



Task Force on Consolidated Government

Jacksonville City Council

Council Member Lori Boyer, Chair

April 17, 2014

MEETING SCHEDULE

9:00-9:05 **Welcome**

Lori Boyer, Chair

9:05-11:45 **Review of Office of General Counsel Recommendations from the
Governance & Mission Committee**

Steve Rohan

11:45-12:00 **Public Comment**

12:00 **Adjourn**

Next meeting:

Thursday, April 24, 2014, 9 a.m.

Council Chamber, 1st Floor, City Hall

Undecided Issues:

1. Capital Improvement Process
2. Central Service - Recommendation #1
3. Budget – Ordinance Code Change #1
4. Special Taxing Districts – Recommendation for No Change #1
5. Employee Health – Ordinance Code Change #1

New Issues to Review:

6. Taxation and Provision of Services in Municipal Service District 1
7. Collective Bargaining Language in Article 19 of the City Charter
8. Minority Contracting

Issues Not Completed During Committee Process

1. Alternative Revenue Sources/Grants
2. Civil Service/High Quality Workforce
3. Long-range Planning within the City



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MEETING MATERIALS

Form of Government

Office of General Counsel

Charter Amendments:

1. The Charter should be amended to create a section of the Charter for the Office of General Counsel independent of the Executive Branch.
2. The Charter should be amended to require "10 years of experience as a practicing attorney or judge". This amendment will replace the current requirement of "5 years of experience in the practice of law".
3. The Charter should be amended to clearly state that a legislative counsel created by the City Council shall have the authority to advise and assist the council and its committees and members in the achievement of a clear, faithful and coherent expression of legislative policies and to perform such other related duties for the council as the council may by ordinance direct.
4. The Charter should be amended to clarify that decisions of the General Counsel shall be final, binding authority of the City and shall only be overruled or modified by a court or opinion of the Attorney General of the State of Florida with a matter solely of state law.
5. The Charter should be amended to require that the City's use of outside counsel shall require the written certification of the General Counsel of its necessity.
6. The charter should be amended to require that the independent authorities use of outside counsel shall require the written certification of the General Counsel of its necessity and be in accordance with their charters.
7. The Charter should be amended to allow the general counsel to hire, and supervise, assistant counsel to assist the independent agencies, and these assistant general counsels may be housed, budgeted and paid directly by the independent agency.
8. The Charter should be amended to require that the General Counsel, and assistant General Counsels, shall not engage in any other legal or non-legal activities to supplement income except for private investments.

9. The Charter should be amended to include specific language instructing that the General Counsel shall make legal decisions consistent with what is best for the consolidated government and not give preference to an elected official, department or agencies
10. The Charter should be amended to include specific language instructing that the General Counsel shall advise elected officials, departments, and agencies on all new or existing state laws that affect their duties and responsibilities, as well as, all local ordinances and resolutions, and to educate them with regard to conflicting legal issues and to assist them in amicably resolving them.
11. The Charter should be amended to require that the Mayor's appointment for General Counsel should be confirmed by 13 members of the City Council. The Council may seek the advice of constitutional officers, the Jacksonville Bar Association and former general counsels as to the qualification of the appointee to serve as General Counsel. The Mayor's appointment shall be acted upon by the Council within 60 days. The term of the General Counsel shall coincide with the term of the appointing mayor. These amendments shall replace the current process of the selection of an appointment committee and the confirmation of the appointee by a majority of the City Council.
12. The Charter should be amended to require that a reappointed General Counsel may be reappointed by resolution approved by 13 members of the City Council elected for the succeeding mayoral term. Any general counsel who is reappointed by the Mayor may continue to serve for a period of 60 days pending reconfirmation. The Council shall confirm or reject the reappointment within 60 days of the commencement of the new term of the General Counsel. These amendments will replace the current requirement that the Council confirm a reappointment by a majority vote, and the current allowance that a General Counsel who fails to receive reappointment may serve for 6 months and be resubmitted to the Council for reappointment any time during that 6 months.
13. The Charter should be amended to allow, in instance of vacancy of office, the Mayor to appoint an "acting" General Counsel to serve for 60 days without Council approval. These amendments will replace the current requirements that the Mayor appoints and Council approves an "acting" General Counsel only if there is less than 1 year left in the Mayor's term.
14. The Charter should be amended to require that the General Counsel may be removed by the mayor, but such removal shall be only for misfeasance, malfeasance or criminal conduct rather than for cause alone, and the removal of a General Counsel by the Mayor shall be concurred by 13 members of the Council rather than a majority.
15. The Charter should be amended to allow for the General Counsel to be removed by the council, but such removal by the Council shall be only for misfeasance, malfeasance or criminal conduct. The removal of a General Counsel by the City Council shall be by resolution of the City Council approved by 15 members of the City Council.
16. The Charter should be amended to increase the limit of the Litigation Imprest Fund to \$2500.

Recommendation of No Change

1. The Committee makes a recommendation of no change regarding the pension effect on independence of the General Counsel.
2. The Committee makes a recommendation of no change regarding the remedies available to members of any branch of government with disagree with a decision of the general counsel.

Form of Government

City Council

Charter Amendments:

1. The Charter should be amended to increase the term limits of City Council Members to three consecutive four-year terms.
2. The Charter should be amended to require the election of City Council Members, and all other local elections currently held in the spring, be held in the fall of the “off-off” year in between presidential and gubernatorial elections.

Recommendations of No Change:

1. The Committee recommends no change to the number of council members.
2. The Committee recommends no change to the terms of City Council Members, aside from those listed above. Specifically, the Committee makes no recommendation with regard to staggering the terms of Council Members.
3. The Committee recommends no change to the use of at-large seats on the City Council, generally or with regard to the racial impact of their use.
4. The Committee recommends no change to the term of the Council president.
5. The Committee recommends no change to the timing of when the Council President takes office.
6. The Committee recommends no change to the compensation of City Council Members, even for the purpose of allowing them to devote full time to their Council duties.

Mayor

Charter Amendments:

1. The Charter should be amended to increase the term limits of the Mayor to three consecutive four-year terms.
2. The Charter should be amended to require the election of the Mayor, and all other local elections currently held in the spring, be held in the fall of the “off-off” year in between presidential and gubernatorial elections.

Recommendations of No Change:

1. The Committee recommends no change to the strong mayor form of government, aside from those listed herein.
2. The Committee recommends no change to the specific duties of the Mayor.
3. The Committee recommends no change to the scope of the power of the Mayor.

City Manager/ Chief Administrative Officer/ Chief Financial Officer

Charter Amendments:

1. The Charter should be amended to require the Mayor hire a Chief Administrative Officer (CAO) and Chief Financial Officer (CFO).
2. The Charter should be amended to require the Mayor's appointments to the position of Chief Administrative Officer meet the following professional requirements.
 - a. The Chief Administrative Officer shall have a Bachelor's degree from an accredited post-secondary institution in Business Administration, Public Administration, or a similar field, and seven (7) years experience in an administrative capacity in municipal government, three of which are in a management capacity, and a thorough understanding of the principles of municipal administration and of applicable provisions of the Laws of the State of Florida; or an equivalent combination of education and experience.
3. The Charter should be amended to require the Mayor's appointments to the position of Chief Financial Officer meet the following professional requirements.
 - a. The Chief Financial Officer shall have a Bachelor's degree from an accredited post-secondary institution in Finance, Accounting, Business Administration, Public Administration, or a similar field, and seven (7) years experience in public or governmental finance, three of which are in a management capacity, and a thorough understanding of the principles of municipal finance, budgeting, and accounting, and of applicable provisions of the Laws of the State of Florida; or an equivalent combination of education and experience.
4. The Charter should be amended to require the Mayor's appointments to the position of Chief Administrative Officer have the following job responsibilities.
 - a. The Chief Administrative Officer shall be responsible for overseeing all operating departments; managing the day-to-day affairs of the City of Jacksonville; and overseeing the implementation of the City's annual operating budget and capital improvement plan.
5. The Charter should be amended to require the Mayor's appointments to the position of Chief Financial Officer have the following job responsibilities.
 - a. The Chief Financial Officer shall be responsible for overseeing the Finance Department of the City of Jacksonville, including the Office of Treasurer, the Budget Office; establishing, controlling, and directing the City of Jacksonville's annual operating and capital improvement budgets; and overseeing and managing the authorized financial borrowing of the City of Jacksonville.

No Recommendation

1. The Committee makes no recommendation regarding the use of a City Manager independent of the Mayor.
2. The Committee makes no recommendation requiring the mayor to fill the CAO and CFO, as well as department heads within a certain time period.

