



Legislation Details (With Text)

File #: 17-00260 **Version:** 2 **Name:**
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File created: 4/3/2017 **In control:** City Council
On agenda: 4/13/2017 **Final action:** 4/10/2017
Enactment date: **Enactment #:**
Title: OVERRIDE MAYOR ASHTON HAYWARD'S VETO OF MARCH 14, 2017 OF THE CITY COUNCIL ACTION ITEM #17-00186, BEGIN THE PROCESS FOR HIRING A BUDGET ANALYST, PASSED BY CITY COUNCIL ON MARCH 9, 2017.

Sponsors: Sherri Myers

Indexes:

Code sections:

Attachments: 1. Ordinance No. 28-14, Creating Charter Amendment, 2. Ordinance No. 05-15, Creating the Office of City Council, 3. Ordinance No.10-16, Establishing the Position of Budget Analyst, 4. Organizational Chart for Office of City Council, 5. September 14, 2016 Council Report, 6. March 9, 2017 Council Report, 7. March 14, 2017 Veto Memos from Mayor Hayward, 8. Section 4.02, City Charter, 9. PROVIDED TO COUNCIL: LETTER OF LEGAL OPINION FROM ATTORNEY HIRED BY CITIZEN, 10. 4/7/17 EMAIL TRANSMITTAL OF MEMO FROM CITY ATTORNEY PROVIDING LEGAL OPINION, 11. 4/12/17 EMAIL TRANSMITTAL OF MEMO FROM CITY ATTORNEY CLARIFYING LEGAL OPINION

Date	Ver.	Action By	Action	Result
4/13/2017	2	City Council	Approved	Pass
4/10/2017	1	Agenda Conference	Placed on Consent Agenda	Pass
4/10/2017	2	City Council	approved	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member Sherri F. Myers

SUBJECT:

OVERRIDE MAYOR ASHTON HAYWARD'S VETO OF MARCH 14, 2017 OF THE CITY COUNCIL ACTION ITEM #17-00186, BEGIN THE PROCESS FOR HIRING A BUDGET ANALYST, PASSED BY CITY COUNCIL ON MARCH 9, 2017.

RECOMMENDATION:

That City Council vote to override Mayor Ashton Hayward's Veto, dated March 14, 2017, of City Council legislative action item #17-00186 pertaining to the City Council beginning the process of hiring a Budget Analyst, which City Council passed on March 9, 2017.

HEARING REQUIRED: No Hearing Required

SUMMARY:

On November 4, 2014 the citizens of Pensacola passed, via referendum vote, a Charter Amendment stating in part, “The City Council shall establish an Office of the City Council and shall have as its staff the following who shall be responsible to the City Council through the President of the Council:...Budget Analyst, Legal Aide, Council Executive, Executive Assistant, Other Staff...” This amendment is found within the City Charter under the enumerated Powers and Duties of the City Council, Section 4.02(a) (6).

On February 12 (first reading) and March 12 (second reading and adoption) of 2015, the Office of City Council was established through Ordinance No. 05-15, each passing without a Mayoral Veto being offered.

On March 17 (first reading) and April 14 (second reading and adoption) of 2016, the position of Budget Analyst to the City Council was established (in accordance with City Charter 4.02(a) (6) via Ordinance No. 10-16, each passing without a Mayoral Veto being offered.

A 2016-2017 proposed budget was offered by the Mayor wherein funds were included for City Council Staff; also included was an organizational chart showing the position of Budget Analyst to the City Council. This proposed budget was approved by the City Council on September 14, 2016, passing without a Mayoral Veto being offered.

On March 9, 2017 the City Council passed a Legislative Action item to, “...begin the hiring process for a Budget Analyst in accordance with City Charter 4.02(a) (6).”

On March 14, 2017 City Council was notified of the Mayoral Veto of this Legislative Action item, an item which functioned as an implementation of City Charter and in accordance with previously adopted City Ordinances.

The Charter of the City of Pensacola provides for enumerated Powers and Duties as an expressed will of the Citizens of Pensacola; it is therefore imperative that City Council override this Veto action of the Mayor in order to protect the will of the people.

PRIOR ACTION:

July 14, 2014 - City Council approved on first reading, Proposed Ordinance No. 31-14, a Charter Amendment Ordinance placing the “Office of City Council” on the November 2014 ballot

August 11, 2014 - City Council adopted Ordinance No. 28-14, a Charter Amendment Ordinance placing the “Office of City Council” on the November 2014 ballot

November 4, 2014 - Charter Amendment passed via referendum vote requiring the City Council to establish the Office of the City Council and to adopt by ordinance the position of budget analyst

February 12, 2015 - City Council approved on first reading, Proposed Ordinance No. 05-15, creating Section 2-2-10 of the City Code, creating the Office of City Council in accordance with City Charter 4.02(a)(6)

March 12, 2015 - City Council adopted Ordinance No. 05-15, creating the Office of City Council.

March 17, 2016 - City Council approved, on first reading, Proposed Ordinance No. 05-16, an ordinance

creating Section 2-4-52 of the City Code, creating the position of Budget Analyst to the City Council in accordance with City Charter 4.02(a)(6)

April 14, 2016 - City Council adopted Ordinance No. 10-16, creating the position of Budget Analyst to the City Council

September 7, 2016 - City Council conducted first public hearing on the 2016-2017 City Budget and approved a tentative budget by Resolution No. 29-16

September 14, 2016 - City Council adopted the 2016-2017 City Budget by Resolution No. 32-16

March 9, 2017 - City Council passed a Legislative Action Item #17-00186 to begin the process for hiring a Budget Analyst to the City Council

March 14, 2017 - Mayor Hayward exercised Veto of Legislative Action Item #17-00186

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Ordinance No. 28-14, Creating Charter Amendment
- 2) Ordinance No. 05-15, Creating the Office of City Council
- 3) Ordinance No. 10-16, Establishing Position of Budget Analyst
- 4) Organizational Chart for Office of City Council
- 5) September 14, 2016 Council Report
- 6) March 9, 2017 Council Report
- 7) March 14, 2017 Veto Memos from Mayor Hayward

PRESENTATION: No