

COLUMBIA COUNTY CHARTER REVIEW COMMISSION

**POST OFFICE BOX 1529
LAKE CITY, FLORIDA 32056-1529**

COLUMBIA COUNTY SCHOOL BOARD ADMINISTRATIVE COMPLEX

**372 WEST DUVAL STREET
LAKE CITY, FLORIDA 32055**

AGENDA

JANUARY 26, 2012

6:00 P.M.

- I. CALL TO ORDER**
- II. INVOCATION**
- III. PLEDGE**
- IV. ROLL CALL**
- V. APPROVAL OF MINUTES OF PREVIOUS MEETING**
November 10, 2011 – Columbia County Charter Review Commission
- VI. INTRODUCTION OF INVITED GUESTS AND THEIR PRESENTATIONS**
- VII. REMARKS OF INTERESTED CITIZENS**
- VIII. REPORT OF CHAIRPERSON**
(a) Discussion of CRC Member-Submitted Suggested Revisions to Charter
- IX. REPORTS OF COMMITTEES (IF ANY)**
- X. UNFINISHED BUSINESS**
(a) Redistricting – Report and Discussion
Kurt Spitzer, Consultant
(b) Public Notice Requirements – Report and Discussion
Mark Watts, Attorney
(c) Bylaws - Discussion
Mark Watts, Attorney
- XI. NEW BUSINESS**
(a) Discussion and Identification of Issues for Future Discussion
Kurt Spitzer, Consultant
- XII. ADJOURNMENT WITH DAY FIXED FOR NEXT MEETING**

**Tuesday, February 21, 2012 – Columbia County School Board
Administrative Complex Auditorium**

CHARTER REVIEW COMMISSION

Minutes of November 10, 2011

The Charter Review Commission met in a regularly scheduled meeting in the auditorium of the Columbia County School Board Office.

The meeting was called to order by Chairman Adams at 6:00 p.m. The invocation was by Ozell Graham. The Pledge of Allegiance to the Flag of the United States of America followed. Deputy Clerk Sandy Markham called roll.

Charter Commissioners in Attendance:

District 1 Representatives: Audrey Bullard, Bettye Lane
District 2 Representatives: David Morse, Dean Taylor
District 3 Representatives: Koby Adams, Walt Graham, Jack Berry
District 4 Representatives: Sherree Vann, Kim Skinner
District 5 Representatives: Nathan Morgan, Ray Walker, Glynnell Presley

Charter Commissioners Absent:

District 1 Representatives: Ozell Graham
District 2 Representatives: Rocky Ford
District 5 Representatives: John Willis

Others in Attendance on the Commission's Behalf:

Deputy Clerk Sandy Markham

Minutes of October 27, 2011

A motion and second was offered to approve the minutes. The motion carried unanimously.

Introduction and Presentation of Invited Guest

Consultant Kurt Spitzer of Kurt Spitzer and Associates gave a presentation relating to the history of county government and the "building blocks" of charter county authority for Florida,

Mr. Spitzer reviewed the proposed time line for reviewing the Columbia County Charter, and the process of scheduling other proposed topics for discussion. He also discussed the amendment adoption and ballot process.

Remarks of Interested Citizens

No public comment was offered.

By the Chairman

CRC Members were asked to thoroughly review their copy of the Charter before the next meeting. While various ideas for discussion topics were mentioned, the Chair asked that all topics that members are interested in adding to the timeline for discussion should be placed in writing and submitted to Assistant County Manager Roberts for inclusion on the agenda at least one week prior to the next meeting.

Next Meeting

The December 08th meeting is canceled. The next CRC meeting will be January and will be scheduled by Assistant County Manager Roberts.

Other Business

None.

Adjournment

There being no further business to come before the Board, the meeting adjourned at 8:25 p.m.

ATTEST:

P. DeWitt Cason
Clerk of Circuit Court

Koby Adams, Chair
Charter Review Commission

2.2 Redistricting (Reappointment)

In May of the first odd numbered year after each decennial census, the county shall be divided into five equal districts by a reappointment committee consisting of:

- 1. The supervisor of elections, property appraiser, and the county judge.**

OR

- 2. Five members who are citizens of Columbia County, two being appointed by the county commission, two appointed by the school board, and the fifth member be the supervisor of elections. The two members appointed by the county commission and the school board cannot be elected officials.**

2.7 Delete- paragraph 2- This is covered in paragraph 2.7.2

2.8 Sub Sec 1

Delete- Remove the county manager during a contract term by a majority vote of the entire board of county commissioners at each of two successive regular meetings

Insert -

Remove the county manager during a contract term by a super majority vote (four of the five commissioners) at a regular meeting.

2.11 Public Notice and Information

Delete- Completely

Insert- As required by state law.

5.2 Non-Partisan Election of County Officers

Delete- The county attorney

Have a ballot question to delete an elected county attorney and give the county commissioners authority to hire a county attorney

8.4 If the changes are made to section 2.2 then this would need changing.

RECEIVED

DEC 29 2011

**Board of County Commissioners
Columbia County**

**HOME RULE CHARTER FOR COLUMBIA COUNTY
SUGGESTIONS FOR REVIEW BY ARTICLE**

ARTICLE 2

• **2.2 REDISTRICTING**

ADD

A committee consisting of 2 county commissioners, 2 school board members and a representative of the supervisor of elections office shall compose new boundary lines. There shall be a public meeting where citizens of Columbia County can express their concerns before the final boundary lines are drawn and submitted to the county commission for approval.

CHANGE

Instead of stating (4) consecutive weeks in a newspaper change to two consecutive weeks in a newspaper published in the county.

• **2.8 POWERS**

CHANGE

(1) Instead of stating remove the County Manager during a contract term by a majority of the entire Board of County Commissioners at each of two successive regular meetings, should state that the County Manager can be removed by a majority of the entire Board of County Commissioners at a regular meeting.

(4) Instead of stating adopt by a two-thirds vote of the entire Board of County Commissioners should state by a majority of the entire Board of County Commissioners.

• **2.11 PUBLIC NOTICE AND INFORMATION**

SUGGESTION

County Manager to provide wording to make it easier on county staff to meet the requirements currently stated in the county charter.

ARTICLE 3

• **3.3 POWERS AND DUTIES**

CHANGE

(10) Any recommendation for employment shall be recommended by the County Manager to the County Commission for approval.

Any recommendation for termination from employment shall be recommended by the County Manager to the County Commission for approval.

(A rejection by the Board of County Commission must be based upon good cause.)

**HOME RULE CHARTER FOR COLUMBIA COUNTY
SUGGESTIONS FOR REVIEW BY ARTICLE**

- **3.4 NON-INTERFERENCE BY BOARD OF COUNTY COMMISSIONERS**

Change wording that allows a County Commissioner to be able to communicate with employees of the county.

ARTICLE 4

- **4.2 DEPARTMENT HEADS**

CHANGES

Department heads shall be appointed, supervised and recommended for termination by the County Manager, and shall be employees at will and shall be responsible to the County Manager. County Manager shall recommend to the Board of County Commissioners termination of any department head with or without cause during the initial 90 days of probation. County Manager shall recommend with cause that a department head be terminated with cause after the initial 90 days of probation.

ADD

All Department Heads shall be approved by the Board of County Commissioners for employment.

ARTICLE 5

SUGGESTIONS

Place on ballot whether county attorney shall be appointed or elected.

ARTICLE 6

6.1.1 PROCEDURES FOR PETITION

SUGGESTIONS

Change wording in charter that allows when a petition is submitted to the Board of County Commissioners that it clearly states what needs to be in the petition so the petition may be presented to the voters of Columbia County for approval or denial.

SUBMITTED BY:
2 Kim Skinner

**BY-LAWS OF THE COLUMBIA COUNTY
CHARTER REVIEW COMMISSION**

As Amended October 4, 2005

**BY-LAWS OF THE COLUMBIA COUNTY
CHARTER REVIEW COMMISSION**

- Rule 1. Public Meetings**
- Rule 2. Citizen Participation at Meetings**
- Rule 3. Place of Meetings**
- Rule 4. Call and Notice of Meetings**
- Rule 5. Agenda for Regular Meetings**
- Rule 6. Recording of Minutes**
- Rule 7. Quorum**
- Rule 8. Attendance**
- Rule 9. Proxy Voting**
- Rule 10. Deliberation**
- Rule 11. Voting Generally**
- Rule 12. Official Rules of Order**
- Rule 13. Duties of the Chairman**
- Rule 14. Duties of the Vice Chairman**
- Rule 15. Duties of the County Manager**
- Rule 16. Duties of the Clerk of Court**
- Rule 17. Committees**
- Rule 18. Policy on Publicity**
- Rule 19. Amendment**

Rule 1. Public Meetings: All meetings of the Commission, including all meetings of its committees and study committees, shall be open to the public. Notice of the date, time and place of said meeting shall be made available to the public in advance of the meetings by written notice to one or more newspapers of general circulation in the County, by posting the date, time and place upon the Charter Commission's Internet site and by posting a notice on the public bulletin board maintained for such purposes at the Columbia County Courthouse Annex, at least 48 hours before the meeting.

Rule 2. Citizen Participation at Meetings: The Commission will entertain public comment on all substantive agenda items. Citizens of Columbia County who attend the meetings of the Charter Review Commission shall be given the opportunity to comment before the Commission discusses items on the agenda to be voted on. In cases of meetings in which an invited speaker is in attendance, the presenter will speak first, public comment will then be taken, and then the Commission will discuss and vote if necessary. The Commission may impose reasonable limitations of time allotted to any citizen or on the total time to be allotted to public participation during the meeting.

Each agenda shall include a point during the meeting at which "Remarks of Interested Citizens" may be made. Under the agenda item of "Remarks of Interested Citizens", interested citizens shall be afforded an opportunity to comment on matters germane to the agenda or matters to come before the Commission.

Rule 3. Place of Meetings: The regular meetings of the Commission shall be at the Old Welcome Center, Hall of Fame Drive. The Commission may also resolve to hold meetings at other locations. The meetings of the Commission, committees or study committees should be at a meeting place large enough to accommodate not only the Commission, committee or study committee, as the case may be, but also interested citizens. The meeting place chosen shall be open and accessible, free of any admission charge or restriction, to the Commission and public. Meetings conducted by study committees or committees should be held at a location selected by the chairman of such study committee or committee.

Rule 4. Call and Notice of Meetings: Date, time and place of each regular meeting of the Commission shall be announced at the preceding regular or special meeting of the Commission, and posted on public bulletin board in accordance with Columbia County policy. The agenda of each regular or special meeting shall include the fixing of the date of the next regular meeting. Special meetings may be called by the Chair of the Commission, or by any eight (8)

members of the Commission requesting such special meeting in writing filed with the County Manager. The County Manager shall be responsible for mailing a written notice of the date, time and place of meetings of the Commission to members of the Commission at their addresses listed on an appropriate form kept by the County Manager. It shall be the responsibility of any member of the Commission to notify the County Manager of any change of address. The Chair of each study committee or committee shall be responsible through the County Manager, for giving sufficient written or telephone notice of study committee or committee meetings to members.

A written notice of special meetings of the entire Commission shall be give in the same manner as written notices of regular meetings, except that the written notice of a special meeting shall include the purpose for the call of such special meeting.

Rule 5. Agenda for Regular Meetings: The agenda for regular meetings of the Commission shall be generally as follows, subject to amendment or revision by the Commission Chair or a majority of the members present:

- I. Call to Order
- II. Pledge
- III. Roll Call
- IV. Approval of Minutes of Previous Meeting
- V. Introduction of Invited Guest (if any) and Their Presentations
- VI. Remarks of Interested Citizens
- VII. Report of Chairperson
- VIII. Reports of Committees (if any)
- IX. Unfinished Business
- X. New Business
- XI. Adjournment with Day Fixed for Next Meeting

Rule 6. Recording of Minutes: Meetings of the Commission shall be recorded on recording machines. The County Manager shall be responsible for insuring that the recording apparatus is available at each meeting of the Commission. The tapes of all such meetings shall be preserved as required by law. Failure to tape record a meeting shall not affect the validity of any proceeding. The Commission shall make disposition of the work of the Commission. The Clerk of Court shall further be responsible for the safeguarding of the tapes of such meetings. In addition to the tape recording of the meetings, a representative of the Clerk of Court shall take down minutes of the proceedings of the Commission. The chair of each committee or a person designated by the chair shall take minutes at all proceedings of the committee and shall transcribe and deliver such minutes to the Clerk of Court. All records

of the Commission, including the tape recordings of minutes, shall be made available to the public during office hours of the Clerk of Court or as established by the Commission. Minutes of committee proceedings shall be filed at least once per month. The Chair may request that a verbatim record of any proceeding before the Commission be made. Such a request is in addition to the requirements of Rule 6.

Rule 7. Quorum: A majority of the members of the Commission, or of any committee shall constitute a quorum for transaction of business, and a majority of those present shall be sufficient to agree to any motion except as otherwise set forth in these bylaws.

Rule 8. Attendance: Regular attendance and attention to the business of the Commission is expected. The seat of any member who fails to attend three consecutive regular meetings, without previous notification, shall be presumed vacant, and the Chair shall report that fact to the County Commissioner who appointed the member, for confirmation that a vacancy exists.

Rule 9. Proxy Voting: No member of the Commission or any of its study committees or committees shall have the power to vote by proxy. Only those members physically present shall be entitled to vote.

Rule 10. Deliberations:

A. Issues Agenda: Members of the Charter Review Commission and the public may identify issues to be placed upon the list of issues which the review commission may subsequently deliberate. A deadline shall be established for accepting issues.

The Commission shall approve, by majority vote, an initial agenda of issues to be considered, and a schedule of meetings at which the several approved issues shall be discussed. Prior to completion of the discussion meetings, additional issues shall be added and scheduled upon the request of four or more members.

After completion of the scheduled discussion meetings, additional issues may be scheduled with the concurrence of a majority of the Commission.

Any issue may be stricken from further consideration at discussion meetings with the concurrence of two-thirds of the members present, but not less than eight (8) members.

- B. **Decision Agenda:** The Commission shall approve, by majority of the whole commission, a schedule and agenda of meetings at which approved issues and approved sample text shall be considered for inclusion in proposed Charter Amendment(s).

After an issue has been discussed, the Commission may instruct the appropriate staff to prepare sample text for its review at a scheduled meeting.

A proposal and text may be approved for tentative inclusion as proposed Charter amendment(s), or the tentative proposed Charter amendment(s) may be amended, with the concurrence of two-thirds of the members present, but not less than eight (8) members.

- C. **Final Adoption and Transmittal:** After all public hearings, the Commission shall amend if necessary, approve and transmit the proposed Charter Amendments, if any, for Columbia County, and a proposed ballot title and summary of the substance and chief purpose of the measure, with the concurrence of two-thirds of the members present, but not less than eight (8) members.

Rule 11. Voting Generally: Each member present shall vote, unless a conflict of interest exists, in which case said conflict shall be publicly stated prior to the vote and filed in writing with the County Manager, as approved by law.

Rule 12. Official Rules of Order: Except as otherwise provided in these rules of procedure, Robert's Rules of Order Revised (75th Anniversary Edition) shall apply in matters of procedural conflict for the Commission, committees, and study committees. However, Robert's Rules of Order is superseded by Florida Statute 286.012 with respect to the chairman voting.

Rule 13. Duties of the Chair: The Chair shall:

- a. Preside at all regular and special meetings of the Commission;
- b. Represent the Commission at all functions and activities so requiring (but without authority to state any position of the Commission not previously approved);
- c. Serve as ex-officio (non-voting) member of all committees;

- d. Be charged with the responsibility of making all committee assignments and appointment of all chairs of committees;
- e. Call special meetings where necessary;
- f. Coordinate publicity;
- g. Approve all disbursement requests, certifying that the disbursement has been duly approved by the entire Commission.

Rule 14. Duties of the Vice-Chair: The Vice-Chair shall perform the duties of the chairman in the absence or inability to serve of the latter.

Rule 15. Duties of the County Manager: The County Manager shall:

- a. Prepare, dispatch, file and otherwise process all correspondence for the Commission as a whole;
- b. Provide for the reproduction or copying of such records as may be requested by the public in a reasonable period of time and at a rate consistent with Columbia County policy.
- c. Maintain accurate records showing the nature, purpose and amount of all expenditures made on behalf of the Commission;
- d. Coordinate with the Office of the Clerk of Court in connection with the proof and filing of all disbursement requests and other administrative requirements;
- e. Perform other duties as prescribed by the Chairman.

Rule 16. Duties of the Clerk of Court: The Clerk of Court shall:

- a. Be custodian of all records of the Commission;
- b. Keep an address and attendance roster;
- c. The Clerk of Court shall make all minutes available to the public and open for inspection at all reasonable times. The attendance roster shall likewise be open for inspection by any member and by the public at any reasonable time;

- d. Provide for the reproduction or copying of such records as may be requested by the public in a reasonable period of time and at a rate consistent with Columbia County policy;
- e. Perform other duties as prescribed by the Chairman.

Rule 17. Committees: The Commission may authorize the appointment of Committees as it sees fit to plan and administer ministerial functions of the Commission, or to investigate and report to the full Commission on studies of special departments or functions of the existing or proposed government, or for any other lawful purpose; provided that no Committee shall have any final authority vested by law in the full Commission.

Rule 18. Policy on Publicity: Every effort shall be made to insure that the proceedings of the Commission are made available to the news media. No attempt shall be made to inhibit the normal processes of the news media. Public statements by the Commission or by study committees shall be coordinated through the Chair and the Executive Assistant. Members of the Commission may make public or private statements of their personal feelings, attitudes or beliefs at any time. In making such statements, however, members of the Commission shall on every occasion make an affirmative statement that their views are not represented as the views of the Commission as a whole. The Chair of the Commission shall be responsible for announcing the adopted positions of the Commission.

Rule 19. Amendment: These rules and policies shall be the by-laws of the Commission and may be amended by an advance notice and an affirmative vote of two-thirds (2/3) of the members of the Commission present and voting. To satisfy the advance notice the amendment itself, or "notice of such amendment," shall be submitted at the previous regular meeting. The advance notice and vote cannot take place during the same regular meeting.



MEMORANDUM

TO: Columbia County Charter Review Commission

FROM: Kurt Spitzer

DATE: January 17, 2012

RE: Redistricting

This Memorandum reviews the subject of redistricting, which was identified for further discussion during the last meeting of the Charter Review Commission (CRC).

Redistricting of the County Commission is largely controlled by state and federal policy. It must occur at least every ten years, during the first odd-numbered year after the U.S. Bureau of the Census completes the decennial census. It is a process by which the principle of "one-person, one-vote" is furthered.

Several factors are balanced together in the process to attain this goal, to preserve "communities of interest" and to develop boundaries that are easily understood by the voters. Criteria are considered in total, with population being the dominant (but not absolute) factor.

Generally, the common factors that are considered are as follows:

1. **Population.** The population of each district should be as nearly equal in population as is possible. Generally, the closer to the average district population, the better and deviations from the average district size of more than 5% (over or under) should be equalized by adjusting district boundaries or the underlying public policy reason as to why an exception to the practice is warranted should be well-documented. "Population" is total population and not registered voters.
2. **Minority Population.** The new district boundaries should avoid diluting the voting strength of the minority population of the county by splitting that population into two or more districts ("cracking") or concentrating a significant number of minority residents residing in two or more districts into a single district ("stacking").

3. **Contiguity.** The different parts of each district must be connected to one another. While a water body may separate different parts, they may not be separated by another district.
4. **Compactness.** While each district need not be a perfect circle or square, they should be relatively compact. Serpentine or "bizarre" shapes should be avoided.
5. **Easily understood boundaries.** Districts should recognize and follow, where possible, significant man-made and natural boundaries, such as major roads, rivers, water bodies, etc.
6. **Neighborhoods and cities.** The districting plan should attempt to avoid splitting existing neighborhoods and cities into two or more different district boundaries.
7. **Recognition of existing districts.** The districting scheme may consider the area from which incumbents are currently elected and may seek to ensure that the new districts preserve the general boundaries of the existing districts. Doing so recognizes the preference of the voters as expressed by electing the incumbent Commissioner and is more easily understood by the voters.

None of the criteria by themselves are considered to be absolute; they are balanced against one another. However, equal population and preservation of minority voting strength are generally given a higher value than the other criteria.

Redistricting Process

The Florida Constitution requires that the Board of County Commissioners divide the county into districts of contiguous territory as nearly equal in population "as practicable" after each decennial census. Chapter 124, Florida Statutes, provides that the County Commissioners adjust the boundaries of the districts to keep them as nearly equal in population as is possible, although changes to the districts may be made only in odd-numbered years.

Thus, redistricting is performed by the County Commission, must occur in the first odd-numbered year after the census and may occur more frequently than that but only during odd-numbered years. Within these confines and those of federal law, the charter may provide guidance in the county's redistricting process.

The current language of the charter tracks that of the state constitution and statutes. It also contains language encouraging the cities within the county to not be divided or split by the revised commission districts.

Brevard County Charter Example

While most charters are similar to Columbia in terms of policy on redistricting, the charter could contain additional processes and/or policies concerning the redistricting process. An example of that is found in the Brevard County charter.

"In the first odd-numbered year after each decennial census, or more frequently where allowed by this section, the Board of County Commissioners shall cause the county to be divided into County Commission districts of contiguous territory as nearly equal in population as practicable. Redistricting shall be the responsibility of a Committee appointed in the same manner as a Charter Review Commission under this Charter. The recommendations of the Committee shall be made directly to the Board of County Commissioners which shall approve or disapprove them without amendment. In its recommendation the Committee shall, to the extent practicable, preserve the several municipalities and geographically cohesive racial or ethnic minority communities from fragmentation. Redistricting more frequently than decennially shall be permitted only where the population of a district has been changed by more than 25% since the last redistricting."

The Brevard example places a specific emphasis on preserving cities within district boundaries, and also on not fragmenting racial or ethnic communities. It creates an independent committee to make recommendations on new redistricting plans to the Board of County Commissioners for their approval or rejection.

After this section of the charter was adopted by the voters, two redistricting exercises have occurred. On one occasion, the redistricting Committee was staffed by an outside consultant; during the other, by county staff.

I look forward to meeting with you later this month. In the meantime, please feel free to contact me if you have any questions.

KS/



MEMORANDUM

TO: Koby Adams, Chair
Columbia County Charter Review Commission

FROM: Kurt Spitzer

DATE: January 18, 2012

RE: Discussion Issues

During the last meeting of the Charter Review Commission (CRC), the CRC's schedule and adding discussion items the schedule were discussed. The attached list of potential issues and a draft schedule were distributed to the members of the CRC.

I suggest that the CRC members review the list of potential issues and identify the issues to add to the "discussion agenda" and any other topics not on the attached list. This process will ensure that issues may be calendared for discussion during future meetings.

Adding a topic to the discussion agenda simply means it is a topic that the CRC would like further information on so that the possible inclusion of a subject for consideration as a charter amendment may proceed.

Please contact me if you wish to discuss.

KS/

Enclosures

Basic Options List

Columbia County Charter Review Commission

1. LEGISLATIVE "BRANCH" – County Commission

- A. Districting
 - All elected at-large
 - *Five Single member – current practice*
 - Mixed – combination of single and at-large
 - How many members – 5, 7, other number?

- B. Elected on What Basis?
 - *Current Practice – nonpartisan*
 - partisan

- C. Length of Term
 - *Current Practice – 4 years*
 - 2 years, other number of years?
 - 2 years for District Commission Seats, 4 years for At-Large Seats

- D. Limits on Terms
 - *No Limitations – current practice*
 - Two Terms, Three Terms, etc. (?)
 - Different Limits for Different Seats (single member v. at-large)

- E. Salaries
 - *as in state law – current practice*
 - set by Charter
 - set by Commission

2. EXECUTIVE BRANCH – County Administrator

- A. *Appointed Administrator – current practice*
 - Selection
 - *simple majority vote – current practice*
 - extraordinary majority vote

 - Termination
 - simple majority
 - extraordinary vote
 - *Simple majority vote on two concurrent meetings – current practice*

Qualifications – in charter or by ordinance?

- residency
- training and education

Noninterference clause – current practice

B. Elected Position

- Elected “Weak” Chairman – example: Tallahassee
- Elected Chairman – example: Orange County, Orlando
- Elected Executive – example: Tampa, Miami-Dade, Jacksonville/Duval

C. Major Departments

- *Department Head Appointment & Termination – current practice - Appeal to BCC*

D. Uniform support services

- Specify in charter?
- Available to other elected offices
- Applicable (required of) to other elected offices

3. CONSTITUTIONAL OFFICERS

A. *Leave as in current law – current practice*

B. Revise Status

Uniform Support Services

- Budget
- Personnel
- Data processing
- (Independent) performance audit/reviews
- Purchasing
- Risk Management
- Legal Services

Salaries set by state law – *current practice*

Term Limits (?)

Non-partisan elections – current practice

Recall – current practice

Alternative Selection Method:

- Elected charter officers (department heads) – which ones?
- Appointed charter officers (department heads) – which ones?

4. LEGAL SERVICES - County Attorney

- A. Selection
 - *Current Practice – Elected Position*
 - Alternative Hired/Fired by BCC based on qualifications and performance
- B. Qualifications
 - Set by Ordinance
 - Establish in Charter
 - Residency
- C. Provides services to
 - Commission and Executive branch
 - Other Elected officers
 - Advisory Committees and Commissions

5. GENERAL POWERS and MISCELLANEOUS PROVISIONS

- A. Conflict with municipal ordinances
 - city prevails
 - county prevails
 - *county sets minimal policy in certain areas, city may exceed (e.g. planning or environmental matters)*
 - ✓ *Current practice:* *Adult Entertainment*
 - Environmental Protection*
 - Outdoor burning*
 - Hours of sale of alcoholic beverages*
 - Animal control*
 - Weapons & Firearms*
 - LOS standards for county roads*
- B. Initiative (ordinances)
 - on what subjects
 - by what percentage of electorate

- C. Charter amendments
 - by BCC
 - by charter review commission
 - by electorate

- F. Charter Review Commission
 - Meets how often
 - When is first meeting
 - Composition
 - Exclusions from membership

- G. Authorization for Repeal of Charter
 - by whom?

Timeline
Columbia Charter Review Commission
November 10, 2011
DRAFT

Subject		Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	through	Nov
	<i>Date:</i>	10										
	<i>Time:</i>	6:00										
General Overview		x										
Set Initial Discussion Agenda				x								
Discussion Issues - 1				x	x							
Discussion Issues - 2					x	x						
Discussion Issues - 3						x	x					
Discussion Issues - 4							x	x				
Discussion Issues - 5								x	x			
Policy Review/Decision Meetings								x	x			
Adopt Final Recommendations								x	x			
Public Hearings									x	x	x	
Review Draft Report										x	x	
Discussion of Public Education Effort											x	
Amendments to BCC											x	
Final Report to BCC											x	
Ballot Q. to Supervisor											x	
Public Education Effort												x
General Election												

Redistricting at the Local Level:

Transparency is the Key to Building Consensus

by Kurt Spitzer

The attention of most municipal officials in Florida was recently directed to the legislative session and measures to restructure state and local governments. But it's not too early for cities to begin considering the idea of restructuring at the local level.

With the April release of the official 2010 population data by the U.S. Census Bureau, most municipal and other local governments will begin to examine potential changes to their governing body's district boundaries to ensure adherence to the principal of "one person, one vote" and the provisions of the Voting Rights Act.

Equalizing the district populations is accomplished through redistricting, which is the adjustment of the boundaries of council districts within a city so that each district has a population that is roughly equal to all others, while ensuring that other legal requirements are met.

Within the confines of statutes, case law and the provisions of the municipal charter, redistricting is the prerogative and duty of the governing body of the city. It is the city council or commission that has the authority to make adjustments to the district boundaries of its legislative body.

The local redistricting process need not be characterized by a contentious, heated debate that spills into the courts, as it sometimes is at other levels of government. By following a few simple procedures and using generally accepted criteria, any city can enjoy a smooth process.

Openness

All actions taken by municipal officials are subject to Florida's Sunshine and public-records laws. But extra efforts should be made in the redistricting process to ensure that it is accomplished in a transparent manner and that input is solicited from city residents. It is important to plan well-publicized workshop meetings on redistricting of the city council, possibly holding such meetings in each individual district and using the city's website to keep residents informed.

Criteria

While the ultimate decision concerning new district boundaries will be made by the city council or commission, following established criteria will help ensure a smooth process that is understood and accepted by the community, is accomplished on time and stays out of the judicial system.

Here are some of those criteria:

Population – Districts must be as nearly equal in population as is possible or practicable. While it is impossible to have districts that are exactly equal in population, the initial policy goal should be to set a deviation from the average district size that is as small as possible. Usually a deviation of less than 3 percent is a good target.

Note that "population" does not mean registered voters but all people counted by the Census Bureau. In some cases, voting age population may be used instead of total population, and convicted felons in state or federal prison may be excluded.

Two districts that have populations with a difference in population of more than 10 percentage points may raise a "red flag" with the courts. In such cases, the underlying rationale or public policy necessitating such a deviation should be well documented.

Minority Voting Strength – The federal Voting Rights Act is intended to protect the voting power of certain classes, such as racial or other minorities. If the population of a protected class is compact, sufficiently large and politically cohesive, the district bound-

aries should be drawn so that members of the group can elect representatives of their choice.

The districting plan must not dilute the voting strength of minorities. Two common ways that minority voting strength is diluted and should be avoided are:

▲ **Packing** – Locating most of a minority population into a single district so as to dilute their influence in other districts.

▲ **Cracking** – Splitting the minority population into two or more districts so as to dilute their influence in all districts.

Census Blocks – Cities should use the data provided by the Census Bureau. This is the most recent information that is readily available and is presumed to be valid. Most redistricting software comes with the 2010 census data embedded in it.

The smallest unit of information available from the Census Bureau is census blocks. While the census data are the best we have, there may be glitches that are apparent only to local officials or to people familiar with the software, so be sure to check for anomalies in the data.

Other relevant information should be added to the city's database, such as major roads, neighborhoods, and significant natural features including lakes or streams, before moving ahead with the process.

District Shape and Boundaries – While following the primary criteria as described above, the objective should be to develop a system that is logical, easy for voters to understand, and that preserves communities of interest. Here are four common-sense guidelines to follow:

▲ **Bizarre Shapes** – Avoid them! Serpentine or other extreme shapes that have no valid underlying public-policy objective should be avoided. They may also raise a "red flag" with the courts. Generally, the more compact a district, the better.

▲ **Recognize Existing Boundaries** – Attempting to keep the

new boundaries as similar as possible to the old boundaries recognizes the will of the voters who elected the incumbent and avoids drawing an incumbent out of his or her district.

▲ **Significant Geographic Features** – District boundaries should follow significant manmade or natural boundaries, such as primary roads and major water bodies.

▲ **Neighborhoods** – The redistricting plan should attempt to preserve neighborhoods by not splitting them into two or more districts.

The Process

The first step in the redistricting process is to layer the current district boundaries on top of the new census data. It is possible that an analysis will show that no boundary adjustments are required. If such is the case, develop a record, readopt the boundaries, and you're done!

If the new data show a significant imbalance, the city should discuss and adopt its criteria or guidelines; develop a plan for garnering public input; prepare draft maps; and plan for public hearings.

The process of reviewing alternative maps and redistricting plans is an iterative one. One, two or several alternative maps that are legally sufficient can be presented for public review and comment. As input is received, the city may narrow the alternatives down to one or two for final consideration.

A knowledgeable, impartial facilitator is important in ensuring a successful redistricting process.

A transparent, public process is key to adopting new district boundaries in a manner that is based on consensus, operates smoothly and avoids challenges in court.

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