious permitting of new development while protecting our natural environment.

Law Enforcement

The Charter Review Committee heard from public officials, law enforcement professionals, and members of the public with regard to local government law enforcement and potential consolidation of law enforcement functions. The provision of law enforcement services is one of the most basic and essential governmental services and it is also one which requires a significant portion of government financial resources. The Committee believes that it is essential that the City and County closely examine and pursue the benefits of the consolidation of local government law enforcement services and functions.

On behalf of the 2009 CRC, thanks for allowing each of us to serve on this committee.

Respectfully submitted,

Samuel M. "Buddy" Streit, Chair

