

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON:	April 13, 2005
SUBJECT/TITLE:	Executive Compensation – City Officials
TARGET ISSUE:	

STATEMENT OF ISSUE

At the conclusion of the last performance evaluation process for appointed officials, the City Commission directed that a pay study be conducted to determine if compensation for City officials was appropriately aligned to the market. In response to that directive, Human Resources conducted a nationwide pay and benefits survey. The results of that survey support compensation adjustments which must be approved by the City Commission prior to implementation.

RECOMMENDED ACTION

It is recommended that the City Commission approve Options 1 and 2.

FISCAL IMPACT

Sufficient funding is available in the FY05 budget to cover costs for the recommended pay adjustments and benefits enhancements.

<i>Gloria Hall McNeil</i>	<i>David Reid</i>
Gloria Hall McNeil	David Reid
Director – Human Resources	Director – Management & Administration

ITEM TITLE: Executive Compensation – City Officials

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

At the direction of the City Commission, Human Resources conducted a nationwide pay and benefits study to determine if compensation for City officials was properly aligned to the market. Responses were received from forty-seven jurisdictions and analyzed in accordance with standard classification and pay methodology.

Salary rates for the City Manager and City Attorney were found to be below the surveyed market rate by 8.75% and 4.87% respectively. At the executive level, the market rate is the minimum rate of pay at which incumbents could reasonably be replaced. The salary rate for the City Auditor appears to be properly aligned to the market. No determination could be made with regard to the salary rate for the City Treasurer-Clerk based solely on the survey data as that data was found not to be sufficiently valid. Due to the unique combination of responsibilities (typically handled by several different positions in other organizations) and direct reporting relationship to a legislative body, it is difficult to obtain valid matches for this position in the market. However, using the past practice of extrapolating a pay rate for this position based on the rates of the other appointed officials would suggest that the salary rate for the City Treasurer-Clerk is approximately 2.5% below market.

In order to ensure that FY05 merit increases for appointed officials (which have not yet been awarded) are applied to a market-aligned salary rate, adjustments resulting from this study should be effective retroactive to the beginning of the fiscal year.

With regard to those benefits unique to executive classifications, the survey results revealed that a deferred compensation benefit is commonly found in the compensation packages for City Manager and City Attorney, but is less often a component of the compensation packages for City Treasurer-Clerk and City Auditor. Overall, the benefits provided to executives appear to be consistent with the market and are therefore externally competitive. However, benefits, like pay, must be aligned not only with the external market, but also internally with positions of substantially similar value or worth to the organization. In the City's classification and pay system, for example, the City Auditor and the City Treasurer-Clerk are assigned to the same pay band as the City Attorney and the City Manager to order to maintain internal equity in light of their common reporting relationship.

For compensation administration purposes, employees are assigned to one of several discrete categories (i.e., general employees, police, fire, senior management, executive management, appointed/elected officials). While there may be some variation in individual dollar amounts, the intent is that all members of each group share a common set of benefits. This is true for each employee category except for appointed/elected officials, where granting a deferred compensation benefit only to the City Attorney and the City Manager has created an internal inequity. In order to cure that inequity, it is recommended that a deferred compensation benefit be extended to all members of that group.

OPTIONS

1. Approve the pay adjustments necessary to bring the salaries of the City Manager, City Attorney, and City Treasurer-Clerk in line with the market, effective September 18, 2004.
2. Approve extension of the deferred compensation benefit currently provided to the City Manager and City Attorney to all members of the appointed/elected officials group, consistent with the City's practice of providing a common set of benefits to all members of a compensation category, effective September 18, 2004.
3. Do not approve pay and benefits adjustments.

From minutes of 4-13-05 CC mtg.
EXECUTIVE COMPENSATION – CITY OFFICIALS

Item 17, presented by City Manager Favors, was a **staff recommendation to approve pay adjustments necessary to bring the salaries of the City Manager, City Attorney, and City Treasurer-Clerk in line with the market, effective September 18, 2004 – requiring a 8.75% increase for the City Manager, a 4.8% increase for the City Attorney, and a 2.5% increase for the City Treasurer-Clerk (Option 1), and to approve extension of the deferred compensation benefit currently provided to the City Manager and City Attorney to all members of the appointed/elected officials group, consistent with the City's practice of providing a common set of benefits to all members of a compensation category, effective September 18, 2004 (Option 2) (as recommended by Human Resources).**

City Manager Favors advised that at the direction of the City Commission at the conclusion of the last performance evaluation process for appointed officials, Human Resources had conducted a nationwide pay and benefits survey, and the results of that survey was supportive of compensation adjustments as presented in the agenda item.

Commissioner Gillum ascertained from Director of Human Resources Gloria Hall McNeil that in looking at comparable cities for the survey, the staff had taken into consideration such things as the size of the budget, complexity of services, employee size and population size.

Commissioner Mustian requested that the issues be separated and he ascertained from Ms. McNeil that the recommended amounts were based on 60% of the median of those surveyed. She clarified that the 60th percentile was also the target established for all other City of Tallahassee positions.

Commissioner Mustian acknowledged that in the past, the 60th percentile had been an aspirational goal but there were instances that 60% could not be attained for the general City employees. He stated that he, therefore, would like something less than 60% and he **moved to approve the pay adjustments for the City Manager, City Attorney, and City Treasurer-Clerk at 50% of the median. The motion died for lack of a second.**

Commissioner Lightsey **moved to approve Options 1 and 2 as presented**, and she opined that the 60% was justified by Tallahassee's appointed officials' responsibilities, workload, size of budgets, and in comparison with Leon County.

Commissioner Katz seconded the motion and **the vote on the motion was as follows:**

AYE: Commissioners Marks, Gillum, Lightsey and Katz

NAY: Commissioner Mustian

Commissioner Mustian stated that his concern with Option 2 was based on his opinion that such action should be done through a Charter amendment, but stated that he would defer to the majority of the Commission on that issue.

At the request of Mayor Marks, City Attorney English clarified that the restriction in the Charter dealt with salary while Option 2 dealt with the retirement benefit package, which was not restricted by the Charter.

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON:	January 14, 2004
SUBJECT/TITLE:	Charter Review Committee Final Report
TARGET ISSUE:	N/A

STATEMENT OF ISSUE

On November 5, 1996, City voters approved a referendum on the establishment of the "Leadership Mayor," and as a result, the City's first directly elected Mayor was elected in February 1997. The referendum ballot also included the establishment of a Charter Review Committee (CRC) to convene in the month of November 2003 to review the roll, duties and functions of the Mayor and City Commissioners, and to make recommendations for any Charter amendments deemed appropriate and necessary by the Committee.

The CRC has completed its required review of the City Charter and the roll, duties and functions of the Mayor and City Commissioners, and has submitted the attached report for the Commission's consideration. Committee Chair Candice J. Crawford will formally present the CRC's report and be available to respond to any questions.

The Charter requires that a public hearing be held on the report, and staff recommends that this public hearing be scheduled for the meeting of January 28, 2004.

RECOMMENDED ACTION

Option 1. Accept the Charter Review Committee report and set the date to conduct a public hearing to discuss the Committee's recommendations. Staff recommends that the public hearing be conducted on January 28, 2004.

FISCAL IMPACT

Signed version in EDMS.

Gary Herndon
City Treasurer-Clerk

James R. English
City Attorney

For information, please contact: Gary Herndon (x8130) or Jim English (x8554).

ITEM TITLE: Charter Review Committee Final Report

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

In August 1996, a "Leadership Mayor" study committee was convened, which recommended that a referendum be held to change the City's ceremonial Mayor position from a one-year rotating position to a directly elected Mayor with a four-year term. This committee also recommended that the role, powers and duties of the Mayor be determined by the City Commission and that a subsequent referendum on these changes be held within 8 years after moving to the directly elected mayor to see if the public still supported the change. In September 1996, the Commission approved ballot language necessary to transition to a directly elected Mayor, but chose to convene a Charter Review Committee (CRC) to determine if the new system was working as originally envisioned, rather than schedule a prospective referendum question for November 2004.

In compliance with Article VI, Division 3, Sections 2-251 and 2-252 of the City Charter, the CRC was appointed by the Commission on October 24, 2003, and was charged with the responsibility of examining the role, function and duties of the Mayor and City Commission. This review was to evaluate if the change to a directly elected Mayor had proved to be successful, as well as to determine if any other changes should be considered. The CRC held four meetings during November and December 2003, and completed its review within the required 60 days of appointment. The following points reflect the CRC's recommendations:

- Continue the existing form of government (Commission-Manager form with a directly elected Leadership Mayor), with the Mayor retaining the current responsibilities and powers.
- At the point in time when the population of the City of Tallahassee significantly increases, explore the feasibility of transitioning from a Leadership Mayor to the establishment of a Strong Mayor, with duties more aligned to a Chief Executive Officer.
- Increase the salary of the Mayor to equal the lowest salaried Constitutional Officer in Leon County.
- Increase the salary of the City Commissioners to 65% of the Mayor's salary.
- Extend the transition period between the final election date and the installation of the Mayor and newly elected Commissioners from three days to no longer than 20 days.
- Provide no recommendation as to the City's election dates. A citizen-initiated referendum could require City election dates to coincide with State or Federal elections dates in the fall.

ITEM TITLE: *Charter Review Committee Final Report*

- Amend Commission Policy 110 (Citizen Advisory Boards Guidelines). Commissioners may advise the Mayor or recommend potential appointees. However, the CRC acknowledges that this issue could potentially be handled by recent staffing changes. This amendment would require the Mayor to provide 10 days notice to Commissioners of his/her intent to formally recommend an appointment(s) to Charter, Regulatory and Quasi-Judicial boards that are subject to Commission concurrence at a City Commission meeting
- Rather than reduce the number of meetings, amend Part I, Subpart A, Section 17 of the City Charter to provide that the Commission meet not less than once each month to provide more flexibility for meeting schedules.
- Appoint a Charter Review Committee in October 2008 to review the roll, duties and functions of the Mayor and City Commissioners, and to make recommendations for any Charter amendments deemed appropriate and necessary by the Committee. Appointed Committee members will have 60 days to review and submit a report to the City Commission.

The City Charter requires the City Commission to accept the report and schedule a public hearing to review the Committee's recommendations. Following the public hearing, the City Commission will decide which Charter Review Committee recommendations the Commission will support, and shall implement such recommendations through the Charter amendment process.

OPTIONS

1. Accept the Final Report as submitted by the CRC, and schedule the required public hearing for January 28, 2004.

ATTACHMENTS/REFERENCES

CRC Final Report.

Minutes of CRC meetings of November 3, November 18, December 2, and December 9, 2003.

List of CRC members.

CITY OF TALLAHASSEE CHARTER REVIEW COMMITTEE
REPORT AND RECOMMENDATIONS
DECEMBER 9, 2003

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.

In October 2003, the following citizens were appointed by members of the City Commission to constitute a "first" Charter Review Committee:

Candice J. Crawford, Chair	Bryan M. Desloge, Vice-Chair
Mark Hillis	Henry C. Hunter
James Elliott Messer	Michael R. Moore
Eric Riley	Michael Sheridan
Raymond C. Sittig	J. Larry Williams

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. The CRC conducted four meetings to fulfill its charge.

During the Committee's deliberations, presentations were made by Commissioner Debbie Lightsey, former City Commissioner Meisberg, City Manager Anita Favors, Leadership Mayor Committee Chair Kim Williams, Florida League of Cities representative Lynn Tipton, Mayor John Marks and former Mayor Scott Maddox.

Each person discussed personal observations, perceptions and suggestions pertaining to the current role and powers of the Mayor and Commission as well as their relationship to the duties and responsibilities of the City Manager.

As the result of this testimony, combined with a review of information relating Tallahassee to comparable Florida cities, the following recommendations are presented:

- Continue the existing form of government (Commission-Manager form with a directly-elected Leadership Mayor), with the Mayor retaining the current responsibilities and powers
- At the point in time when the population of the City of Tallahassee significantly increases, explore the feasibility of transitioning from a Leadership Mayor to the establishment of a Strong Mayor, with duties more aligned to a Chief Executive Officer
- Increase the salary of the Mayor to equal the lowest salaried Constitutional Officer in Leon County

- Increase the salary of the City Commissioners to 65% of the Mayor's salary
- Extend the transition period between the final election date and the installation of the Mayor and newly-elected Commissioners from three days to no longer than 20 days
- Provide no recommendation as to the City's election dates. A citizen-initiated referendum could require City election dates to coincide with State or Federal elections dates in the fall
- Amend Commission Policy 110 (Citizen Advisory Boards Guidelines). Commissioners may advise the Mayor or recommend potential appointees. However, the CRC acknowledges that this issue could potentially be handled by recent staffing changes. This amendment would require the Mayor to provide 10 days notice to Commissioners of his/her intent to formally recommend an appointment(s) to Charter, Regulatory and Quasi-Judicial boards that are subject to Commission concurrence at a City Commission meeting
- Amend Section 17 of the Charter to provide that the Commission meet not less than once each month to provide more flexibility for meeting schedules rather than reduce the number of meetings
- A Charter Review Committee is held in October 2008. Appointed Committee members will have 60 days to review and submit a report to the City Commission

The CRC deliberated the above recommendations and confirmed the concept that the Charter should include only basic and essential information. The Commission must retain the ability to make recommendations for changes to the government and its operation.

Respectfully submitted,

Candice J. Crawford
Chair

**MINUTES
CITY OF TALLAHASSEE CHARTER REVIEW COMMITTEE MEETING
DECEMBER 9, 2003**

The City of Tallahassee Charter Review Committee (Committee) met on December 9, 2003 in the Commission Chamber in City Hall with Committee Members Candice Crawford (Chair), Bryan Desloge, Mark Hillis, Henry Hunter, Elliott Messer, Michael Moore, Eric Riley, Raymond Sittig and Larry Williams present. Also present were City Treasurer-Clerk Gary Herndon, City Attorney Jim English, Records Administrator Paula Cook and Recording Secretary Eloise Gramling.

Chairperson Crawford called the meeting to order at 5:35 p.m.

Approval of the Minutes

Chairman Crawford called for approval of the minutes of the meeting held December 2, 2003.

Mr. Sittig noted a correction to the minutes, indicating Mr. Desloge had been the seconder of his motion to narrow and prioritize the Committee's charges.

Mr. Messer noted a correction to the minutes, indicating that he had not opposed the motion by Mr. Williams to make no recommendation on the election cycle issue. Mr. Moore stated that he had cast the negative vote on that motion.

Mr. Sittig moved to approve the minutes of the December 2nd meeting as amended as corrected and upon second by Mr. Desloge, the vote was 9-0 (Committee Member Sheridan being absent).

City Commission Meetings

City Treasurer-Clerk Herndon advised that one of the City Commissioners had requested that the Committee consider amending the section of the Charter that required two meetings of the City Commission per month, for a total of 24 required meetings per year, to provide more flexibility to the Commission. City Attorney English explained that there had been times when this had been a problem although the City Commission actually met approximately 40 meetings a year. Discussion focused on how more flexibility might be provided in terms of the Commission's monthly meetings of the City Commission.

Mr. Sittig moved to change the provision to require the City Commission to meet regularly not less than 24 meetings a year and Mr. Desloge seconded the motion.

Mr. Messer expressed a preference for confining the flexibility to the month because he believed the Charter language indicated a preference for meetings to be held twice a month. He suggested that the City Commission be required to meet no less than once a month and to have at least 24 meetings a year.

Discussion continued and City Treasurer-Clerk Herndon advised that 24 meetings a year was considerably less than what actually occurred as the City Commission held a minimum of 30-36 meetings a year. He advised that the City Commission's meeting schedule was published and adopted by the City Commission for the calendar year. City Attorney English described the current general meeting schedule of the City Commission as meeting the second and fourth Wednesday of each month except for the summer and Christmas break periods when they were moved to other days in the month, and he opined that the Charter language providing for two meetings a month was model charter language. He advised that the Charter provision for the City Commission to meet at such time as prescribed by ordinance or resolution was the adoption of the annual schedule mentioned earlier, and stated that the Charter language provided for the City Commission to meet regularly not less than twice each month.

Additional discussion focused on potential Charter language that would provide the City Commission with additional flexibility with its meeting schedule. Mr. Sittig suggested language to the effect that the Commission would meet not less than regularly once each month, and Ms. Crawford noted that this still allowed for special meetings to be called.

Mr. Williams expressed support for Mr. Sittig's suggestion and **moved to recommend amending Section 17 of the Charter to provide for the Commission to meet not less than once each month.** Mr. Desloge seconded the motion and **the vote was 9-0 (Committee Member Sheridan absent).**

Brief discussion focused on Commissioner Lightsey having been invited to a Committee meeting to comment because she could provide some historical perspective on the Commission under a rotating mayor as well as an elected Leadership Mayor in addition to being on record as originally opposing the Leadership Mayor position, although she was not opposed at the present time.

Mr. Messer opined that the Committee should **clarify that its intent was not to urge the Commission to meet less frequently, but rather, was an attempt to give the Commission some flexibility.** The Committee indicated its concurrence with this clarification and Ms. Crawford **indicated that would be noted in the report to the Commission.**

Salaries of the Mayor and City Commissioners

City Attorney English briefly reviewed the salary data on Leon County's elected Constitutional Officers, which the staff had confirmed and distributed to all Committee members.

Mr. Sittig pointed out a true "home rule" right would be for the City Commission to establish its own salaries and he opined that the salaries of the Commission should be established by the Commission. He recommended some language to the effect that it was the belief of this Charter Review Committee that the time and effort of the elected City officials was substantially more valuable than the remuneration they were currently receiving and the Committee had no objection to increasing that remuneration.

Mr. Riley opined that the Committee's discussion on this issue was that the Committee believed there needed to be some change on the salaries issue, and he clarified that, regardless of the Committee's opinion or recommendation, the Commission would be giving themselves a raise and would still bear the burden of that action if it accepted that opinion or recommendation.

Mr. Hunter questioned why the City Commission salaries should be tied to the County Commissioners, and suggested that was inappropriate since the City Commissioners had a significantly heavier workload, the City had a much larger budget and the City was the capital city of the fourth largest state in the nation. He discussed his opinion that the Committee ought to send a strong recommendation tying the City Commissioners' salaries to a percentage of the average of the median of the County's Constitutional Officers' salaries, and to definitely take it away from the County.

Recalling the testimony that had been given on how the City Commission's current salary had been determined by tying it to half of the County Commissioners' salary, which was unreasonable in his opinion, Mr. Williams discussed his preference to having it tied to an amount equal to the County Commissioners' salaries but accomplishing the same goal by having it tied to some median so that the two were in parity although he believed there was reason to have the City Commissioners' salaries higher than the County Commissioners.

Mr. Hillis determined from City Attorney English that the Leon County Constitution Officers' salaries and salary increases were set by a Statutory provision setting statewide the salaries for Constitutional officers based on population, which was adjusted annually based on population increases provided from University of Florida data. Brief discussion focused on the impacts of tying the

City Commissioners' salaries to the Constitutional Officers and Mr. Sittig indicated he would not like to see the City Commissioners placed in the position of the Legislature being able to reduce their pay.

City Attorney English briefly discussed the historic changes to the City Commission's salaries bringing them to one-half of the County Commissioners' salaries in 1982-83, which had in fact substantially raised the City Commissioners' salary.

Brief discussion focused on the time the Mayor and City Commissioners spent working for the City and the after hours obligations that required a considerable amount of time, and Mr. Riley suggested that consideration also be given to the value of the kind of decisions made by the City Commission.

Additional discussion focused on the appropriate amount of salary increase that should be recommended. City Treasurer-Clerk Herndon confirmed that the County Commissioners' salaries were currently set at \$64,453.

Discussion continued and Ms. Crawford called for separation of the issues relative to the salary of the Mayor as opposed to the City Commissioners.

Mr. Williams suggested for discussion purposes to use the median of the Constitutional Officers and set the salary of a City Commissioner at 50% of that median, moving the City Commissioners' salaries from \$3,200 to \$5,600 per month, and making them 50% of the Mayor's salary as opposed to the County Commissioners' salary, and making the Mayor's salary the median of the salaries of the Constitutional Officers. Discussion continued in this regard.

Mr. Moore moved to recommend the salary of the Mayor be set at the lowest of the Constitutional Officers, which was \$98,000, and Mr. Hunter seconded the motion. After brief discussion, Mr. Hillis recommended 75-85% of the median rather than setting the salary of the Mayor at that of the lowest paid Constitutional Officer.

Ms. Crawford urged that the Committee's recommendation be simple and precise.

Mr. Sittig discussed his opposition to the motion and the discussion as it was developing, noting that the Constitutional Officers were full-time elected administrative officials. He opined that the City Commission ought to be able to set its own salaries, and he recommended increasing the City Commissioners' salary at least to the County Commissioners' salary while removing the tie to the County Commissioners' salaries. **Mr. Sittig offered a substitute motion to recommend that all of the provisions in the Charter that restrict the City Commission's ability to set its own salaries be stricken and that the City Commission have the authority to set its own salaries, and to also recommend that they be substantially increased because of the responsibilities and obligations that they have as a City Commissioner.** Mr. Messer seconded the motion.

Mr. Moore opined that the motion might pass but the City Commission would then give it back to a citizens review committee to recommend how much its salaries should be increased. He suggested that this Committee ought to at least give the City Commission a starting point to work with.

Chairman Crawford opined that this Committee should be more specific.

The vote on the substitute motion of Mr. Sittig was 1-8 (Committee Members Crawford, Desloge, Hillis, Hunter Messer, Moore, Riley and Williams opposed, and Committee Member Sheridan absent).

Discussion focused on the motion on the floor to recommend that the salary of the Mayor be set at the lowest of the Constitutional Officers, which was \$98,000. Mr. Messer suggested that an alternative recommendation could be that the salaries of the City Commissioners shall be set by ordinance but shall not be lower than one-half of the County Commissioners' salary or higher than a full

County Commissioner's salary, and the Mayor's salary would be 50% more. He opined that the City Commission had the ability to set its own salaries.

Mr. Desloge stated that he could support Mr. Messer's comments related to an in-between range for the City Commissioners, but emphasized his support for Mr. Moore's motion to have a salary increase for the Mayor.

Mr. Williams stated his agreement with setting a firm amount and tying it to something other than the County Commissioners.

The vote on the motion to set the salary of the Mayor at the lowest of the salary of the Constitutional Officers was 7-2 (Committee Members Sittig and Messer opposed, and Committee Member Sheridan absent).

City Attorney English confirmed with Chairman Crawford that the recommendation was to tie the Mayor's salary to the lowest Constitutional Officer and it would escalate based on population increases.

Mr. Williams moved to make the City Commissioners' salaries 50% of the Mayor's salary and Mr. Moore seconded the motion. Brief discussion ensued and Mr. Hillis offered a substitute motion to increase the City Commissioners' salaries to no less than the Leon County Commissioners' salaries. After brief discussion, Mr. Hillis amended his substitute motion to increase the City Commissioners' salaries to 65% of the Mayor's salary and Mr. Hunter seconded the amended substitute motion.

Mr. Sittig offered an amendment to make the City Commissioners' salaries 85% of the Mayor's salary. He subsequently withdrew his amendment.

The amended substitute motion to increase the City Commissioners' salaries to 65% of the Mayor's salary was passed on a 5-4 vote (Committee Members Desloge, Messer, Moore and Sittig opposed, and Committee Member Sheridan absent).

Chairman Crawford clarified that the recommendation would be for the Mayor's salary to be equal to the lowest paid Constitutional Officer in Leon County, which was approximately \$98,000, and for the City Commissioners' salaries to be 65% of the Mayor's salary.

Report and Recommendations

Discussion focused on a review of the draft Committee Report and Recommendations.

Mr. Sittig moved to strike the proposed recommendation to prospectively consider transitioning from a Leadership Mayor to the establishment of a Strong Mayor, with duties more aligned to a Chief Executive Officer, at the point in time when the City's population significantly increases. He suggested that a future charter review committee could make a decision on that issue and, after brief discussion, he stated that he had no objection to mentioning this as a possibility this Committee had discussed.

Mr. Hunter seconded the motion for discussion. Chairman Crawford suggested that the language could be changed to reflect that this issue had been discussed and it might be appropriate to consider in the future.

The motion failed on a vote of 3-6 (Committee Members Crawford, Desloge, Hunter, Moore, Riley and Williams opposed, and Committee Member Sheridan absent).

Chairman Crawford noted that the final report and recommendations on the Mayor's salary and City Commissioners' salaries would be changed to reflect the prior actions taken by the Committee.

She clarified the Committee's intent to extend the transition period between the final election date and the installation of the Mayor and newly elected Commissioner from 3 days to not more than 20 days.

City Elections

Discussion focused on the City's election dates and Mr. Sittig **moved to oppose the referendum that would require City Elections to coincide with Fall Elections**. Chairman Crawford declined the motion as not being germane to the Committee's charge.

Discussion continued and City Attorney English advised that the City Commission could be urged to maintain its authority to set City Election dates.

Mr. Sittig **moved to recommend that the City Commission maintain the home rule authority of the City Commission to set the City's election cycle** and Mr. Riley seconded the motion. Chairman Crawford clarified that the City Commission would not retain that authority if the citizen-initiated referendum passed and City Treasurer-Clerk Herndon confirmed that if the referendum passed, the City Commission would not have the ability to set the date for City elections. He stated that the City Commission would have the option of putting the citizens' petition on the ballot in March at the Presidential Preference Primary or in November, and if the referendum failed, the City Commission had the option of setting the City Election dates. **The motion failed on a vote of 4-5 (Committee Members Crawford, Desloge, Hillis, Hunter, Williams opposed, and Committee Member Sheridan absent)**. Chairman Crawford clarified that the draft language to provide no recommendation on the City's election dates would remain in the Report and Recommendations.

Appointments

Discussion focused on the proposed draft language to amend Commission Policy 110.07 Part II – Membership for Charter, Regulatory and Quasi-Judicial Committees, to provide for more opportunities for City Commissioners to provide input to the Mayor on potential appointees, and requiring the Mayor to provide at least 10 days notice to City Commissioners of vacancies as well as his/her intent to make the appointment.

Chairman Crawford ascertained from City Treasurer-Clerk Herndon that the City policy encouraged diversity on the committees. City Treasurer-Clerk Herndon explained that there were two types of appointments, one that the Mayor could make with no involvement of the City Commission while with the other appointments, which were regulatory or quasi-judicial, the Mayor made a recommendation on the Commission Agenda and the Commission had the ability to approve or reject that nomination.

Mr. Moore questioned if the City Commissioners had an opportunity to submit names to the Mayor for vacant committee/board positions. City Treasurer-Clerk Herndon stated that when the list of committee vacancies and applicants were sent to the Mayor, a copy was also sent to City Commissioners to make them aware of the vacancies and names that were submitted. He opined that procedurally the City Commissioners might like to have some input prior to the list of nominees being on the agenda.

Mr. Sittig pointed out that these appointments were made by policy, which could be changed by the City Commission, and stated that his preference would be for the Mayor to make recommendations for appointments at one Commission meeting to become effective at the next meeting.

Mr. Desloge opined that the intent was to give the Commissioners an opportunity for interaction with the Mayor on these appointment nominations prior to notifying the nominees.

Mr. Messer questioned if this interaction would be prohibited by government in the Sunshine, and City Attorney English opined that this interaction could be made by written communication, such as emails, which would be kept as an open public record.

Chairman Crawford opined that this was a staffing issue that could be resolved and it was considered under the broad duties and responsibilities of the Commission without being part of the Charter.

Chairman Crawford called for a vote on the proposed process change for appointment nominations and **the proposed change passed on a 9-0 vote (Committee Member Sheridan absent).**

Date for a future Charter Review Committee

Mr. Desloge **moved to set five (5) years as a reasonable time for another charter review committee** and Mr. Hunter seconded the motion.

Discussion focused on using the same charter review committee structure and process, appointing 10 members and setting October 2008 as the specific time for the appointment of the committee with 60 days for review and submittal of a report to the City Commission.

The motion passed on a 9-0 vote (Committee Member Sheridan absent).

Conclusion

Chairman Crawford advised that the staff would distribute a corrected draft of the report and recommendations for review, keeping the report brief, and she would attend the City commission meeting on January 14th to present the report. She requested that all members of the Committee try to attend that meeting.

There being no further business, the meeting was adjourned at 7:34 p.m.

Candice J. Crawford, Chair

Gary Herndon
City Treasurer-Clerk

PC/ecg/12-17-03