CRESTVIEW CHARTER REVIEW COMMITTEE

Meeting Agenda

Thursday, June 29, 2017

6:00 p.m. to 7:30 pm

• Call to order.
• Approval of Minutes from June 13, 2017.
• Review of the Mission Statement and Scope of Duties.
• Review of the Sunshine Law.
• Evaluation Review of Current Charter.
• Review the Forms of Municipal Government.
• Committee Discussion.
• Supply/Receive any Information, Data or Research Request.
• Confirm next Meeting date.
• Adjourn meeting.

Note: Information concerning the Charter Review Committee and the current Charter document may be found on the city’s web site at: http://www.cityofcrestview.org/340/Charter-Review-Committee

Note: The City of Crestview, Florida does not discriminate upon the basis of any individual’s disability status. Anyone requiring reasonable accommodation as provided for in the American With Disabilities Act to insure access to and participation in the meeting should contact the Office of the City Clerk at (850)682-1560 prior to the meeting to make appropriate arrangements.
• Call to order.
• Approval of Minutes from June 13, 2017.

This action will require a motion for approval, a second and a vote by the Committee.

A typical motion:
“I move to approve the meeting minutes of June 13, 2017.”

The Chairman will call for a second.

Typically: “I second” is sufficient.

The Chairman will call for a vote by the Committee.

We shall accomplish that by a show of hands.
CONVENE - The Charter Review Committee meeting was called to order at 6:00 p.m. on Tuesday, June 13, 2017, in the City Hall Council Chambers.

Ms. Teresa Gaillard, Administrative Assistant to City Council welcomed committee members to the orientation meeting of the board. She requested that each member introduce themselves to other members and provide a brief personal background in order to educate each member to the overall professional experience represented by this Board:

Adrienne McKinnie is from McKinnie Funeral Home and has lived in Crestview for approximately 8 years.

Ellis Conner is a retired city employee; has served 5 years on the City Council, and is a lifetime resident of Crestview.

Andrew Rencich stated he moved to the City in 2011 with the military’s BRAC realignment; he has 14 years of military service and is currently a local business owner.

Eugene Strickland, Director of Missions, Okaloosa Baptist Association, stated he works with 28 Baptist Churches in Northern Okaloosa County.

Michelle Simmons has lived in Crestview since 2006; is a Paralegal for a criminal defense firm; and is currently serving as a member of the Crestview Board of Adjustment.

Warren Robinson stated he is a 17 year resident of the City, retired from the military and a current Civil Service employee. Mr. Robison is also a member of the Board of Adjustment for the City.

Ms. Gaillard presented the information book with dividers and note and question sheets provided. She further advised the Board of the contents in their manual, bringing attention to the request for references, speaker contact information. This will be used to request any research materials or speakers which might bring light to the charge at hand.
Ms. Gaillard presented and explained the Mission Statement for the Board. This is a directive given by the City Council to examine other forms of government and report back to them their findings within 90 days.

She further advised that the City Charter which was prepared in 1963 is the foundation of all City functions. There has not been a comprehensive review since 2009. The City Council desires to have citizenry review the Charter and recommend changes, if any that need to be made within the 90 day period, unless an extension is otherwise approved.

Mr. Holley further expounded on FS 286.011 the Sunshine Law and informed the Board of their need to understand and follow all aspects of this law. Further, he stated all meetings are open to the public for attendance and input. Specifically, he stated the following three items were the synopsis of the documentation which was presented to them.

1. All meetings must be open to the public.
2. Reasonable notice must be given prior to the meeting.
3. Minutes must be taken and properly recorded.

Further, Mr. Holley instructed that members are not allowed to communicate with anyone relating to the Charter other than inside a public meeting. They cannot discuss this action with the City Council or otherwise outside a public venue. Members cannot use a go-between or other means of messengers to communicate. If any member violates the Sunshine Law (the Council being unaware of said violation) and Council approves the committee’s suggestions, and found out later, there could be fines. Any action taken by Council after the violation of the Sunshine Law shall be null and void. Public input will be allowed during this meeting. It is allowable for the board to give a limited amount of time for anyone to address this Board.

The committee must also comply with the Public Records Law FS 119. Anything written, copied, texted, emailed or otherwise provided by this board is to be considered as public records and may be subject to said law. Any notes taken during this meeting shall be construed as public records.

Further discussion ensued regarding the scheduling of the meeting calendar. Mr. Holley advised he would not be able to attend all meetings. Further he stated he has conflicts on Tuesday as he represents the School Board for Walton County.

Mr. Holley suggested that the Board contact Ms. Gaillard for all legal questions or otherwise, in needing his assistance or guidance. Any and all need for research and questions must be directed to Ms. Gaillard if you need legal counsel. She will make contact and he will attend the next meeting to assist you.

The board is tasked with reviewing the Charter, examining all other forms of government which might better meet the needs of the City or create better governance for the community today.

Ms. Gaillard instructed the committee of the need to elect a member to lead the committee (Chairman and Vice Chairman).

Mr. Andrew Rencich volunteered to be considered as Chairman. Mr. Robinson seconded his nomination.

Ms. Gaillard asked if there were others who wished to make a nomination.
Mr. Strickland nominated Ellis Conner, due to his familiarity with the City development and growth. Ms. Simmons seconded that nomination.

Ms. Gaillard asked each nominee to give a brief background history informing the members of their qualifications to serve in this capacity.

Mr. Rencich stated he had served 14 years in the military with various leadership roles. He stated he is a husband with a daughter; has a great amount of experience, and has the ability to foster what currently is best for the citizens of Crestview.

Mr. Conner stated he is honored to serve on this Board. He served on the last committee to review the Charter. However, there was much controversy in the City during that period. He will maintain the meeting flow by implementing Roberts Rules of Order and will recognize all those who have comments to provide to this committee.

Ms. Gaillard asked for further nominations. Hearing none; she followed suggestions of the group with a show of hands vote. Mr. Conner was selected as Chairperson; and Mr. Rencich as Vice-Chairperson.

Ms. Gaillard advised that meetings will be published in the newspaper to meet public notice requirements and in response to Mr. Rencich’s questions, would provide the minutes be transcribed in a timely manner.

A lengthy discussion ensued relative to scheduling future meetings. Mr. Holley has conflicts on Tuesday and it appears that Thursday is the best meeting night for all involved.

Mr. Strickland suggested the meetings be held every 2 weeks. Others agreed that would be necessary to allow for proper study and research time.

The meeting schedule follows as all members agreed on these dates. The meeting dates chosen fall on Thursdays: 6/29/17, 7/13/17, 8/3/17, 8/17/17, 8/31/17, 9/7/17.

The meeting time was also selected as 6:00 PM to begin and end at 7:30 PM.

Ms. Gaillard proceeded to introduce the manual in greater detail to the Board and stated there is a copy of the City Charter in their notebook. Also, there is a listing of the different forms of government for study. She also advised that she is the safe partner for the Board under the Sunshine Law. She will do the research and provide answers as necessary.

Mr. Rencich asked how the procedure is done for the next meeting Agenda. Ms. Gaillard advised that agenda items would come from the Board’s questions or requests. Afterward, she will prepare the data.

Mr. Conner suggested that Mr. Jack Dorman would be a good informational resource to speak, as he is a former City Manager (Destin). He is our current Consultant for the Comprehensive Plan. He was instrumental in the Comp Plan Rescue in 1988. Ms. Gaillard will contact Mr. Dorman and ask him to speak and provide his experience with various forms of government. This information will assist in completing the Board’s mission. The Board will be provided the proper documentation in the types of government and how they interact in order to arrive at your decision.

Ms. Simmons mentioned in a past meeting where a group from Niceville (ISP) could possibly attend and be able to present information to the Board. Further discussion ensued.
Mr. Rencich asked about contacting a specific person or individual who was a part of that group that might be able to provide input.

Ms. Gaillard reminded and cautioned the Board members they must channel through her and she would make contact, request all speakers, and/or obtain other information; and, reiterated that no member should make individual contact without seeking her assistance. She is the sole contact for members and will make arrangements for requests to attend these meetings.

Mr. Robinson suggested that maybe someone from the Okaloosa College might be able to come and speak with the Economics program.

Mr. Rencich suggest obtaining some records for budget comparison or costs of operations one to the other of the various types of government.

Ms. Simmons questioned where one might obtain a copy of previous Council minutes regarding Mr. Studer’s visit with the Council.

At this time, Mr. Conner asked for any public input from the audience. There being none, he called for a motion to adjourn.

The Motion was made by Strickland; seconded by Rencich.

The meeting was adjourned at 6:58 P.M.

______________________________  ______________________________
Secretary                                         Chairman/Vice Chairman
- Review of the Mission Statement and Scope of Duties.

\[This requires no formal action by the Committee.\]
CRESTVIEW CHARTER REVIEW COMMITTEE

The mission, as stated by the City Council, is to examine the City of Crestview’s current structure of government, to examine other various forms of municipal government, to evaluate the same and finally, to make a recommendation back to the Council within 90 days* as to what structure of government the Committee believes our City should utilize.

*[unless an extension has been requested and approved]

EXCEPT FROM SCOPE OF DUTIES:

B. Purpose of the Committee

The CCRC shall be an advisory body to the City Council. The CCRC is established for the purpose of examining our current structure of government, to examine other various forms of municipal government, and to make a recommendation back to the Council as to what structure they believe our city should have, and any changes that is needed to accomplish and facilitate the decision.

C. Scope, Charge and Timetable of the Committee

The CCRC is charged as follows:

a) To review and examine the Crestview City Charter and the current structure of government, to examine other forms of municipal government structure and to determine the most efficient form to meet the needs for the City of Crestview now and forward into the future.

b) To hold public meetings to achieve its mission. The CCRC shall adopt a meeting schedule to as necessary to achieve its purpose. All meetings shall be advertised on the City’s Website and on the City’s notice Board at least one week in advance of all meetings. The meeting notice shall be provided to the local media.

c) To provide a written recommendation back to the Council within 90 days, unless an extension has been requested and approved.
• Review of the Sunshine Law.

This requires no formal action by the Committee.
SUNSHINE LAW

Since this Committee is going to review the City Charter and make recommendations to the City Council, it is subject to the Sunshine Law.

The Sunshine Law is Section 286.011, Florida Statutes, and it requires the following:

1. Meetings of the Committee must be open to the public.
2. Reasonable notices of such meetings must be given, and
3. Minutes of the meetings must be taken and properly recorded.

Because the Committee is subject to the Sunshine Law, Committee members cannot communicate with each other outside of the public meetings to discuss any matters concerning the charter review or other matters that may come before the Committee.

Also, Committee members cannot communicate with City Council members to discuss any matters concerning the charter review or other matters that may come before the Committee.

Communications include talking to each other in person, phone calls, e-mails, text messages, or any other means of communication.

In addition, members of the Committee are not allowed to use a person as a go between to communicate with another board member.

Any violation of the Sunshine Law may result in penalties against the person who violates the law.

In addition, if the Sunshine Law is violated, any action taken by the Committee or the City Council acting on recommendations from the Committee would be null and void.
Any person who attends a meeting of the Committee has the right to make comments and ask questions concerning the matters the Committee is considering or discussing.

**PUBLIC RECORDS**

Florida's public records law is Chapter 119, Florida Statutes, and this Committee is subject to that law. The statute defines public records to include:

- all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

The statute provides that anyone who wishes has a right of access to public records.

Accordingly, this Committee must keep all documents it has that fall within the definition of public records in the statute and make them available to the public if requested.

When the Committee has completed its work and made a report to the City Council, the public records shall be turned over to the City Clerk, who is the Custodian of Records for the City.

**ORGANIZATION**

When the Committee meets it should organize by electing a chairperson and vice chairperson and make provision for the keeping of minutes.

Jack Dorman has served as the City Manager for three municipalities – two in Virginia and was the first City Manager of Destin.

Mr. Dorman has worked closely with numerous local governments in Florida, Virginia, Mississippi, Alabama and Georgia. The local governments include various types, including commission, strong mayor, strong council, general management and council/manager.

Mr. Dorman lives in Destin and has provided services to the City of Crestview since 1989. He graduated with honors from the University of Southern Mississippi with a degree in community and regional planning. His firm, J E Dorman and Associates, has prepared 16 comprehensive plans and 12 land development codes in Florida.
• Evaluation Review of Current Charter.

Presentation from Staff.

Discussion by Committee.

This requires no formal action by the Committee.
PART I - CHARTER

FOOTNOTE(S): --- (1) ---

Editor's note— The Town of Crestview was originally incorporated under the general law on April 11, 1916, (Incorporation Record, Okaloosa County, Vol. 1, pp. 3, 4). This incorporation was validated by act of the Legislature in 1917 by Ch. 7634. The town was re-incorporated by Ch. 9718, Acts 1923, then by Ch. 25754, Sp. Acts 1949, as the City of Crestview. Various amendments to Ch. 25754 were adopted through the 1961 legislature. Ch. 57-1245, Sp. Acts 1957, re-incorporated the city under a city manager form of government, however, this act failed of adoption at the referendum election.

The present Charter was enacted as Ch. 63-1249, Sp. Acts 1963, was approved at a referendum election held on June 25, 1963, by a vote of 1032 in favor to 460 against and is included as Part I of this Code. The title is omitted as well as provisions contained relating to the referendum election. The article numbers and headings, sections and subsections, catchlines, etc., have been supplied by the editors, as well as some subsection and paragraph numbers and letters. The section numbers are as they appear in the official act.

ARTICLE I. - SUCCESSION; ELECTION OF CITY OFFICIALS

Sec. 1. - City abolished and recreated; corporate limits.

(a) The present municipal government existing under the name of the City of Crestview, in Okaloosa County, Florida, be, and the same is hereby abolished.

(b) There is hereby established a new City of Crestview, in Okaloosa County, Florida, the same including the following described real estate:

The West Half (W ½) of the West Half (W ½) of Section Sixteen (16); the West Half (W ½) of the North West Quarter (NW ¼) of Section Twenty-one (21); the North Half (N ½) of Section Twenty (20); the North East Quarter (NE ¼) of Section Nineteen (19); the East Half (E ½) of Section Eighteen (18); the South East Quarter (SE ¼) of Section Seven (7); all of Section Seventeen (17); the South Half (S ½) of Section Eight (8); the West Half (W ½) of South West Quarter (SW ¼) of Section Nine (9); all of the East Half (E ½) of the West Half (W ½) of Section Sixteen (16) North of the L & N [CSX] Railroad Company’s right-of-way; the East Half (E ½) of the South West Quarter (SW ¼) of Section Nine (9); and all other real estate which may have been heretofore considered as a portion of the City of Crestview annexed or joined by petition or legislative act; all in Township Three (3) North, Range Twenty-three (23) West of Tallahassee Meridian, in Okaloosa County, Florida, and the jurisdiction of the City Government shall cover all persons, property, franchises and privileges, located, being or coming within the city limits.

Editor’s note—Current boundary description is on file in the office of the city clerk.

Sec. 2. - General powers, rights, privileges and immunities.

Said city shall have and exercise all the powers, rights, privileges and immunities of cities incorporated under the general laws of this state.

Editor’s note—Parts of this section which have not been amended by referendum after July 1, 1973, and which are not extraterritorial powers have been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

State law reference—Home rule powers, F.S. ch. 166.

Sec. 3. - Governmental departments and officers.

The affairs of the city and public undertakings by it shall be deemed and held to be governmental in nature, and shall be carried out under the following departments, to-wit: Executive, Legislative and Financial, Police and Public Works, and shall be administered by officers and boards as follows: Mayor, City Council, Chief of Police, City Clerk, Tax Assessor, Tax Collector, City Physician and City Attorney. The council shall elect one of its members as
President of the Council, who shall perform the duties of presiding officer of the Council and who shall be entitled to vote on all questions coming before the council. The council may by ordinance establish from time to time any boards in its discretion, which may be necessary to carry out the administrative or ministerial purposes of the council and the tenure, duties and compensation of such board or boards shall be fixed by the council and such board or boards may be abolished by the council.

Editor's note— The "Department of Public Works" has been renamed as the "Public Services Department." This section has been editorially amended to delete the words "if he so desires" in regard to the President of the Council voting.

Sec. 4. - Election of mayor, and council and clerk; terms; qualifications; fees, vacancies; appointment of certain officers and employees; committees of council; dates of elections.

The mayor, members of the council and clerk all of whom shall be qualified electors, shall be elected by the qualified electors, shall be elected by the qualified electors of the municipality voting in an election as hereafter provided, for the terms and in the manner hereinafter provided, who shall hold their respective offices until their successors are duly elected and qualified, to-wit:

(a) The term of office of the mayor shall be four years commencing with the term for which the Mayor is elected in 2003. If at any time the mayor moves his official residency from the city limits herein described, a vacancy shall automatically occur in the said office.

(b) The city council shall consist of five (5) electors who shall be designated as follows:

Councilman at Large Group 1
Councilman at Large Group 2
Councilman - Precinct 1 [-East]
Councilman - Precinct 2 [-West]
Councilman - Precinct 3 [-North]

All councilmen shall be elected by votes cast city wide and their terms of office, except as hereinafter provided, shall be for four years. The councilman from Precinct 1 shall reside in Precinct 1, the councilman from Precinct 2 shall reside in Precinct 2, and the councilman from Precinct 3 shall reside in Precinct 3; councilman from Precinct 1, Precinct 2 and Precinct 3 shall be elected for a 2 year term in the 2003 election and shall be elected for four year terms thereafter; councilman at large may be elected without regard to the territorial limits of precincts. If at any time a councilman elected from a precinct moves his or her official residency from the city limits herein described a vacancy shall automatically occur in said office. In such elections candidates running in any group receiving the highest vote shall be deemed elected.

(c) [Editorially deleted the names of the persons comprising the first city council as obsolete.]

(d) The term of office of clerk shall be four years, and he or she shall be elected. The candidate receiving the greatest number of votes cast shall be elected. If at any time-the
clerk shall move his official residency from the city limits herein described a vacancy shall automatically occur in said office.

(e) That should there be a tie vote in such election for the office of the mayor, any one or more group or groups of members of the council, and clerk, the council elected at such election upon assumption of office shall, by plurality vote, name the person who shall serve as such officer.

(f) The officers elected shall assume the duties of such offices [within 30 days after the election] as decided by ordinance, provided, no contract shall be entered into by incumbent officials between the dates of election and assumption of office of newly elected officials binding said city beyond date of assumption of office of newly elected officials, except in case of extreme emergency.

(g) [Editorially deleted.]

(h) No person shall be eligible to be a candidate for the office of mayor, or member of the council or clerk unless they shall possess the qualifications required to hold such office and shall have paid a qualifying fee for such office, as may be required by ordinance of the municipality.

(i) The mayor, members of council or the clerk shall not hold any other elective city, county, state or Federal office. If the mayor, a member of the council or clerk ceases to possess any one or more of the qualifications specified in this section, or is convicted of a felony, while in office, then in either event a vacancy shall automatically occur.

(j) Any vacancies occurring in any elective office shall be filled for the unexpired term by appointment by a majority of the council.

(k) [Editorially deleted tax collector and tax assessor as obsolete and superseded by F.S. ch. 192 et seq.]

(l) All officers and employees not elective by this Act shall be appointed or employed by the council unless otherwise provided herein, subject to the provisions hereinafter provided.

(m) The council shall, by ordinance or resolution, determine the number and character of the standing committees needed and prescribe their powers and duties consistent with the provisions of this Act. Such committees shall be appointed by the president of the council as soon after organization of the council as practicable. Vacancies in such committees shall be filled by appointment by the president of the council for the unexpired term.

(n) The municipal elections shall be held on the second Tuesday in March. Elections shall be held every two (2) years.

(Ord. No. 847, § 3, 10-10-94; Ord. No. 1095, § 2, 8-26-02)

ARTICLE II. - POWERS

Sec. 5. - Public protection; buildings; streets; health and sanitation; penalties for violation.

(a) **Public protection; penalties.** [Editorially deleted.]

Editor's note— This subsection has been editorially deleted as references to mayor's court or trial by mayor are obsolete as municipal courts were abolished by Article V, § 20(d)(4) of the Florida Constitution and the city has municipal home rule powers as granted to all city by F.S. ch. 166.

(b) **Fire protection; buildings; utilities.** The council may provide by ordinances for the acquirement by construction, purchase, or otherwise, of municipal waterworks, electric light and power plants, gas works, cremation plants within or outside of the city limits, and may distribute and sell water, gas, electric light and power for profit, and install meters or measures for the same at the cost of the consumer for the meter and the installation.

Editor's note— Parts of this subsection which have not been amended by referendum after July 1, 1973, and which are not extraterritorial powers have been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

(c) **Health and sanitation.** [Editorially deleted.]

Editor's note— This subsection has been editorially deleted as the city has the home rule powers provided by state law.

Sec. 6. - Transportation; franchises and rights-of-way; street paving; sewers and drainage; railroad trains and crossings; special assessments.

(a) **Transportation.** [Editorially deleted.]

Editor's note— This subsection has been editorially deleted as preempted by F.S. § 335.141.

(b) **Franchises and rights-of-way.** [Editorially deleted.]

Editor's note— This subsection which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

(c) **Streets, sidewalks, sewers, drainage.** [Editorially deleted.]
Sec. 7. - Licenses; transportation rates; shows and amusements; gambling; explosives; weapons; weights and measures; animals.

(a) Licenses. [Editorially deleted.]

Editor's note—This subsection has been editorially deleted as superseded by the requirements in state law.

State law reference—Occupational license tax, F.S. ch. 205; regulatory fees, F.S. § 166.221.

(b) Transportation rates. [Editorially deleted.]

Editor's note—This subsection has been editorially deleted as superseded by the requirements in state law.

(c) Shows and amusements; gambling. [Editorially deleted.]

Editor's note—This subsection which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

State law reference—Distribution of obscene materials law uniform in state and preempted by state F.S. §§ 847.013(4) and 847.09(1).

(d) Explosives. [Editorially deleted.]

Editor's note—This subsection which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

(e) Weapons, fireworks. [Editorially deleted.]

Editor's note—This subsection which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.


(f) Weights, measures, inspections. [Editorially deleted.]
Editor's note— This subsection which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

State law reference— Weights and measures, F.S. ch. 531.

(g) Animals. [Editorially deleted.]

Editor's note—

This subsection which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Sec. 8. - Punishment of offenses.

[Editorially deleted.]

Editor's note— This section has been editorially deleted as superseded by state law misdemeanors, F.S. ch. 775.

State law reference— Crimes, penalties, F.S. ch. 775.

Sec. 9. - Landscaping and beautification; unsafe buildings; powers under general law.

[Editorially deleted.]

Editor's note— This section which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.
ARTICLE III. - THE MAYOR AND CITY COUNCIL

sec. 10. - Powers and duties of mayor—To enforce laws and ordinances, investigations and reports; veto of ordinances; judicial duties; compensation.

The mayor shall be chief executive officer of the city and shall see that the provisions of this character [Charter], ordinances, laws and rules of the city are complied with, and enforced. He shall have the power to make general investigations into the official conduct and affairs of all city officers or employees of the city, and may examine into the conditions of all city books, papers, records, property, and equipment. It shall be his duty to make a report to the council [of] all violations or neglect of duty or any misfeasance, malfeasance or nonfeasance in office, neglect of duty or improper conduct on the part of any city officer or employee that may come to his knowledge. He shall put down riots and unlawful assemblies, and may use the police and common power of the city for such purposes, and shall see that peace, good order, safety and good morals are preserved within the city, he may veto any official ordinance of the city council, subject to the limitations hereinafter prescribed, may call the council together in special session, and shall recommend to the council such measures from time to time as to him shall seem wholesome and proper. The mayor shall receive as salary for his services such an amount as shall be set by the council but in no event may the amount be reduced during his term of office without two-thirds vote of the council.

Editor's note—References to mayor's court, trial by mayor and the imposition of penalties by mayor have been editorially deleted as they are obsolete as municipal courts were abolished by Article V, § 20(d)(4) of the Florida Constitution.

Sec. 11. - Same—Disqualification of mayor or president of council; impeachment.

In case of the absence, sickness, resignation, disqualification or other disability of the mayor, the president of the city council shall discharge the duties of the mayor and receive the mayor’s salary, if any there be, during such time he shall serve as acting mayor. In case of the absence, sickness, disqualification or disability of the president of the council to act for the mayor in such case, the president pro tem of the council shall discharge such duties with like compensation. No mayor, or acting mayor, or councilman, shall sit in any cause to which he is a party or in which he, or any person related to him by consanguinity or affinity within the third degree, shall be a party to, or interested in the result thereof; the mayor may be impeached by the city council for misfeasance, malfeasance or nonfeasance in office, for drunkenness, habitual intoxication or gross immorality, and by two-thirds vote of the council may be removed.

State law reference—Code of ethics, F.S. § 112.311 et seq.
Sec. 12. - The city council; president; rules; meetings; compensation; investigations; political activities; budget.

(a) President of council. The members shall elect annually one of their number as president of the council, who shall preside over its meetings, enforce such rules as may be adopted by the council, and perform such other duties as may be prescribed by this Act or by any ordinance not in conflict with this Act. The council may elect a president pro tem to act in the absence or disability of the president, and in other cases herein provided.

(b) Rules of proceedings. The council may prescribe its own rules of proceeding, and fix a penalty upon its members for disobedience, nonattendance, or disorderly conduct, and, for satisfactory cause and after due notice, may by 2/3 vote, expel any member and declare his place vacant upon the council.

(c) Meetings. The Council shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month.

Editor's note—The first sentence of this subsection regarding newly elected officers taking office has been editorially deleted as superseded by the uniform election procedure in Laws of Fla. ch. 92-270. Parts of this subsection have been editorially transferred to the Code of Ordinances as certain provisions of a Charter adopted prior to July 1, 1973, and not subsequently amended by referendum have been converted to ordinances by operation of F.S. § 166.021(5). The part of this section which was transferred is section 2-29 in the Code of Ordinances.

(d) Compensation. [Editorially deleted.]

Editor's note—Section 12(d) of the Charter was amended by Ordinance No. 495 pursuant to F.S. § 166.021(4). It appears as section 2-26 of the Code of Ordinances.

(e) Quorum. A majority of the members shall constitute a quorum to transact any business, but a less number may adjourn from day to day and compel the attendance of absent members by imposing such fines and penalties as may be fixed by ordinance.

(f) Investigations; subpoenas; oaths. The council may, in the investigation of charges against municipal officers, assistants, and employees, and members of the council, or of any other matters coming before them, issue subpoenas and compulsory process under the hands of the president of the council, the clerk, and the seal, for the attendance of any person, firm or corporation, and for the production of books, papers, and records; and the president of the council and clerk shall each have authority to administer oaths and affirmations, and take depositions.

(g) Political activities. [Editorially deleted.]

Editor's note—This subsection has been editorially deleted as preempted by F.S. § 104.31(3).

(h) Budget. [Editorially deleted.]

Editor's note—Section 12(h) of the Charter was amended by Ordinance No. 511 pursuant to F.S. § 166.021(4). It appears as section 2-191 of the Code of Ordinances.

(Ord. No. 495, § 1, 5-8-77; Ord. No. 511, § 1, 6-12-79)
ARTICLE IV. - CITY OFFICERS

Sec. 13. - Powers and duties of city clerk.

The clerk, who shall be fully engaged in work for the city, shall attend all meetings of the council, and shall keep a correct record of the proceedings of the council and shall record, and attest all ordinances. He shall draw and sign vouchers upon the depositories, which vouchers shall be countersigned by the president of the council, and keep a true and correct account of same. He shall prepare and submit to the council at the first meeting in each month a statement of all finances, receipts and disbursements passing through his office. He shall also have published semiannually in some newspaper inside the corporate limits, a sworn statement showing for what purpose the money was collected and for what purpose it was expended. He shall sign all licenses issued by the city, and issue receipts for all moneys paid to him, and shall deposit said money to the proper depositories at the first regular banking day after receipt. He shall be custodian of all books pertaining to the clerk's office, and of the city records not otherwise provided for. All fiscal books shall be maintained under modern bookkeeping methods and shall be posted up to date. Failure to keep books posted up to date shall constitute malfeasance of office. He shall be clerk of the Board of Public Works. When the clerk is also tax assessor he shall perform all the duties provided for said offices. He shall give such bond as the city council may fix, and shall perform all duties now or hereafter imposed upon the clerk by this Act, or by any ordinance of the council, not inconsistent herewith. His compensation shall be fixed by the council. The clerk shall in his discretion employ and dismiss all employees of his office; provided that the council by 2/3 vote may discharge for cause any employee in the Clerk's office. The salaries and number of employees of the office of the clerk shall be set by the council or his employees or any reduction in number of employees except by two-thirds vote of the council. Additional employees or raises in salaries may be added by majority vote of the council subject to the limitations of the budget hereinafter provided.

Editor's note— References to mayor's court and trial by mayor were editorially deleted as obsolete as municipal courts were abolished by Article V, § 20(d)(4) of the Florida Constitution.

Sec. 14. - City depositories.

[Editorially deleted.]

Editor's note— This section has been editorially transferred to the Code of Ordinances as certain provisions of a Charter adopted prior to July 1, 1973, and not subsequently amended by referendum have been converted to ordinances by operation of F.S. § 166.021(5). This section is section 2-192 in the Code of Ordinances.
Sec. 15. - City attorney; duties.

The council may appoint annually at their first meeting after their election, or as soon thereafter as practicable, an attorney, who shall be the legal adviser of the council, the mayor and all officers upon all municipal matters, shall appear for the city in all civil cases in the courts, and shall perform such other duties as may be required of him by ordinance. He shall not accept adverse employment in any matter in which the city is interested. His compensation shall be fixed by the council. The city may also employ special counsel in any case in which the city attorney may be disqualified or unable to act, or in any other matters requiring the assistance of special counsel.

Sec. 16. - City physician; duties.

The council may appoint annually at their first meeting, or as soon thereafter as practical, a physician who shall have and exercise such powers and duties as may be prescribed by ordinance. The council may by ordinance delegate to him the power to make rules and regulations regarding sanitary matters or health conditions of the city, which shall be in compliance with the rules and regulations of the State Board of Health, and any other matters affecting the public health. He shall have power to enforce within the city all the rules and regulations of the State Board of Health, including quarantine not inconsistent with law. His compensation shall be fixed by ordinance.

Sec. 17. - Chief of police; fire chief; duties; employees.

The mayor shall employ and discharge and prescribe all of the duties and powers of the chief of police, fire chief and all personnel in the police and fire departments; provided that the Council by 2/3 vote may discharge for cause the chief of police, fire chief and all other personnel in the police and fire departments. The duties and powers as prescribed by the mayor shall be such general and specific powers as are necessary and incident to the office or employment. It shall be the duty of the mayor to see that all policemen and firemen, including volunteer firemen, are trained in their duties. The council shall fix the compensation for the chief of police, fire chief and members of the police and fire departments according to set grades or standards and the salaries of same shall not be increased or decreased except by pro rata proportion thereafter. The number of employees of both departments shall be set by the council but there may be no reduction of employees except by two-thirds vote of the council. Additional employees may be added by majority vote of the council subject to the limitations of the budget hereinafter provided.

Sec. 18. - Additional police officers.

[Editorially deleted.]

Editor's note—This section has been editorially transferred to the Code of Ordinances as certain provisions of a Charter adopted prior to July 1, 1973, and not subsequently amended by referendum have been converted to ordinances by operation of F.S. § 166.021(5). This section is section 46-13 in the Code of Ordinances.
ARTICLE V. - BONDS

FOOTNOTE(S): --- (2) ---


Sec. 19. - Issuance; election; form; revenue certificates; notices.

[Editorially deleted.]

Editor's note—This section has been editorially deleted as the full authority for the issuance of bonds is contained in F.S. § 166.101 et seq. and other pertinent sections of Florida Statutes regarding bonds.

Sec. 20. - Development Commission; contracts with; fees; form and interest rates; bids for sale; limitation of fees; limitation of certificates of indebtedness.

[Editorially deleted.]

Editor's note—This section has been editorially deleted as the full authority for the issuance of bonds is contained in F.S. § 166.101 et seq. and other pertinent sections of Florida Statutes regarding bonds.

Sec. 21. - Proceeds; expenditures; bids.

[Editorially deleted.]

Editor's note—This section has been editorially deleted as the full authority for the issuance of bonds is contained in F.S. § 166.101 et seq. and other pertinent sections of Florida Statutes regarding bonds.

Sec. 22. - Adverse election.

[Editorially deleted.]

Editor's note—This section has been editorially deleted as the full authority for the issuance of bonds is contained in F.S. § 166.101 et seq. and other pertinent sections of Florida Statutes regarding bonds.
ARTICLE VI. - TAXATION

Secs. 23—38. - Reserved.

[Editorially deleted.]

Editor's note— The provisions of this article consisting of §§ 23 through 38 have been deleted as superseded by state law, F.S. § 166.201 et seq. providing taxing authority, F.S. § 193.116 providing that the county shall make all assessments and collection of ad valorem taxes, and F.S. ch. 193 providing for the tax collection, sales and liens.
ARTICLE VII. - ELECTIONS

Sec. 39. - Procedure to be provided by ordinance; election precincts; qualifications of electors; publication of lists; election officers.

The council shall provide by ordinance for the holding of elections, as provided by law, for election of city officers and for special elections. The returns and canvassing of results of same, the appointment of clerks, inspectors, and bailiffs, the designation of precincts and polling places, and the registration and qualification of electors shall comply with state laws governing elections.

(a) **Precincts:** The City of Crestview shall be divided into three precincts, numbered as follows: Number One, East Crestview, comprising all that territory within the corporate limits east of Main Street and South of U.S. Highway No. 90; Number Two, West Crestview, comprising that territory within the corporate limits west of Main Street and south and west of U.S. Highway No. 90; Number Three, North Crestview, comprising all that territory within the corporate limits north of U.S. Highway No. 90.

(b) **Qualifications of Electors:** [Editorially deleted as superseded by F.S. § 98.031 et seq.]

(c) **Publication:** [Editorially deleted as superseded by F.S. § 98.031 et seq.]

(d) **Election officers:** The Okaloosa County supervisor of elections shall appoint before each city election such election officers as are necessary to conduct the election in accordance with the general state election law and the polling places shall open and close in accordance with the general state election law.

(Laws of Fla. ch. 67-1252, § 1; Ord. No. 611, § 4, 6-24-85)

Editor's note—This section has been editorially amended to delete conflicts with and to reference the state law including Laws of Fla. ch. 92-270 which provides for the filing, qualifying and election dates, canvass of returns, time period within which to assume office and absentee balloting.

**State law reference**— Uniform election laws for Okaloosa County cities, Laws of Fla. ch. 92-270.

Sec. 40. - Reserved.

Editor's note—Ord. No. 611, § 3, adopted June 24, 1985, repealed § 40 in its entirety. Former § 40 was concerned with the registration of electors.

Sec. 41. - Bonds of officers; oath of office.

The council shall fix the amount of bond to be given by all officers, or by others dealing with the city in cases where bond shall be required. And should any officer required by this act, or by ordinance, to give bond, fail for fifteen (15) days after his election or appointment to furnish bond
approved by the council, his office shall be declared vacant and shall be filled as herein provided until the next general city election.

Editor’s note—The portions of this section regarding oath of office have been editorially deleted as superseded by F.S. §§ 99.021, 876.05. See also AGO 82-64.

Sec. 42. - Suspension or removal of officers.

Any officer whose removal or suspension from office is not otherwise provided for herein, may be removed or suspended by the mayor with the approval of a majority of the city council, at any time.
ARTICLE VIII. - PENAL PROCEDURES

Sec. 43. - Confinement or release under bond; amount of bond.

[Editorially deleted.]

Editor’s note—This section has been editorially deleted as references to mayor’s court and trial by mayor are obsolete as municipal courts were abolished by Article V, § 20(d)(4) of the Florida Constitution.

Sec. 44. - Commitment; appeals.

[Editorially deleted.]

Editor’s note—This section has been editorially deleted as references to mayor’s court and trial by mayor are obsolete as municipal courts were abolished by Article V, § 20(d)(4) of the Florida Constitution.

Sec. 45. - Estreatment of bond.

[Editorially deleted.]

Editor’s note—This section has been editorially deleted as references to mayor’s court and trial by mayor are obsolete as municipal courts were abolished by Article V, § 20(d)(4) of the Florida Constitution.
ARTICLE IX. - STREETS AND PUBLIC LANDS

Sec. 46. - Title vested in city; control.

[Editorially deleted.]

Editor's note—This section which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Sec. 47. - Official survey and map.

[Editorially deleted.]

Editor's note—This section which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.
ARTICLE X. - ORDINANCES

FOOTNOTE(S): --- (3) ---

State Law reference— Uniform minimum requirements and procedure for adoption of ordinances, F.S. § 166.041.

Sec. 48. - Execution; veto.

No ordinance shall become effective until signed by the presiding officer of the council and be attested by the clerk. The mayor may sign same to indicate his approval, or may veto same under the provisions of this act, or city ordinance, or may permit to become a law without his signature. If not signed or vetoed by him within ten (10) days after submission to him, or if vetoed and then passed over his veto by two-thirds vote of all the members of the council, it shall become a law.

Editor's note— This section has been editorially amended to delete the provision regarding the adoption of ordinances as superseded by F.S. § 166.041.

Sec. 49. - Not to affect state property.

None of the provisions of this act shall authorize or empower the executive or legislative authorities of said City of Crestview to pass an ordinance, rule or regulation which shall in any manner affect the keeping by the State of Florida, any property, real or personal, owned by the State of Florida, within the corporate limits of said city, and any ordinance, rule or regulation of said city or its authorities, abridging the rights of the State of Florida in the conduct and control of its property shall be null and void.

Sec. 50. - Notice by posting.

[Editorially deleted.]

Editor’s note— This section has been editorially deleted as superseded by F.S. § 166.041.

Sec. 51. - Effect of prior ordinances.

All ordinances heretofore passed and adopted by the city council of the City of Crestview shall remain as ordinances and resolutions of the city until repealed by the city council of said city.

Sec. 52. - Ratification when obligation incurred.

All ordinances heretofore passed and adopted by the City of Crestview whereby any bond or other obligations of said city are created, or whereby any contract made and entered into by said city with any other person, firm or corporation are hereby ratified and confirmed and none of which shall be repealed by this act.
ARTICLE XI. - MISCELLANEOUS PROVISIONS

Sec. 53. - Indebtedness; limitation; purchases.

(1) [Editorially deleted.]

Editor's note—This section has been editorially deleted as all limitations on the exercise of certain home rule powers in a Charter adopted prior to July 1, 1973, and not subsequently amended have been repealed by operation of F.S. § 166.021(4).

(2) Competitive bids. [Reserved.]

Editor's note—Section 53(2) of the Charter was amended by Ordinance No. 521 pursuant to F.S. § 166.021(4). It appears as section 2-201 of the Code of Ordinances.

(Laws of Fla. ch. 67-1254, § 1; Ord. No. 488, 3-8-76; Ord. No. 521, § 1, 5-12-80)

Sec. 54. - Public services department—Jurisdiction; superintendent.

There is hereby created the Public Services Department which shall include but not be limited to the following departments: streets, water, sewerage, parks, and sanitation; and it may include such other departments, not previously designated departments by this charter, as the council may from time to time deem necessary. The council shall as soon as practicable after the effective date of this Act, appoint a superintendent, who shall be the administrative head of the Public Services Department, and shall be responsible for the efficient administration of all departments thereunder. He shall be chosen on the basis of his ability and experience. The council by two-thirds vote shall be able to dismiss said superintendent upon good cause shown and after a hearing. No member of the council shall be appointed superintendent, and no member of the council can resign and be appointed superintendent during his elective term or for two (2) years after his term expires. The superintendent shall receive such salary as may be fixed by the council. In case of sickness or absence of the superintendent or in case of a vacancy in said office, the council may appoint another person to act for the superintendent during his absence or sickness or during such vacancy, and the person so appointed may act for the superintendent and perform all his duties as though performed by the superintendent. Such acting superintendent shall not serve in such capacity for more than ninety (90) days.

(Ord. No. 772, § 2, 5-26-92)

Sec. 55. - Same—Powers and duties of superintendent.

The superintendent shall be responsible to the council for the proper administration of all affairs of the city in his charge, and to that end, subject to such Civil Service provisions as may be provided for by ordinance and except as otherwise provided herein, he shall have the power to appoint and remove all officers and employees in the Department of Public Services of the city; and the superintendent may authorize the head of a department [or] office responsible to him to appoint and remove, with the same limitations, subordinates in such department or office.
Appointments made by or under the authority of the superintendent shall be on the basis of ability and experience of such appointee in the work which his is to perform.

(Ord. No. 772, § 2, 5-26-92)

Sec. 56. - Same—Appointment and duties of employees not to be influenced.

Neither the council, nor any of its committees or members, nor the mayor, nor the clerk shall direct or request the appointment of any person to or his removal from office, except for cause, by the superintendent or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the Public Service Department of the city. Except for the purpose of inquiry, the council and its members, the mayor, and the clerk shall deal with that portion of the administrative service for which the superintendent is responsible solely through the superintendent, and neither the council nor any member thereof, nor the mayor, nor the clerk shall give orders to any subordinates of the city, either publicly or privately. Any violation of the provisions of this section by a member of the council, or the mayor, or the clerk shall be a misdemeanor, conviction of which shall immediately forfeit the office of the member so convicted.

(Ord. No. 772, § 2, 5-26-92)

Sec. 57. - Salaries of elective officers.

The council shall at no time lower, or cause to be lowered, the salary or compensation of any elective officer to an amount less than his original or initial salary or compensation, as fixed at the time he was elected.

Sec. 58. - Abolition of municipality; petition; election.

[Editorially deleted.]

Editor's note— This section has been editorially deleted as superseded by F.S. §§ 165.022, 165.051.

Sec. 59. - Assets of former city.

That the title, rights and ownership of property, collected and uncollected taxes, dues, claims, judgments, moneys, decrees and choses in action, heretofore held or owned by the City of Crestview (abolished by this chapter) shall pass to and be vested in the municipal corporation organized by and under this act to succeed the municipality abolished.

Sec. 60. - Obligations, contracts and debts of former city.

That no debt, obligation or contract of the City of Crestview, Florida, including bonds and debentures heretofore issued, shall be impaired or avoided by this act, but such debts, obligations, contracts, and bonds shall pass to and be binding upon the new municipality which is hereby organized and created.
• Review the Forms of Municipal Government.

_Presentation from Staff._

_Discussion by Committee._

_This requires no formal action by the Committee._
Forms of Government – Florida Municipalities.

June, 2017

There are four main forms of municipal government in Florida:

1) The Council – Manager;
2) The Commission;
3) The Council – Weak Mayor; and

These main forms are hybrids of two basic forms, the Mayor-Council and the Council-Manager forms. Governmental forms continue to evolve as there are also hybrids of the four main forms here in Florida. However, many Florida Cities were created utilizing whatever Model City Charter was available at the time of inception. The hybridization of the main forms tends to occur over time as City’s grow and find that their original charters no longer fit their patterns or desired direction of growth.

The most popular form of government nationally, is the Council – Manager form or some hybrid thereof.¹ It is also quite popular in Florida and has been adopted by over 50% of the 410 incorporated cities.

I. Basic Four Forms.

A. Council – Manager.

The following are some of the common characteristics of this form of government:²

1) The Mayor and Council typically appoint the City Manager collectively.
2) The Manager serves at the Council’s pleasure.

3) The Manager hires/fires all staff.
4) The Manager prepares and presents the budget to the Council.
5) The Mayor and Council are Legislative Only
6) About 270 FL Cities have this form of government.
7) The Mayor may be elected by the council, by rotation, or by Voters at large.
8) The Mayor typically holds a ceremonial position. “A Leadership Mayor”
9) If the Mayor is legislative, he or she may have veto powers.
10) The Council may appoint the Clerk and the City Attorney.

*The Charter must identify a key administration position with hire/fire powers; administrative responsibilities for the city; presentation of policies and budget to the elected body; and separation of legislation and administration must be clearly defined.

**B. Commission.**

<table>
<thead>
<tr>
<th>City Voters</th>
<th>Commissioner</th>
<th>Commissioner</th>
<th>Mayor / Comm.</th>
<th>Commissioner</th>
<th>Commissioner</th>
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The following are the common characteristics of this form of government:
1) It has historically been used by Counties as opposed to Cities.
2) Many Cities began adopting this form in the 1920s.
3) It slowly became less popular due to its complexity by the 1950’s.
4) The Commission appoints the City Clerk & Attorney.
5) There are less than 5 cities in FL that continue to use this form today.

**C. Council – Weak Mayor.**

<table>
<thead>
<tr>
<th>City</th>
<th>Council Person</th>
<th>Council</th>
<th>Council Person</th>
<th>Council Person</th>
<th>Mayor/Council</th>
</tr>
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<tr>
<td></td>
<td></td>
<td>All Staff</td>
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</tr>
</tbody>
</table>
The following are the common characteristics of this form of government:

1) The Council and The Mayor have equal powers.
2) The Mayor is a ceremonial figure; signs proclamations and other.
3) The Council administers the city collectively; it hires the Clerk and the Attorney other staff.
4) The City Clerk’s role is often greater in this form.
5) There are approximately 100 FL cities that have this form.
6) Mayor does not always have voting power

**D. Council – Strong Mayor**

The following are the common characteristics of this form of government:

1) There are many variations of this Form.
2) The Mayor is a paid, full-time Administrator.
3) The Mayor may also have council seat.
4) The Mayor may have administrative staff.
5) The Council is a Legislative body only.
6) There are around 35 cities in Florida that have this form.
7) There are many variations on Mayor’s powers: veto, appointments agenda etc.
8) In some cities, the Mayor votes with the Council; in others, the Mayor is an Administrator only.
9) Varies as to Attorney and Clerk appointments.
10) The Mayor often hires all city staff.
E. Hybrids:
Until the late 19th and early 20th centuries the two main forms of government, the Mayor-Council and the Council-Manager had been adopted and maintained in their original forms. The modern forms indicated here, and others, have evolved over the last century. Many Cities combine the various forms, such as the Council – Weak Mayor and Manager or Commission. Often, a City must decide what works best for their situation and refine or dilute one of the existing forms into an “adaptive” form.

II. Pros and Cons for the Mayor-Council and Council-Manager.

A. Comparison of the Basic Two Forms of City Government:

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Mayor-Council</th>
<th>Council-Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative authority</td>
<td>Council</td>
<td>Council</td>
</tr>
<tr>
<td>Executive authority</td>
<td>Elected mayor</td>
<td>Appointed manager</td>
</tr>
<tr>
<td>Selection of CEO</td>
<td>Popularly elected</td>
<td>Appointed by council based on experience</td>
</tr>
<tr>
<td>Removal of CEO</td>
<td>Recall election</td>
<td>Removed by a majority vote of the council</td>
</tr>
<tr>
<td>Tenure of executive</td>
<td>4-year term</td>
<td>Indefinite</td>
</tr>
<tr>
<td>Tenure of council</td>
<td>4-year term</td>
<td>4-year term</td>
</tr>
<tr>
<td>Appointment of department heads</td>
<td>Mayor (with council confirmation if provided)</td>
<td>Manager (no council confirmation)</td>
</tr>
<tr>
<td>Removal of department heads</td>
<td>Mayor</td>
<td>Manager</td>
</tr>
<tr>
<td>Veto</td>
<td>Mayor</td>
<td>Manager has no veto</td>
</tr>
<tr>
<td>Policy Development</td>
<td>Mayor</td>
<td>Manager Can Recommend</td>
</tr>
<tr>
<td>Policy Implementation</td>
<td>Mayor</td>
<td>Manager</td>
</tr>
<tr>
<td>Underlying Principles</td>
<td>Separation of powers</td>
<td>Separation of politics from administration</td>
</tr>
<tr>
<td></td>
<td>Political leadership</td>
<td>Promotes economy and efficiency through professional management</td>
</tr>
<tr>
<td></td>
<td>Strong central executive</td>
<td>Strong central executive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Follows a business model</td>
</tr>
</tbody>
</table>

B. Arguments for the Mayor-Council form.

1) The voters know what to expect from their elected mayor and they see the benefit of having an accountable leader.
2) The Mayor is responsible for the City’s day to day operation and failure is easily seen.
3) Has in the past been the more favorable form of government.
4) Can often have more influence at the State level.
5) Separation of Executive and Legislative powers exists.

C. Arguments for the Council-Manager Form.

1) Seen as more corporate model with efficiency and economy.
2) Providing basic governmental services is complex and that is should be a professional process that is not subject to political influences.
3) The political dimension of the system is singularly in the hands of the elected officials which are responsible for the hire and fire of the City Manager.
4) The manager can focus on the professional delivery of City service.
5) This form is fast becoming the most popular form of government.
6) Separation of Executive and Legislative powers exists is clearer.
7) Can promote a more cooperative environment between elected officials.

D. The Arguments Against the Council-Manager Form.

1) The Manager is not directly accountable to the voters.
2) City government is not a business. Managers could show disregard to the wishes of the Citizenry.
3) The Manager, though supposedly neutral could have a political agenda.
4) Works best in homogenous populations and not so well in a diverse City.

E. The Arguments Against the Mayor-Council Form.

1) Efficiency and productivity may be compromised because electability does not equate to management skills necessary to run a highly complex administrative apparatus.
2) A Mayor who wants to be re-elected may pay more attention to the campaign then to the day-to-day tasks of running the City.
3) There is a worry that abuse is more likely when the Mayor is also the Chief Executive Officer.
4) The inherent separation of powers between the executive and legislature can generate excessive gridlock.4

Additional Resources include the following:
Florida City and County Management Association (FCCMA) [www.fccma.org](http://www.fccma.org)
International City/County Management Association (ICMA) Association (ICMA) [www.icma.org](http://www.icma.org)
Model City Charter – endorses C-M form [www.ncl.org](http://www.ncl.org)
Center for Florida Local Government Excellence at FSU: [www.cflgge.org](http://www.cflgge.org)

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• Committee Discussion.

• Supply/Receive any Information, Data or Research Request.

• Confirm next Meeting date.
  o July 13, 2017 at 6 pm

• Adjourn meeting.