

**STRONG MAYOR TASK FORCE
CITY OF CLEARWATER
June 5, 2018
CLEARWATER EAST COMMUNITY LIBRARY**

Present:	Bud Elias, Chair	Committee Member
	Norma Carlough	Committee Member
	Karen Graham Cunningham	Committee Member
	Cyndie Goudeau	Committee Member
	David Loyd	Committee Member
	George Mantzaris	Committee Member
	William Sturtevant	Committee Member
	Stan Vittetoe	Committee Member
	Howard Warshauer, Vice Chair	Committee Member
	Olin Wright	Committee Member

Absent:	Nino Accetta	Committee Member
	Jack Geller	Committee Member
	Rosemarie Kibitlewski	Committee Member
	Konrad McCree	Committee Member
	Keith Protonentis	Committee Member

Also Present:	Pamela Akin	City Attorney
	Rosemarie Call	City Clerk
	William B. Horne II	City Manager
	Nicole Sprague	ORLS Coordinator

To provide continuity for research, items are in agenda order although not necessarily discussed in that order.

Unapproved

Item #1 - Call to Order

Chair Elias called the City Council meeting to order at 5:32 p.m.

Item #2 – New Business

2.1 – Discussed proposed changes to Section 8.05 - Elections.

Follow up on motion to amend charter to provide for election of Mayor by majority rather than plurality vote with runoff language included.

Section 8.05. - Elections.

(a) *Council positions.* All members of the city council shall be elected at large. The candidate receiving the largest number of votes among the candidates for that seat shall be elected.

(b) Mayor. The mayor shall be elected at large. The candidate receiving a majority of the votes for mayor shall be declared elected.

~~(bc)~~ —*Regular elections.* Regular city elections shall be held on the second Tuesday in March of each year in which a council term expires.

(d) Runoff election for mayor. If no mayoral candidate receives a majority in the regular election, a runoff election limited to the two candidates for mayor receiving the highest and next highest number of votes in the regular election shall be held no later than 60 days after the regular election.

~~(ee)~~ *Special elections.* Special municipal elections may be called by the council at any time for such purposes as are authorized by law.

(fd) —Effective date of office. Newly elected council members shall take office the next business day following certification of city regular election returns. The newly elected mayor shall take office the next business day following certification of the city regular election returns or runoff election returns as applicable.

(g) Canvassing Board. The Pinellas County Canvassing Board shall serve as the City of Clearwater's canvassing board, unless otherwise provided by ordinance.

Comments:

Changing the mayoral election from plurality to majority requires the addition of either a runoff provision or a primary race.

St. Petersburg has a primary election 10 weeks prior to the general municipal election. Their general election is held in November.

Because our elections are held the second Tuesday in March, a primary 10 weeks earlier would fall in the winter holidays.

Tampa has a runoff election which was just recently amended to take place 49 days after the general election in order to provide sufficient time for mailing of military ballots.

The Pinellas County Supervisor of Elections prefers not to have runoff elections because of the impact on their election schedule and ability to plan.

Currently they support runoff elections for St. Pete Beach which also holds their election on the second Tuesday in March of each year when a term expires.

The City Attorney reviewed proposed changes.

In response to questions, the City Attorney said Supervisor of Elections needs adequate time to provide sufficient time to mail ballots. With runoff elections, the existing mayor may be held over until the results of the runoff election have been certified. She said it is not uncommon to have electoral districts in a strong mayor form of government but changing the current at-large process to districts will require time and cannot be completed within this Committee's timeframe. It would be more appropriate for the upcoming Charter Review Committee to consider electoral districts as there is more than one way to implement districting.

Committee Member Carlough moved to suggest to the 2019 Charter Review Committee discuss single member districts. Motion was duly seconded and carried unanimously.

Committee Member Warshauer moved to recommend the following amendments to Section 8.05, Elections, to the Joint City Council/Strong Mayor Task Force group:

(a) *Council positions.* All members of the city council shall be elected at large. The candidate receiving the largest number of votes among the candidates for that seat shall be elected.

(b) Mayor. The mayor shall be elected at large. The candidate receiving a majority of the votes for mayor shall be declared elected.

~~(bc)~~ — *Regular elections.* Regular city elections shall be held on the second Tuesday in March of each year in which a council term expires.

(d) Runoff election for mayor. If no mayoral candidate receives a majority in the regular election, a runoff election limited to the two candidates for mayor receiving the highest and next highest number of votes in the regular election shall be held no later than 60 days after the regular election.

~~(ee)~~ *Special elections.* Special municipal elections may be called by the council at any time for such purposes as are authorized by law.

(fd) —Effective date of office. Newly elected council members shall take office the next business day following certification of city regular election returns. The newly elected mayor shall take office the next business day following certification of the city regular election returns or runoff election returns as applicable.

(g) Canvassing Board. The Pinellas County Canvassing Board shall serve as the City of Clearwater's canvassing board, unless otherwise provided by ordinance.

The motion was duly seconded and carried unanimously.

2.2 Discuss requiring the Mayor or Chief Administrative Officer to attend council meetings.

- (c) Attend council meetings upon the request of city council and have the right to take part in discussion, but not to vote.

Discussion ensued with comments made that the mayor would benefit from attending council meetings and hear council concerns directly.

Committee Member Mantzaris moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, Powers and duties of the mayor:

- (c) Attend council meetings upon the request of city council and have the right to take part in discussion, but not to vote.

The motion was duly seconded and carried with the following vote:

Ayes: 7 - Chair Elias and Committee Members Loyd, Mantzaris, Vittetoe, Sturtevant, Wright, Cunningham,

Nays: 3 - Committee Members Carlough, Goudeau and Vice Chair Warshauer

2.3 Powers of Mayor.

Section 3.03. - Powers and duties of the ~~city manager~~mayor.

The ~~city manager~~mayor shall:

- (a) Appoint, promote, and suspend, demote, or remove any city employees or appointive administrative officers under the city manager's jurisdiction, except as may be otherwise provided by law. Such appointment, promotion, suspension, demotion, or removal shall be in compliance with the civil service law and other applicable rules and regulations.
- (b) Establish or discontinue any city department, division or board in the administrative affairs of the city, subject to council approval.
- (c) Attend council meetings upon the request of city council and have the right to take part in discussion, but not to vote.
- (d) See to the faithful execution of all laws, provisions of this charter, and acts of the council subject to enforcement by the ~~city manager~~mayor or officers subject to the ~~city manager~~mayor's supervision.

- (e) Prepare ~~and submit~~ **and present** to the council in the form provided by ordinance, the annual budget, a capital improvement budget, and a projected capital improvement program for a minimum five-year period.
- (f) Submit to the council at the first regular meeting in September of each year and make available to the public a comprehensive report on the financial condition and administrative activities of the city.
- (g) Make such other reports as the council may require concerning the operations of city departments, offices and agencies subject to the ~~city manager's~~ **Mayor's** supervision.
- (h) Keep the council fully advised as to the financial condition and future needs of the city and make recommendations to the council concerning the affairs of the city.
- (i) Sign contracts on behalf of the city pursuant to the provisions of appropriations ordinances.
- (j) Develop and keep current an administrative code which sets forth the organizational and operational procedures of the city government.
- (k) Provide administrative assistance to the council in connection with their official duties and perform such other duties as are specified in this charter or may be required by the council.
- (l) Act as purchasing agent for the city.

The City Attorney reviewed proposed changes.

Vice Chair Warshauer moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (a) Appoint, promote, and suspend, demote, or remove any city employees or appointive administrative officers under the city manager's jurisdiction, except as may be otherwise provided by law. Such appointment, promotion, suspension, demotion, or removal shall be in compliance with the civil service law and other applicable rules and regulations.

The motion was duly seconded and carried unanimously.

Committee Member Wright move to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (b) Establish or discontinue any city department, division or board in the administrative affairs of the city, subject to council approval.

The motion was duly seconded and carried unanimously.

Committee Member Goudeau moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (d) See to the faithful execution of all laws, provisions of this charter, and acts of the council subject to enforcement by the ~~city manager~~mayor or officers subject to the ~~city manager~~mayor's supervision.

The motion was duly seconded and carried unanimously.

Vice Chair Warshauer moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (e) Prepare, ~~and~~ submit and present to the council in the form provided by ordinance, the annual budget, a capital improvement budget, and a projected capital improvement program for a minimum five-year period.

The motion was duly seconded and carried unanimously.

Committee Member Carlough moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (f) Submit to the council at the first regular meeting in September of each year and make available to the public a comprehensive report on the financial condition and administrative activities of the city.

The motion was duly seconded and carried unanimously.

Committee Member Wright moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (g) Make such other reports as the council may require concerning the operations of city departments, offices and agencies subject to the ~~city manager's~~Mayor's supervision.

The motion was duly seconded and carried unanimously.

Committee Member Loyd moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (h) Keep the council fully advised as to the financial condition and future needs of the city and make recommendations to the council concerning the affairs of the city.

The motion was duly seconded and carried unanimously.

Committee Member Wright moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (i) Sign contracts on behalf of the city pursuant to the provisions of appropriations ordinances.

The motion was duly seconded and carried unanimously.

Committee Member Wright moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (j) Develop and keep current an administrative code which sets forth the organizational and operational procedures of the city government.

The motion was duly seconded and carried unanimously.

Vice Chair Warshauer moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (k) Provide administrative assistance to the council in connection with their official duties, and perform such other duties as are specified in this charter or may be required by the council.

The motion was duly seconded and carried unanimously.

Committee Member Loyd moved to recommend to the Joint City Council/Strong Mayor Task Force group the following amendment to Section 3.03, powers and duties of the mayor:

- (l) Act as purchasing agent for the city.

The motion was duly seconded and carried unanimously.

Discussion ensued regarding appointing advisory board members. In response to questions, the City Attorney said the City Council currently appoints all city advisory board members. The mayor could appoint members, with council confirming some members. If council fails to confirm the nominee, the mayor would have to nominate another candidate. Most regulatory boards with independent powers have basis in state law. Concerns were expressed that allowing the mayor to appoint all advisory board members would place too much power with one individual.

Vice Chair Warshauer moved to recommend to the Joint City Council/Strong Mayor Task Force group that the mayor shall appoint and remove members of boards, committees and commissions, except as required by state law to be made by the city council as the governing body of the city, and must be confirmed by city council, if not, the mayor must resubmit names within two meetings. The motion was duly seconded and carried unanimously.

The City Attorney reviewed the City of Tampa's provision related to contracts [Section 4.01(2)]: the negotiation of all contracts, franchises, acquisition, and

disposition of property and, upon approval thereof by the council, the execution on behalf of the city of all agreements, leases, deeds, and other instruments in connection therewith.

Committee Member Goudeau moved to recommend to the Joint City Council/Strong Mayor Task Force group that the mayor be responsible for the negotiation of all contract, franchises, acquisition, and disposition of property and, upon approval thereof by council, the execution on behalf of the city of all agreements, leases, deeds, and other instruments in connection therewith. The motion was duly seconded and carried unanimously.

The City Attorney was directed to draft language for joint group's consideration regarding the mayor's veto and override provisions.

2.4 Presentations from other Speakers.

AND

2.5 Set Agenda for next meeting.

The City Attorney asked if there was an interest to invite speakers who have served in a strong mayor form of government. The individuals can provide their perspective on what was most useful in that form of government.

There was consensus to invite Lynn Tipton, if available, to the next meeting to answer questions regarding the CAO's qualifications, as well as a former strong mayor council member. Speakers would be limited to 20 minutes each.

The Strong Mayor Task Force recessed from 7:32 p.m. to 7:39 p.m.

Item #3 – Public Comment.

Zach Thorn said St. Petersburg made a change where the deputy mayor is also the chief administrator.

The City Attorney said that change is not reflected in their charter.

Joe Corvino questioned the frequency of sessions for those charter reviews that take up to a year or more to complete. He said that should something be missed in this process, there would be time to correct before the changes become effective.

The City Attorney said this process is moving quickly and when there is more time, there is more public input and discussion to make sure it is being done correctly. She said that corrections passed by referendum cannot be counted on.

Lisa Lanza said it would make sense to take extra time and look at districts like those in Tampa and St. Petersburg; people would be more apt to vote for the change if they knew there were single member districts to go with it.

The City Attorney said there is a charter review scheduled in January 2019. Council direction for the task force was to prepare charter amendment ballot language in time for the November election.

Bill Jonson said the Task Force needs to prepare for when people can't get along or do the right thing. He said there is an advantage to having language in the charter requiring strategic visioning sessions to identify key priorities for the following year which would go in to the budget and the strong mayor would have an obligation to report on those accomplishments and priorities.

Item #4 – Adjournment.

The meeting adjourned at 8:06 p.m.

Chair

Attest:

City Clerk