

MEMORANDUM

To: Council President Jared Moore
Council Vice President Ann Hill
Councilmember Jennifer Brahier
Councilmember Teniade Broughton
Councilmember Casey Jones
Councilmember Sherri F. Myers
Councilmember Delarian Wiggins

From: Susan A. Woolf, City Attorney 

Cc: Grover C. Robinson, IV, Mayor
Don Kraher, Council Executive
Keith Wilkins, City Administrator
Ericka L. Burnett, City Clerk
David Stafford, Supervisor of Elections

Date: March 24, 2021

Re: Charter Review Commission

Background

The City charter requires the formation of a charter review commission ("CRC") every ten years starting with the first CRC to be formed in time to start work before the second week in January 2022. (Charter, sec. 8.01(a) and (b)). The stated purpose of the CRC is to review the charter and make any recommendations for amendments to the charter. (Sec. 8.01(g)).

Charter Review Commission – composition, staff, and budget

The charter requires that the Mayor and City Council appoint nine members to the CRC. No member of the CRC can be an elected official, and each CRC member must be a City resident and elector. (Sec. 8.01(b)). The members are not compensated. (Sec. 8.01(d)).

The charter does not specify how the CRC is to be staffed. When the current charter was created, an outside attorney and various experts provided guidance to the commission during their meetings.

Expenditures by the CRC shall be verified by a vote of the CRC and forwarded to the Mayor for payment. The budget of the CRC is to come from the general fund of the City. The City may accept funds, grants, gifts, and services for the CRC from the State, the County, and the government of the United States or other public and private sources. (Sec. 8.01(e)).

Procedures, deadlines, and report requirements

The CRC meetings will be held in accordance with the Sunshine Law. A majority of the members of the CRC will constitute a quorum. Additional procedural rules, such as Robert's Rules of Order, may be adopted by the CRC. (Sec. 8.01(c)).

The CRC is required to meet prior to the third week of January 2022, which sets the deadline for the **first meeting on or before Friday, January 14, 2022**. The first meeting is for the purpose of organizing the CRC, which will include electing a chair and vice chair. Per the charter, additional meetings will be determined by the chair or any three members of the CRC. (Sec. 8.01(c)).

The work of the CRC must be **completed by July 31, 2022**. The CRC must submit a report that includes the proposed amendments to the charter, if any, providing the specific language that is recommended. (Sec. 8.01(g)).

After receipt of the CRC report, the City Council must take action to decide whether the proposed amendments are:

- (1) Returned to the CRC for further review;
- (2) Revised and included on a ballot;
- (3) Included on a ballot without change; or
- (4) Subjected to other action.

The amendments approved by City Council, if any, will be included on the ballot as a single question, individual questions, or any combination thereof. City Council, working with the Supervisor of Elections, must place the approved amendments on the ballot of the general election to be held on November 8, 2022. Importantly, the Supervisor of Elections has indicated that any proposed amendments will need to be provided to his office **no later than August 23, 2022** in order to make the printing deadline for placing them on the ballot. This deadline will require the Council to make decisions on the proposed amendments, including approving the final language, at or before Council's August 2022 meeting or at a special meeting. Due to the nature of the topic, I suggest that the Council schedule a special meeting to allow sufficient time to receive public input and for the Council to consider the proposed amendments, including any revisions to the language proposed by the CRC.

The City Council must publish notice of the election and proposed amendments. An amendment must be approved by a majority of the electors voting in the election in order to pass and be adopted. (Sec. 8.01(g)).

Please let me know if you have any questions.

Robyn Tice

From: Ericka Burnett
Sent: Wednesday, March 24, 2021 11:04 AM
To: Robyn Tice
Subject: FW: Charter Review Commission
Attachments: 00053302.pdf

FYI

Ericka L. Burnett, CMC

City Clerk

Visit us at <https://www.cityofpensacola.com>

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Florida has a very broad public records law. As a result, any written communication created or received by City of Pensacola officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

From: Jessica Whittle
Sent: Wednesday, March 24, 2021 11:00 AM
To: Jared Moore <JMoore@cityofpensacola.com>; Ann Hill <AHill@cityofpensacola.com>; Jennifer Brahier <JBrahier@cityofpensacola.com>; Teniade Broughton <TBroughton@cityofpensacola.com>; Casey Jones <cjones@cityofpensacola.com>; Sherri Myers <smyers@cityofpensacola.com>; Delarian Wiggins <dewiggins@cityofpensacola.com>
Cc: Grover C. Robinson, IV <GRobinson@cityofpensacola.com>; Don Kraher <DKraher@cityofpensacola.com>; Keith Wilkins <KWilkins@cityofpensacola.com>; Ericka Burnett <EBurnett@cityofpensacola.com>; 'dstafford@escambiavotes.com' <dstafford@escambiavotes.com>; Legal <Legal@cityofpensacola.com>
Subject: Charter Review Commission

Please see the attached correspondence from Ms. Woolf.

Sincerely,

Jessica Whittle

Legal Assistant

Visit us at <https://www.cityofpensacola.com>

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