

**2008 Study:**  
**The Structure of Local Government**  
*What is Best for the Future  
of Marion County?*



*Public Policy Institute*  
**A Report to the Citizens of Marion County**  
**Summer 2008**



## **The Public Policy Institute of Marion County**

*The Public Policy Institute of Marion County is a non-profit, non-partisan organization dedicated to advancing public interest, building democracy, enhancing community and improving the quality of life by involving citizens in the process.*

### **Vision:**

*To provide leadership in developing and implementing short-term and long-term goals and solutions for an improved community.*

### **Mission:**

*To give the community a sense of hope and optimism by creating a broad base of community involvement in identifying, researching and establishing dialogue on community-wide issues, and then recommending and helping to implement timely solutions.*

### **Objectives:**

- To provide formal and informal networks for individuals to come together to share their knowledge, resources and experiences.
- To periodically identify a short-term community project that can be accomplished in a 12- to 18-month period with meaningful results.
- To provide a process where community leaders can work through problems and participate in open discussions, conferences and seminars.
- To involve a broad range of individuals in the process, to generate dynamic, creative and catalytic leadership in addressing each critical issue and to provide enduring solutions.
- To create a shared sense of community, in that any issue must be addressed, discussed, and debated in an atmosphere of mutual fairness, respect, civility and sincerity to all others where the highest aspiration is to serve the common good.

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## **Executive Summary**

Marion County's growth continues at a rapid rate, with more than 320,000 residents expected to live in its 1,663 square miles by 2012. Currently, 80 percent of Marion County residents have chosen to live in the unincorporated area of the county. Each of these residents expects some type of services from city or county government and most people don't care who provides the service, as long as it is available to them at reasonable cost and with efficiency.

Whether it is something as fundamental as public safety-including policing, fire and ambulance services; or as necessary to public health as providing potable drinking water and sanitary sewer services; or as much fun as recreation facilities and programs; or whether the expectation is for full-service libraries, comprehensive planning, adequate garbage disposal, street lighting or functional roads — the political decisions made by our local commissions and councils have an impact on both the quality of life and the pocketbooks of our citizens.

Marion County and its five municipalities (Belleview, Dunnellon, Ocala, McIntosh and Reddick) all provide varying levels of these expected services. Each municipality has created and voted on its own charter, similar to a mini-constitution, to describe its governance structure and to reflect the will of its residents. Each of these cities performs or contracts for the municipal services that are expected by people living in urbanized areas.

The county, on the other hand, was created in 1844 to perform such basic state services as law enforcement, record keeping, elections and tax assessment and collection. It still does these things today through the elected constitutional officers. A county, including Marion, draws its authority from the state and most counties can do only what is authorized by law. However, in the 19 Florida counties which have adopted their own charters, commissioners are able to act on local issues as they see fit, as long as it is not prohibited by state law.

With its total current budget of \$566.5 million, Marion County has increasingly been providing what has been previously considered municipal services, some because of demand by the residents of the county and others because of legislative mandates. The county's functions have broadly expanded since its inception.

It is evident that as the population increases, more efficient and cost-effective ways to provide these services must be found, particularly as the Legislature limits funds previously available to both city and county governments, and as newly adopted amendments to the constitution limit the taxing authority of both city and county.

### **FUNCTIONAL CONSOLIDATION**

Throughout the study process, the Public Policy Institute Study Committee considered potential benefits of statutory consolidation of government structure, yet recommends functional consolidation, the alternative method of restructuring local government to improve efficiency and effectiveness of local government functions. Functional consolidation allows cities, constitutional officers, and the county to consolidate certain types of services through interlocal agreement or contract. Functional consolidation would provide for a comprehensive review of services and costs while recognizing that individuals who live in municipalities identify with a specific place of residence and therefore have a sense of pride for where they live.

Functional consolidation already exists in the area of risk management and is currently under consideration for parks and recreation by Marion County and the City of Ocala. Functional

## **Executive Summary (continued)**

consolidation also exists in law enforcement for the Marion County's smallest municipalities. Study recommendations regarding functional consolidation contain elements which should be included in any such agreement, including clear expectations, accountability and measurable, cost-effective outcomes. Functional consolidation can only be considered effective if it improves services and maintains value for residents.

### **CHARTER GOVERNMENT**

With information provided by the Florida Association of Counties and individuals who have worked in charter as well as non-charter counties, it became clear that a more thorough examination of charter government possibilities is necessary. Therefore, the study committee recommends establishment of a Charter Consideration Committee, a broad-based community group to consider the positive and negative effects of each of the elements that a charter should contain.

### **COUNTY COMMISSION DISTRICTS**

The intensity and distribution of growth in parts of the county have resulted in many people feeling under-represented in the political decision-making process. Currently, each commissioner is elected at-large by all county voters and must reside in the designated district at the time of taking office. In single-member districts, commissioners are elected by only the residents of the district. The study committee recommends single-member districts for consideration on the 2010 ballot and also recommends creation of two additional at-large commissioners who would run county-wide. Redistricting, the redrawing of district lines according to population increases, must occur every 10 years using new census data. In the past redistricting has been determined by the Marion County Board of County Commissioners. Instead, for future redistricting, a citizen redistricting committee is recommended to consider the new district lines to be created following the 2010 census.

### **PUBLIC WORKS DEMANDS**

Based upon information provided by study resource speakers, it became evident to the committee that there would be shortages in infrastructure, not only for water and sewer, but also for electricity supply and solid waste disposal. It is also obvious that these are very high cost areas which must respond to overall population growth and ever increasing usage. Therefore, the study committee identified the need for the establishment of a broad-based committee to further study public works including, but not limited to, electric utility, water, sewer and solid waste disposal.

### **FOLLOW THE MONEY**

The study committee looked at what cities and counties can, or must do by charter or statute, and examined the funding streams for both forms of government. Throughout Florida, only about 16 percent of most city revenue comes from property tax. In Ocala, 30.5 percent or \$19 million is generated from property taxes. For the current budget year, only \$74.3 million, equal to about 21 percent of Marion County's revenue, comes from ad valorem taxes on property. Other revenue sources include fees, sales taxes, gas taxes and utility charges. Any consolidation or coordination of functions will necessarily force policy makers to carefully examine all financial sources available, not only for today or tomorrow, but for the long-term financial health of local governments and citizens.

## **Scope of Study**

Marion County has changed dramatically over the past several decades. Population has increased significantly and is projected to continue increasing. With growth has come a myriad of related issues: traffic congestion, concern about the availability of water, development of farm and other open space and adequacy of emergency services, to name a few. At the center of addressing government issues are the city and county governments, and it is logical to ask whether the current structure of local government is best suited for the future of Marion County.

The questions to be addressed by this study are:

- What is the current local government structure, and is it effective and efficient?
- What local government options are available in Florida?
- Are there other forms of local government in Florida that are working more effectively and efficiently than the Marion County structure?
- How should local government be structured in Marion County for the future?

## **Highlights**

### **Major Problems**

1. A significant, steady increase in population, the associated demand for resources, and related infrastructure and municipal services call for local government agencies to collectively address these issues. To protect and preserve the quality of life, community needs should be addressed through improved communication, collaboration and cooperation.
2. Some local services are still being duplicated, which if functionally consolidated would result in improved effectiveness and efficiency of service delivery.
3. State budget reductions and the impact of Amendment 1 are adversely impacting local governments by restricting local taxing authorities. Unfunded mandates require local governments to assume responsibility for providing and paying for essential services previously provided for and funded by the state.
4. Based upon growing population and dwindling resources, there is an impending regional concern regarding the ability to provide essential public works and related services.

### **Recommended Solutions to the Problems**

1. A) Establish a Charter Consideration Committee (CCC) to further study the advantages and disadvantages of creating a charter form of government.  
B) Restructure the current Marion County Board of County Commissioners district lines in an effort to balance the representation of specific demographic populations.  
C) Implement policies to require a communications protocol within and among government agencies.
2. Support functional consolidation of services where economically feasible and beneficial to delivery of services.
3. Revise the current local taxing policies and millage rates to maintain essential services, recognizing that super majority or unanimous votes may be necessary to override millage restrictions imposed by the state Legislature.
4. Initiate further study of public works including, but not limited to, electric utility, water, sewer and solid waste disposal.

## **Key Recommendation**

*The key recommendation identifies local action to improve the structure and function of local government and to enhance communication, collaboration and cooperation among local government agencies.*

### **Establish a Charter Consideration Committee to further study the advantages and disadvantages of creating a charter form of government for Marion County.**

The study committee identified the need to establish a Charter Consideration Committee to examine the potential advantages and disadvantages of creating a charter form of government. The Public Policy Institute of Marion County (PPI) would convene the initial Charter Consideration Committee in the fall of 2008, comprised of representatives including, but not limited to, members of the 2008 Public Policy Institute Study Committee, representatives from constitutional offices, area chambers of commerce, other community leaders, appointees from political parties and independents, and representatives of demographic populations in the county to establish a diverse and objective committee. Among issues to be considered are:

- Size of commission
- Full-time vs. part-time county commissioners
- Non-interference provision for authority of county administrator
- Selection and role of county administrator and county attorney
- Partisan vs. non-partisan district representatives
- Recall provisions
- Provisions for charter amendment.

The 2008 Public Policy Institute Study Committee recommends no change to the current status, duties and salary structure of constitutional officers under a charter form of government.

## **Key Findings**

*Key findings represent the information received by the study committee, derived from published materials, study topic presentations by resource speakers and consensus of the study group's understanding of the resources.*

## **Key Findings: Current Structure of Local Government**

*Current structure of local government outlines the existing organization of Marion County government.*

### **Marion County**

Marion County is governed by the Marion County Board of County Commissioners and managed by the county administrator. The five-member Board of County Commissioners is the primary legislative and policy-making body for Marion County. Each Commissioner resides in one of five delineated districts. Commissioners are elected in partisan elections by all county voters to serve staggered four-year terms. The county administrator is appointed by the Board of County Commissioners and a chair and vice-chair are elected each year.

The overall operating budget includes the county administrator and 25 departments funded through ad valorem taxes, fees, assessments, sales tax revenues, gas taxes, and other intergovernmental transfers. From these same revenue sources, the county provides the funds for the budgets of elected constitutional officers. The clerk of the court serves as the budget and finance officer for the county commission.

*For a detailed explanation of the roles and responsibilities of constitutional officers, please refer to Supplement C, Page 28-29.*

### **City of Ocala**

The City of Ocala is governed by the council-manager form of government. Voters elect a five-member city council and a mayor in non-partisan elections. The mayor serves a two-year term and council members serve staggered four-year terms. The mayor has authority to veto ordinances adopted by the city council; but the council may override the veto with a 4/5 vote. Additionally, the mayor has authority over the police department, a unique feature in a Florida city charter. The City of Ocala receives revenue from utility services provided to city and some county residents. Generated funds are transferred from utilities to the general revenue budget to supplement the revenues received from property taxes. The city receives additional revenue from a variety of state and federal grants, taxes and fees.

The city council sets the policies and oversees the general operation of the City of Ocala. The city manager is appointed by city council and is responsible for carrying out policy, administering city affairs and keeping council informed on city governmental operations. The city manager makes recommendations to the council for final action. The city manager is the chief administrative officer of the city and is responsible for preparing and submitting the annual budget for council approval.



## **Key Findings: Current Structure of Local Government (continued)**

### **City of Belleview**

The City of Belleview operates under a five-member commission form of government, including a mayor/commissioner elected by the people. The commissioners are elected to staggered two year terms, and the mayor/commissioner is elected to a three year term. All elected officials are elected at large by plurality vote and are non-partisan. Elections are held every November.

The mayor/commissioner presides at all meetings and performs other duties consistent with the office. The Mayor/Commissioner may also participate in and vote last on issues, but does not have veto power. The Belleview City Commission is vested with legislative powers and approves all ordinances, resolutions, contracts and the annual operating budget. The commission also sets policies and oversees the general operations of the City of Belleview, with all of the department heads reporting directly to the commission. Oversight of the city budget is the responsibility of the city clerk/administrator.

### **City of Dunnellon**

The City of Dunnellon operates under a council-manager form of government with the council consisting of five non-partisan members elected to staggered two-year terms. One member of the council is elected mayor. City council members are not elected from districts and therefore function at-large, representing all residents. The council members are ultimately responsible to the citizens of Dunnellon. The council approves the fiscal budget, sets the millage rate, passes ordinances and resolutions, and appoints the city manager. The city manager is the chief administrative officer responsible for appropriate administration of all affairs of the council. On an annual basis, the council elects one of its members to serve as vice-mayor.

### **Town of McIntosh**

The Town of McIntosh is governed by a five-member city council and a mayor. The town council and mayor are elected at-large by non-partisan election to four-year staggered terms by qualified voters of the town. The council appoints a town clerk and a town attorney. The clerk develops and maintains an administrative code for the purpose of implementing ordinances passed by the council. Law enforcement and fire services are provided by the county through contracts with the council.

### **Town of Reddick**

The Town of Reddick is governed by a five-member town council and mayor. The town council is elected at-large by non-partisan election to two-year staggered terms by the registered voters residing in the Town of Reddick. The town clerk and mayor are elected annually. The town council sets policies and oversees general operation of the Town of Reddick. The town clerk reports to the town council, manages the town budget and is the only paid employee. The Town of Reddick covers approximately one square mile of Marion County.

### **Key Findings: Barriers**

*Barriers have the potential to impede the implementation of recommendations to restructure local government in Ocala/Marion County. Study topic presentations have indicated that these barriers can be overcome through enhanced communication, collaboration and cooperation among government agencies. Bulleted statements are not listed in prioritized order.*

- Increased funding restrictions
- Resistance to change and perceived fear of losing local community identity and control
- Potential conflicts in city and county comprehensive plans
- Lack of consistent communication, collaboration and cooperation among local government agencies, often at the level at which policy decisions are determined
- Bond indebtedness: bond covenants can place restrictions on operations and in any consolidation of services must be absorbed by the new entity

### **Key Findings: Conclusions**

*Conclusions express the value judgments of the committee, based on the findings in the report.*

- Unfunded mandates issued by the Florida Legislature require local government to assume responsibility for providing services previously funded by the state government, making coordination and consolidation of services at the local level necessary.
- The ability of local government to provide citizens with levels of services that preserve quality of life has been severely impacted by recent cuts in revenue and requires new methods for providing services across city/county boundaries.
- Substantial progress has been made to eliminate previously duplicated services within the city and county departments. Several opportunities for functional consolidation of duplicative activities remain.
- There is need for increased transparency of local government policies and practices.
- A clearly articulated communications protocol among commissioners, administrators and staff is needed.
- The leadership roles of the city manager and county administrator need to be enhanced to improve communication, collaboration and cooperation among governmental agencies.
- During the study, the study committee identified a critical issue of regional concern associated with the future capacity to meet existing and new residential needs for electricity, water, sewer and solid waste disposal. The committee did not address this problem because: 1) the issue was outside the scope of the study 2) the scope of the identified problem was too great to be addressed within the timeframe of the current study and 3) study committee membership would require additional stakeholders and perspectives.

Therefore, the study committee identified the need for the establishment of a broad-based committee to further study public works including, but not limited to, electric utility, water, sewer and solid waste disposal. *(See Supplement G, Page 48)*

## **Study Framework: Recommendations**

*Recommendations are the specific suggestions for change, based on the findings and conclusions.*

### **Implementation of Study Recommendations**

The Public Policy Institute Board of Directors will appoint an Oversight Task Force Chair to oversee the implementation of study recommendations. Study committee members are invited to continue involvement by participating in the oversight process. Task force members ensure that decision makers are made aware of the recommendations in the study and may also develop strategies to gain support for implementation. Oversight includes a general education phase aimed at increasing awareness of the study among elected officials and the public. It also includes an advocacy phase for each specific recommendation, which may be aimed directly at the decision makers empowered to make the changes and other community leaders who can encourage support for study recommendations. Throughout the oversight process, the education phase and the advocacy phase engage community in order to build public support. The Oversight Task Force will present quarterly reports to the Public Policy Institute Board of Directors over a 12- to 18-month period beginning November 2008 to monitor and measure outcomes of study recommendations.

## **Study Framework: Recommendations**

### **I. Structuring Local Government**

#### **Recommendation:**

1. Restructure the current Marion County Board of County Commissioners from five members at-large to five single-member district representatives plus consideration of two members at-large to more accurately represent demographic subgroups and improve accessibility and accountability of each commissioner to their constituents. Action to restructure commission membership should be completed in time for ballot placement in the 2010 election cycle.

**Responsible Agency/Organization:** Marion County Board of County Commissioners, Marion County Supervisor of Elections and Marion County Attorney.

2. Appoint a broad-based citizen Redistricting Committee to be utilized following decennial census (2010). Marion County currently has disproportionate district representation. District lines need to be redrawn to be contiguous, compact and equal in population, taking into account demographic subgroups. Pie-shaped district lines should be avoided.

*(See Structuring Local Government: Figure 2, Page 14).*

**Responsible Agency/Organization:** Marion County Board of County Commissioners, Marion County Supervisor of Elections, Marion County Planning Department, Marion County Information Technology Department, Marion County Attorney and representatives from local major political parties and registered independents.

## **Study Framework: Recommendations (continued)**

### **I. Structuring Local Government**

3. Require city and county administrators and elected officials to further enhance leadership skills through annual leadership certification programs and related public administration leadership training opportunities.

**Responsible Agency/Organization:** Marion County Board of County Commissioners, city councils/city commissions, county administrator, city managers, city and town clerks, and related staff.

4. Enforce existing policies, including non-interference, by adhering to provisions in existing charters and ordinances regarding roles and responsibilities among commissioners, council members, city manager, county administrator and related staff.

**Responsible Agency/Organization:** Marion County Board of County Commissioners, city councils/city commissions, county administrator, city managers, city and town clerks, county attorney, city attorneys, and related staff.

#### **Study Committee at Work:**

Members discuss potential recommendations during a Process Meeting in the Professional Development Conference Room at Central Florida Community College (March, 2008).

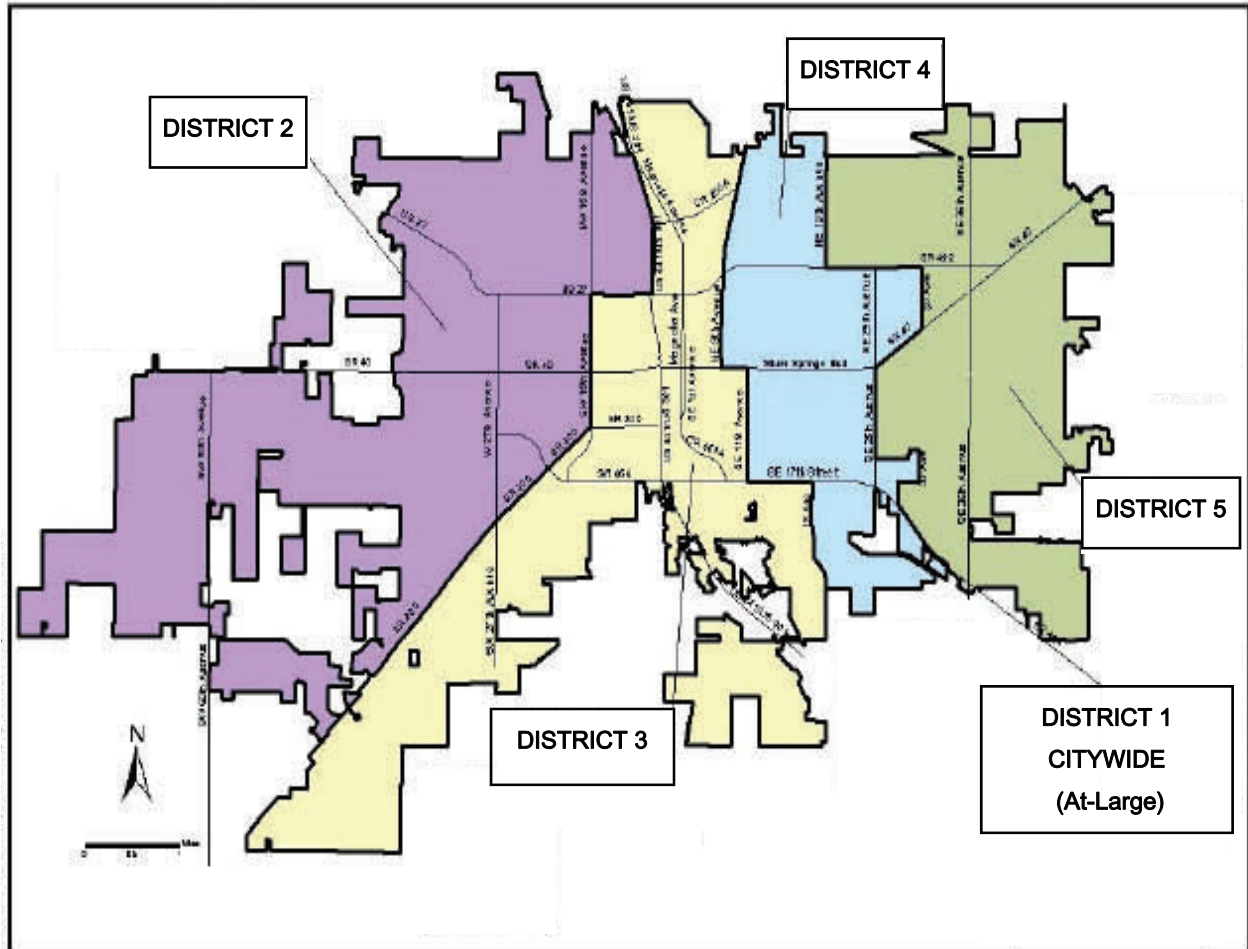


**Time Frame:** The study recommendations for Structuring Local Government can be addressed within a 12- to 18-month time period. The PPI Oversight Task Force will oversee the implementation of study recommendations and present quarterly reports to the Public Policy Institute Board of Directors beginning November 2008.

**Study Framework: Recommendations (continued)**

**I. Structuring Local Government: Figure 1**

The map below details the five current council districts within the City of Ocala, Florida.



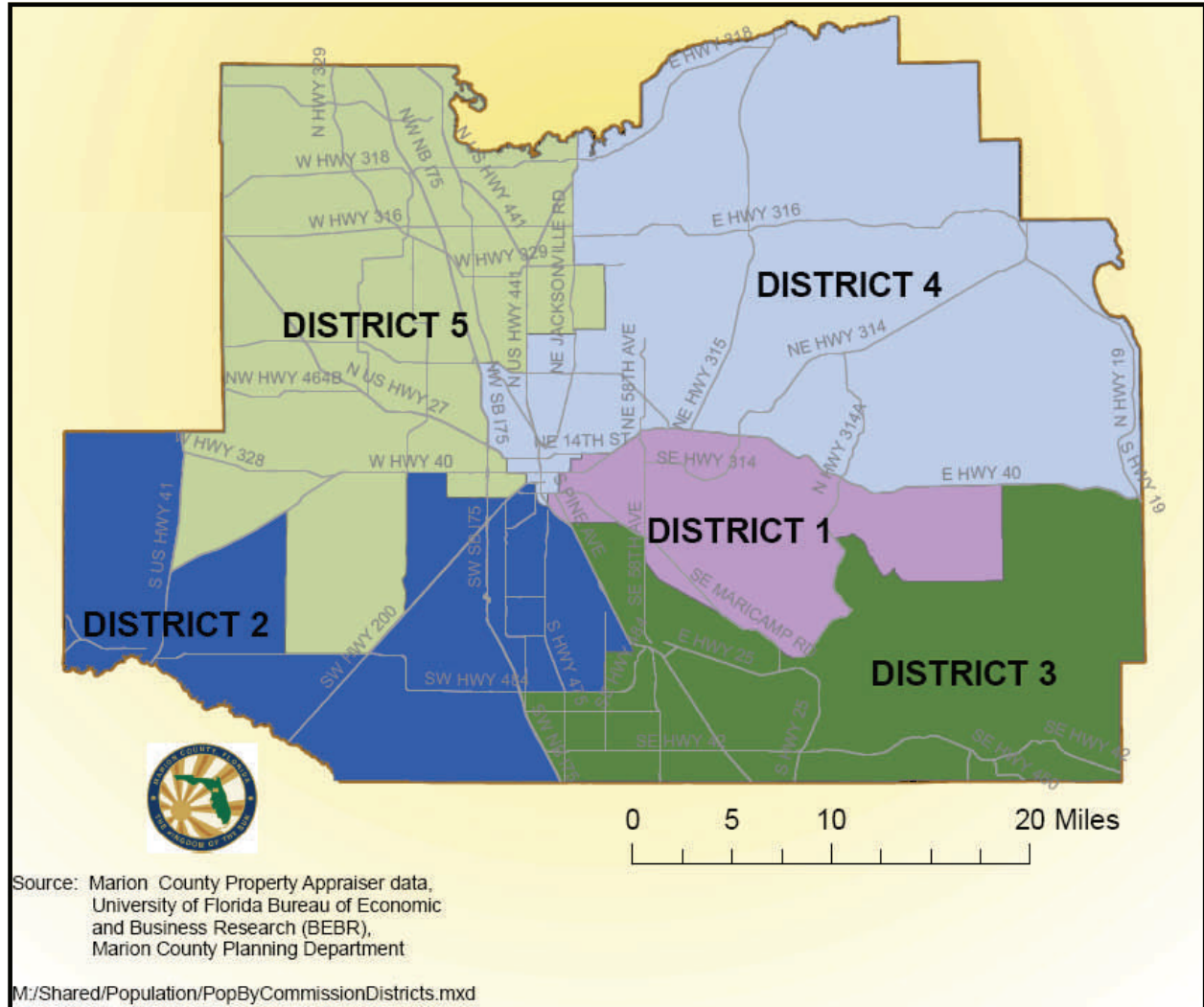
Sources: Bureau of Economic and Business Research (BEBR), University of Florida  
 City of Ocala Planning Department  
 United States Census Bureau (2000)

City of Ocala Council Districts	<u>District 1 Citywide (At-Large)</u>	<u>District 2</u>	<u>District 3</u>	<u>District 4</u>	<u>District 5</u>	<u>Total Population City of Ocala April 1, 2007 (BEBR)</u>
<b>2000 Census Population By District</b>	45,943	11,741	11,258	11,483	11,461	54,238

**Study Framework: Recommendations (continued)**

**I. Structuring Local Government: Figure 2**

The map below details the five current commission districts within Marion County, Florida.



Source note: The information provided below is a preliminary estimate.

<b>Marion County Commission Districts</b>	<b><u>District 1</u></b>	<b><u>District 2</u></b>	<b><u>District 3</u></b>	<b><u>District 4</u></b>	<b><u>District 5</u></b>	<b><u>Total Population Marion County</u></b>
<b>2007 Population Estimates</b>	<b>60,701</b>	<b>71,865</b>	<b>76,007</b>	<b>56,241</b>	<b>62,159</b>	<b>326,973</b>

## **Study Framework: Recommendations (continued)**

### **II. Funding Local Government**

#### **Recommendations:**

1. Bonding should be a major consideration for funding county capital improvement projects to permit increased investments in infrastructure during periods of slow economic activity when there is less competition for resources. Bonding generates a revenue reserve to build essential infrastructure during periods when tax receipts are lower and allows future residents to participate in the funding of this infrastructure.

**Responsible Agency/Organization:** Marion County Board of County Commissioners, Marion County Clerk of the Court, Marion County Budget Director, Marion County Finance Director and Marion County Department Directors.

2. Current local taxing policies and millage rates should be adjusted as necessary to generate additional funding. Super majority or unanimous votes may be necessary to override millage restrictions imposed by the Florida Legislature.

**Responsible Agency/Organization:** Marion County Board of County Commissioners and Marion County Administrator.

3. Interlocal agreements should reflect adequate funding levels, including measures for increasing or decreasing the level of support over time and should avoid duplication of taxation.

**Responsible Agency/Organization:** Marion County Board of County Commissioners, county administrator, city managers, city and town clerks, Marion County Sheriff, Marion County Supervisor of Elections, Marion County Tax Collector and the attorneys representing all agencies.

#### **Study Committee at Work:**

Members discuss potential recommendations during a Process Meeting in the Strategic Planning Center at Central Florida Community College (April, 2008).



**Time Frame:** The study recommendations for Funding Local Government can be addressed within an 18-month time period. The PPI Oversight Task Force will monitor the progress of study recommendations and present quarterly reports to the Public Policy Institute Board of Directors beginning November 2008.

## **Study Framework: Recommendations (continued)**

### **III. Improving Efficiency and Effectiveness of Local Government**

#### **Recommendations:**

1. Identify opportunities to coordinate function and provision of services to prevent unnecessary duplication of functions.

**Responsible Agency/Organization:** Board of Marion County Commissioners, county administrator, city managers, city and town clerks and related staff.

2. Re-examine existing Municipal Service Taxing Units (MSTU) to determine appropriateness and necessity as a viable funding source.

**Responsible Agency/Organization:** Marion County Administrator, Marion County Budget Director, Marion County Finance Director and related county staff.

3. Re-examine existing Municipal Service Benefit Units (MSBU) to determine appropriateness and necessity and identify the potential for MSBUs to fund new development.

**Responsible Agency/Organization:** Marion County Administrator, Marion County Budget Director, Marion County Finance Director and related county staff.

4. Re-examine existing interlocal agreements between county and cities and between constitutional officers and cities to ensure they provide accountability and are promoting efficiency and effectiveness.

**Responsible Agency/Organization:** Marion County Administrator, Marion County Budget Director, Marion County Finance Director and related county staff.

5. Interlocal agreements between local government entities should be constructed where it is evident that cooperation or consolidation will enhance existing services while reducing the cost of service delivery.

- Interlocal agreements differ from a simple contract in that they are only available to governments or quasi-governmental organizations. Both counties and cities are authorized by Florida Statutes to enter into agreements in which they transfer a part of their governing responsibility to another entity.
- Interlocal agreements can create great benefit to citizens if properly constructed, efficiently implemented, and if they meet or exceed expectations of the governing boards and of the citizens who receive and/or pay for the services.



## **Study Framework: Recommendations (continued)**

### **III. Improving Efficiency and Effectiveness of Local Government**

- Interlocal agreements should have clearly specified time frames.
- Interlocal agreements should have a clearly delineated renewal and cancellation process, both of which should give adequate time for the two entities to plan for changes in service provision.
- Interlocal agreements should have clearly defined expectations for accountability.
- Interlocal agreements should reflect consistency in the comprehensive plans of respective boards.
- Where necessary, comprehensive plans should be amended to reflect the changes in responsibility as a result of interlocal agreements.
- Interlocal agreements should reflect measurable levels of service for evaluation.
- If included in the agreement, funding levels should be clearly identified and methods for increasing or decreasing funding should be addressed.
- As city and county contracts with private waste collection contractors expire over the next five years, the city and county should adopt a flow-control ordinance to guarantee long-term coordination or consolidation of solid waste management.

**Responsible Agency/Organization:** Board of Marion County Commissioners, city councils, city commissions, Marion County Administrator, city and town clerks, county attorney, clerk of the court, and related staff.

6. The establishment of Community Development Districts (CDD), which are statutorily granted specific but limited authority, should be considered where demands for increased infrastructure create an opportunity for more localized community services.

**Responsible Agency/Organization:** Board of Marion County Commissioners, city councils, city commissions, Marion County Administrator, county and city planning commissions, city and town clerks, county attorney, city attorneys and private developers for large-scale projects.

**Time Frame:** The study recommendations for Improving Efficiency and Effectiveness of Local Government can be addressed within a 12- to 18-month time period. The PPI Oversight Task Force will oversee the implementation of study recommendations and present quarterly reports to the Public Policy Institute Board of Directors beginning November 2008.

## **Supplement A: Current Government Structure**

*Descriptions outline the differences among the functions of various local governments.*

**Counties** are a political subdivision of the state and were established to perform functions of the state such as law enforcement, elections, tax assessment and collection, and maintenance of official records.

**Home Rule** powers are granted to cities and counties by the state constitution and can be enhanced through the adoption of local charters.

**Non-charter counties** have the ability to govern only as authorized by state statute.

**Charter counties** have the ability to govern by provisions of the charter that are not inconsistent with state statutes.

According to the Florida Association of Counties, voters can adopt a charter that acts as the county's basic governing document which provides for more control over local internal affairs and alleviates the need for state legislation on local concerns. However, home rule does not provide for complete autonomy. State law continues to prevail over statewide concerns.

**Cities** are created by charter, voted on by city residents and are given municipal powers by the Florida Constitution and Florida Statutes and have the ability to govern by provisions of the charter that are not prohibited by state statute. Cities have broad municipal home rule authority.

**Community Development Districts (CDD)**, a local unit of special-purpose government, are authorized by local or state government (depending on size) in accordance with statutory provisions. CDDs are created to provide funding for certain infrastructure and or service on new development and require unanimous approval of the owners of the affected properties. In addition, CDDs must operate in accordance with local ordinances and comprehensive plans. An example of a local CDD is The Villages community.

**Municipal Services Taxing Unit (MSTU) and Municipal Services Benefit Units (MSBU)** are available to counties to provide for particular services to particular areas. A taxing unit utilizes an ad valorem basis; a benefit unit uses a flat fee for service which can be adjusted based on size or type of property.

### **Study Committee at Work:**

Members discuss potential recommendations during a Process Meeting in the Professional Development Conference Room at Central Florida Community College (March, 2008).



**Supplement A: Current Government Structure (continued)**

**FUNCTIONS AUTHORIZED by Florida Statutes 125, 166 and 190:**

<b>Counties</b>	<b>Cities</b>	<b>CDDs</b>	<b>MSTU</b>	<b>MSBU</b>
Adopt rules of procedure, select officers, set times of meetings	Yes	Yes	Yes	No
Prosecute or defend issues on behalf of county or state	City only	CDD only	No - County is governing board	No -County is governing board
Provide and maintain buildings	Yes	Yes	Yes	No
Provide fire protection and enforce fire code	Yes	Authorized to fund facilities	Authorized to fund facilities	Authorized to fund facilities
Provide hospitals, ambulance service, health and welfare programs	Yes, with limitations	No	Authorized to fund service programs	Authorized to fund service programs
Provide parks, preserves, playgrounds, recreation areas, libraries, museums, historical/cultural facilities and programs	Yes	Yes, with agreement of local government	Yes, with agreement of local government	Authorized to fund facilities and programs
Prepare and enforce comprehensive plans	Yes	No	No	No
Create and enforce zoning and business regulations for protection of public	Yes	No	No	No
Adopt and enforce housing codes	Yes	No	No	No
Establish programs of housing, slum clearance, community development, conservation, flood and beach erosion, air pollution control, navigation and drainage	Yes	No	No	No
Provide and regulate waste and sewage collection/disposal, water supply	Yes	Yes, with limits if authorized by local government	Authorized to fund infrastructure	Authorized to fund infrastructure

**Supplement A: Current Government Structure (continued)**

<b>Counties</b>	<b>Cities</b>	<b>CDDs</b>	<b>MSTU</b>	<b>MSBU</b>
Provide and operate air, water, rail, bus terminals, port facilities and public transit	Yes	Public Transit	No	No
Provide and regulate roads, bridges, tunnels, and regulate use of right-of-way	Yes	Yes	Authorized to fund roads, bridges and tunnels.	Authorized to fund roads, bridges and tunnels.
License and regulate taxis, limos, rental cars operating (in unincorporated areas)	Yes, in boundaries	No	No	No
Regulate the sale of alcoholic beverages	Yes - locations and hours	No	No	No
Enter into agreements with other governmental entities for any authorized function	Yes	Yes	No	No
Create, merge or abolish MSTUs for fire, law, beach erosion, recreation service and facilities, water supplies, streets, sidewalks, street lights, garbage collection and disposal, water and sewage collection, transportation, indigent health care and mental health services	Yes	No	Authorized to create assessments for specific purposes	Authorized to create assessments for specific purposes
Levy and collect taxes and borrow and spend money	Yes	Yes	No	No
Make investigations of (county) affairs, accounts, records and transactions	Yes (City)	Yes (CDD)	No	No

**Supplement A: Current Government Structure (ontinued)**

<b>Counties</b>	<b>Cities</b>	<b>CDDs</b>	<b>MSTU</b>	<b>MSBU</b>
Adopt ordinances and resolutions to exercise powers	Yes	Resolutions	No	No
Create court service systems	No	No	No	No
Require officials to submit annual budget	Yes	Yes	No	No
Perform other acts not inconsistent with state law	Yes	No	No	No
Employ a CPA to audit finances	Yes	Yes	No	No
Place a question on the ballot	Yes - City only	Yes - limited issues	No	No
Act on issuance of industrial development bonds	No	No	No	No
Use taxes to purchase land for environmental protection	Yes	Yes	Only within MSTU boundaries	Only within MSBU boundaries
Provide for employee benefits	Yes	Yes	Yes	Yes
Enforce the Florida Building Code	Yes	No	No	No
Partisan elections required unless otherwise provided in an adopted charter	No - charter controls	No -prohibited	No	No
Provide coverage to employees through the Florida Retirement System (FRS)	No	Yes	Yes	Yes
Can exercise eminent domain	Yes	Yes - limited	No	No
Exercise law enforcement-police power - pre-empted to Sheriff	Yes	No	No	No

## **Supplement B: Florida Constitution - Article VIII - Local Government**

### **CONSTITUTION OF THE STATE OF FLORIDA AS REVISED IN 1968 AND SUBSEQUENTLY AMENDED**

*The Constitution of the State of Florida as revised in 1968 consisted of certain revised articles as proposed by three joint resolutions which were adopted during the special session of June 24-July 3, 1968, and ratified by the electorate on November 5, 1968, together with one article carried forward from the Constitution of 1885, as amended. The articles proposed in House Joint Resolution 1-2X constituted the entire revised constitution with the exception of Articles V, VI, and VIII. Senate Joint Resolution 4-2X proposed Article VI, relating to suffrage and elections. Senate Joint Resolution 5-2X proposed a new Article VIII, relating to local government. Article V, relating to the judiciary, was carried forward from the Constitution of 1885, as amended.*

*Sections composing the 1968 revision have no history notes. Subsequent changes are indicated by notes appended to the affected sections. The indexes appearing at the beginning of each article, notes appearing at the end of various sections, and section and subsection headings are added editorially and are not to be considered as part of the constitution.*

#### **PREAMBLE**

*We, the people of the State of Florida, being grateful to Almighty God for our constitutional liberty, in order to secure its benefits, perfect our government, insure domestic tranquility, maintain public order, and guarantee equal civil and political rights to all, do ordain and establish this constitution.*

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#### **ARTICLE VIII**

##### **Local Government**

**SECTION 1.** Counties.

**SECTION 2.** Municipalities.

**SECTION 3.** Consolidation.

**SECTION 4.** Transfer of powers.

**SECTION 5.** Local option.

**SECTION 6.** Schedule to Article VIII.

##### **SECTION 1. Counties.--**

**(a) POLITICAL SUBDIVISIONS.** The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.

**(b) COUNTY FUNDS.** The care, custody and method of disbursing county funds shall be provided by general law.

**(c) GOVERNMENT.** Pursuant to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

## **Supplement B: Florida Constitution– Article VIII-Local Government (continued)**

**(d) COUNTY OFFICERS.** There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds.

**(e) COMMISSIONERS.** Except when otherwise provided by county charter, the governing body of each county shall be a board of county commissioners composed of five or seven members serving staggered terms of four years. After each decennial census the board of county commissioners shall divide the county into districts of contiguous territory as nearly equal in population as practicable. One commissioner residing in each district shall be elected as provided by law.

**(f) NON-CHARTER GOVERNMENT.** Counties not operating under county charters shall have such power of self-government as is provided by general or special law. The board of county commissioners of a county not operating under a charter may enact, in a manner prescribed by general law, county ordinances not inconsistent with general or special law, but an ordinance in conflict with a municipal ordinance shall not be effective within the municipality to the extent of such conflict.

**(g) CHARTER GOVERNMENT.** Counties operating under county charters shall have all powers of local self-government not inconsistent with general law, or with special law approved by vote of the electors. The governing body of a county operating under a charter may enact county ordinances not inconsistent with general law. The charter shall provide which shall prevail in the event of conflict between county and municipal ordinances.

**(h) TAXES; LIMITATION.** Property situate within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit of the property or residents in unincorporated areas.

**(i) COUNTY ORDINANCES.** Each county ordinance shall be filed with the custodian of state records and shall become effective at such time thereafter as is provided by general law.

**(j) VIOLATION OF ORDINANCES.** Persons violating county ordinances shall be prosecuted and punished as provided by law.

**(k) COUNTY SEAT.** In every county there shall be a county seat at which shall be located the principal offices and permanent records of all county officers. The county seat may not be moved except as provided by general law. Branch offices for the conduct of county business may be established elsewhere in the county by resolution of the governing body of the county in the manner prescribed by law. No instrument shall be deemed recorded until filed at the county seat, or a branch office designated by the governing body of the county for the recording of instruments, according to law.

**History.**--Am. H.J.R. 1907, 1973; adopted 1974; Am. H.J.R. 452, 1984; adopted 1984; Am. H.J.R. 125, 1998; adopted 1998; Am. proposed by Constitution Revision Commission, Revision No. 8, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

### **SECTION 2. Municipalities.--**

**(a) ESTABLISHMENT.** Municipalities may be established or abolished and their charters amended pursuant to general or special law. When any municipality is abolished, provision shall be made for the protection of its creditors.

**(b) POWERS.** Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law. Each municipal legislative body shall be elective.

## **Supplement B: Florida Constitution— Article VIII-Local Government** (continued)

(c) **ANNEXATION.** Municipal annexation of unincorporated territory, merger of municipalities, and exercise of extra-territorial powers by municipalities shall be as provided by general or special law.

**SECTION 3. Consolidation.**--The government of a county and the government of one or more municipalities located therein may be consolidated into a single government which may exercise any and all powers of the county and the several municipalities. The consolidation plan may be proposed only by special law, which shall become effective if approved by vote of the electors of the county, or of the county and municipalities affected, as may be provided in the plan. Consolidation shall not extend the territorial scope of taxation for the payment of pre-existing debt except to areas whose residents receive a benefit from the facility or service for which the indebtedness was incurred.

**SECTION 4. Transfer of powers.**--By law or by resolution of the governing bodies of each of the governments affected, any function or power of a county, municipality or special district may be transferred to or contracted to be performed by another county, municipality or special district, after approval by vote of the electors of the transferor and approval by vote of the electors of the transferee, or as otherwise provided by law.

### **SECTION 5. Local option.**--

(a) Local option on the legality or prohibition of the sale of intoxicating liquors, wines or beers shall be preserved to each county. The status of a county with respect thereto shall be changed only by vote of the electors in a special election called upon the petition of twenty-five percent of the electors of the county, and not sooner than two years after an earlier election on the same question. Where legal, the sale of intoxicating liquors, wines and beers shall be regulated by law.

(b) Each county shall have the authority to require a criminal history records check and a 3 to 5-day waiting period, excluding weekends and legal holidays, in connection with the sale of any firearm occurring within such county. For purposes of this subsection, the term "sale" means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access. Holders of a concealed weapons permit as prescribed by general law shall not be subject to the provisions of this subsection when purchasing a firearm.

**History.**--Am. proposed by Constitution Revision Commission, Revision No. 12, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

### **SECTION 6. Schedule to Article VIII.**--

(a) This article shall replace all of Article VIII of the Constitution of 1885, as amended, except those sections expressly retained and made a part of this article by reference.

(b) **COUNTIES; COUNTY SEATS; MUNICIPALITIES; DISTRICTS.** The status of the following items as they exist on the date this article becomes effective is recognized and shall be continued until changed in accordance with law: the counties of the state; their status with respect to the legality of the sale of intoxicating liquors, wines and beers; the method of selection of county officers; the performance of municipal functions by county officers; the county seats; and the municipalities and special districts of the state, their powers, jurisdiction and government.

(c) **OFFICERS TO CONTINUE IN OFFICE.** Every person holding office when this article becomes effective shall continue in office for the remainder of the term if that office is not abolished. If the office is abolished the incumbent shall be paid adequate compensation, to be fixed by law, for the loss of emoluments for the remainder of the term.

(d) **ORDINANCES.** Local laws relating only to unincorporated areas of a county on the effective date of this article may be amended or repealed by county ordinance.



## **Supplement B: Florida Constitution— Article VIII-Local Government (continued)**

**(e) CONSOLIDATION AND HOME RULE.** Article VIII, Sections <sup>1</sup>9, <sup>2</sup>10, <sup>3</sup>11 and <sup>4</sup>24, of the Constitution of 1885, as amended, shall remain in full force and effect as to each county affected, as if this article had not been adopted, until that county shall expressly adopt a charter or home rule plan pursuant to this article. All provisions of the Metropolitan Dade County Home Rule Charter, heretofore or hereafter adopted by the electors of Dade County pursuant to <sup>3</sup>Article VIII, Section 11, of the Constitution of 1885, as amended, shall be valid, and any amendments to such charter shall be valid; provided that the said provisions of such charter and the said amendments thereto are authorized under said <sup>3</sup>Article VIII, Section 11, of the Constitution of 1885, as amended.

**(f) DADE COUNTY; POWERS CONFERRED UPON MUNICIPALITIES.** To the extent not inconsistent with the powers of existing municipalities or general law, the Metropolitan Government of Dade County may exercise all the powers conferred now or hereafter by general law upon municipalities.

**(g) DELETION OF OBSOLETE SCHEDULE ITEMS.** The legislature shall have power, by joint resolution, to delete from this article any subsection of this Section 6, including this subsection, when all events to which the subsection to be deleted is or could become applicable have occurred. A legislative determination of fact made as a basis for application of this subsection shall be subject to judicial review.

<sup>1</sup>Note.--Section 9 of Art. VIII of the Constitution of 1885, as amended, reads as follows:

**SECTION 9.** Legislative power over city of Jacksonville and Duval County.--The Legislature shall have power to establish, alter or abolish, a Municipal corporation to be known as the City of Jacksonville, extending territorially throughout the present limits of Duval County, in the place of any or all county, district, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness, existing at the time of the establishment of such municipality, shall be enforceable only against property theretofore taxable therefore. The Legislature shall, from time to time, determine what portion of said municipality is a rural area, and a homestead in such rural area shall not be limited as if in a city or town. Such municipality may exercise all the powers of a municipal corporation and shall also be recognized as one of the legal political divisions of the State with the duties and obligations of a county and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Duval County and of the municipalities in said county shall vest in such municipal corporation when established as herein provided. The offices of Clerk of the Circuit Court and Sheriff shall not be abolished but the Legislature may prescribe the time when, and the method by which, such offices shall be filled and the compensation to be paid to such officers and may vest in them additional powers and duties. No county office shall be abolished or consolidated with another office without making provision for the performance of all State duties now or hereafter prescribed by law to be performed by such county officer. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers, to summoning and impaneling grand and petit jurors, to assessing and collecting taxes for county purposes and to regulating the fees and compensation of county officers. No law authorizing the establishing or abolishing of such Municipal corporation pursuant to this Section, shall become operative or effective until approved by a majority of the qualified electors participating in an election held in said County, but so long as such Municipal corporation exists under this Section the Legislature may amend or extend the law authorizing the same without referendum to the qualified voters unless the Legislative act providing for such amendment or extension shall provide for such referendum.

**History.--Added, S.J.R. 113, 1933; adopted 1934.**

<sup>2</sup>Note.--Section 10, Art. VIII of the Constitution of 1885, as amended, reads as follows:

**SECTION 10.** Legislative power over city of Key West and Monroe county.--The Legislature shall have power to establish, alter or abolish, a Municipal corporation to be known as the City of Key West, extending territorially throughout the present limits of Monroe County, in the place of any or all county, district, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness, existing at the time of the establishment of such municipality, shall be enforceable only against property theretofore taxable therefore. The Legislature shall, from time to time, determine what portion of said municipality is a rural area, and a homestead in such rural area shall not be limited as if in a city or town. Such municipality may exercise all the powers of a municipal corporation and shall also be recognized as one of the legal political divisions of the State with the duties and obligations of a county and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Monroe County and of the municipality in said county shall vest in such municipal corporation when established as herein provided. The offices of Clerk of the Circuit Court and Sheriff shall not be abolished but the Legislature may prescribe the time when, and the method by which, such offices shall be filled and the compensation to be paid to such officers and may vest in them additional powers and duties. No county office shall be abolished or consolidated with another office without making provision for the

## **Supplement B: Florida Constitution— Article VIII-Local Government (continued)**

performance of all State duties now or hereafter prescribed by law to be performed by such county officer. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers, to summoning and impaneling grand and petit juries, to assessing and collecting taxes for county purposes and to regulating the fees and compensation of county officers. No law authorizing the establishing or abolishing of such Municipal corporation pursuant to this Section shall become operative or effective until approved by a majority of the qualified electors participating in an election held in said County, but so long as such Municipal corporation exists under this Section the Legislature may amend or extend the law authorizing the same without referendum to the qualified voters unless the Legislative Act providing for such amendment or extension shall provide for such referendum.

**History.--Added, S.J.R. 429, 1935; adopted 1936.**

**<sup>3</sup>Note.--Section 11 of Art. VIII of the Constitution of 1885, as amended, reads as follows:**

**SECTION 11.** Dade County, home rule charter.--(1) The electors of Dade County, Florida, are granted power to adopt, revise, and amend from time to time a home rule charter of government for Dade County, Florida, under which the Board of County Commissioners of Dade County shall be the governing body. This charter:

- (a) Shall fix the boundaries of each county commission district, provide a method for changing them from time to time, and fix the number, terms and compensation of the commissioners, and their method of election.
  - (b) May grant full power and authority to the Board of County Commissioners of Dade County to pass ordinances relating to the affairs, property and government of Dade County and provide suitable penalties for the violation thereof; to levy and collect such taxes as may be authorized by general law and no other taxes, and to do everything necessary to carry on a central metropolitan government in Dade County.
  - (c) May change the boundaries of, merge, consolidate, and abolish and may provide a method for changing the boundaries of, merging, consolidating and abolishing from time to time all municipal corporations, county or district governments, special taxing districts, authorities, boards, or other governmental units whose jurisdiction lies wholly within Dade County, whether such governmental units are created by the Constitution or the Legislature or otherwise, except the Dade County Board of County Commissioners as it may be provided for from time to time by this home rule charter and the Board of Public Instruction of Dade County.
  - (d) May provide a method by which any and all of the functions or powers of any municipal corporation or other governmental unit in Dade County may be transferred to the Board of County Commissioners of Dade County.
  - (e) May provide a method for establishing new municipal corporations, special taxing districts, and other governmental units in Dade County from time to time and provide for their government and prescribe their jurisdiction and powers.
  - (f) May abolish and may provide a method for abolishing from time to time all offices provided for by Article VIII, Section 6, of the Constitution or by the Legislature, except the Superintendent of Public Instruction and may provide for the consolidation and transfer of the functions of such offices, provided, however, that there shall be no power to abolish or impair the jurisdiction of the Circuit Court or to abolish any other court provided for by this Constitution or by general law, or the judges or clerks thereof although such charter may create new courts and judges and clerks thereof with jurisdiction to try all offenses against ordinances passed by the Board of County Commissioners of Dade County and none of the other courts provided for by this Constitution or by general law shall have original jurisdiction to try such offenses, although the charter may confer appellate jurisdiction on such courts, and provided further that if said home rule charter shall abolish any county office or offices as authorized herein, that said charter shall contain adequate provision for the carrying on of all functions of said office or offices as are now or may hereafter be prescribed by general law.
  - (g) Shall provide a method by which each municipal corporation in Dade County shall have the power to make, amend or repeal its own charter. Upon adoption of this home rule charter by the electors this method shall be exclusive and the Legislature shall have no power to amend or repeal the charter of any municipal corporation in Dade County.
  - (h) May change the name of Dade County.
  - (i) Shall provide a method for the recall of any commissioner and a method for initiative and referendum, including the initiation of and referendum on ordinances and the amendment or revision of the home rule charter, provided, however, that the power of the Governor and Senate relating to the suspension and removal of officers provided for in this Constitution shall not be impaired, but shall extend to all officers provided for in said home rule charter.
- (2) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.
  - (3) This home rule charter shall be prepared by a Metropolitan Charter Board created by the Legislature and shall be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Until a home rule charter is adopted the Legislature may from time to time create additional Charter Boards to prepare charters to be presented to the electors of Dade County for ratification or rejection in the manner provided by the Legislature. Such Charter, once adopted by the electors, may be amended only by the electors of Dade County and this charter shall provide a method for submitting future charter revisions and amendments to the electors of Dade County.
  - (4) The County Commission shall continue to receive its pro rata share of all revenues payable by the state from whatever source to the several counties and the state of Florida shall pay to the Commission all revenues which would have been paid to any municipality in Dade County which may be abolished by or in the method provided by this home rule charter; provided, however, the Commission shall reimburse the comptroller of Florida for the expense incurred if any, in the keeping of separate records to determine the amounts of money which would have been payable to any such municipality.
  - (5) Nothing in this section shall limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties in the state of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida, and the home rule charter provided for herein shall not conflict with any provision of this Constitution nor of any applicable general laws now applying to Dade County and any other one or more counties of the State of Florida except as expressly authorized in this section nor shall any ordinance enacted in pursuance to said home rule charter conflict with this Constitution or any such applicable general law except as expressly authorized herein, nor shall the charter of any municipality in Dade County conflict with this Constitution or any such applicable general law except as expressly authorized herein, provided however that said charter and said ordinances enacted in pursuance thereof may conflict with, modify or nullify any existing local, special or general law applicable only to Dade County.

## **Supplement B: Florida Constitution— Article VIII-Local Government (continued)**

(6) Nothing in this section shall be construed to limit or restrict the power of the Legislature to enact general laws which shall relate to Dade County and any other one or more counties of the state of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida relating to county or municipal affairs and all such general laws shall apply to Dade County and to all municipalities therein to the same extent as if this section had not been adopted and such general laws shall supersede any part or portion of the home rule charter provided for herein in conflict therewith and shall supersede any provision of any ordinance enacted pursuant to said charter and in conflict therewith, and shall supersede any provision of any charter of any municipality in Dade County in conflict therewith.

(7) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the Railroad and Public Utilities Commission or of any other state agency, bureau or commission now or hereafter provided for in this Constitution or by general law and said state agencies, bureaus and commissions shall have the same powers in Dade County as shall be conferred upon them in regard to other counties.

(8) If any section, subsection, sentence, clause or provisions of this section is held invalid as violative of the provisions of Section 1 Article XVII of this Constitution the remainder of this section shall not be affected by such invalidity.

(9) It is declared to be the intent of the Legislature and of the electors of the State of Florida to provide by this section home rule for the people of Dade County in local affairs and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the Legislature and of the electors of the State of Florida that the provisions of this Constitution and general laws which shall relate to Dade County and any other one or more counties of the State of Florida or to any municipality in Dade County and any other one or more municipalities of the State of Florida enacted pursuant thereto by the Legislature shall be the supreme law in Dade County, Florida, except as expressly provided herein and this section shall be strictly construed to maintain such supremacy of this Constitution and of the Legislature in the enactment of general laws pursuant to this Constitution.

**History.--Added, H.J.R. 858, 1941; adopted 1942; Am. S.J.R. 1046, 1955; adopted 1956.**

**<sup>4</sup>Note.--Section 24 of Art. VIII of the Constitution of 1885, as amended, reads as follows:**

**SECTION 24.** Hillsborough County, home rule charter.--

(1) The electors of Hillsborough county are hereby granted the power to adopt a charter for a government which shall exercise any and all powers for county and municipal purposes which this constitution or the legislature, by general, special or local law, has conferred upon Hillsborough county or any municipality therein. Such government shall exercise these powers by the enactment of ordinances which relate to government of Hillsborough county and provide suitable penalties for the violation thereof. Such government shall have no power to create or abolish any municipality, except as otherwise provided herein.

(2) The method and manner by which the electors of Hillsborough County shall exercise this power shall be set forth in a charter for the government of Hillsborough county which charter shall be presented to said electors by any charter commission established by the legislature. The legislature may provide for the continuing existence of any charter commission or may establish a charter commission or commissions subsequent to any initial commission without regard to any election or elections held upon any charter or charters theretofore presented. A charter shall become effective only upon ratification by a majority of the electors of Hillsborough county voting in a general or special election as provided by law.

(3) The number, qualifications, terms of office and method of filling vacancies in the membership of any charter commission established pursuant to this section and the powers, functions and duties of any such commission shall be provided by law.

(4) A charter prepared by any commission established pursuant to this section shall provide that:

(a) The governments of the city of Tampa and the county of Hillsborough shall be consolidated, and the structure of the new local government shall include:

1. An executive branch, the chief officer of which shall be responsible for the administration of government.
2. An elected legislative branch, the election to membership, powers and duties of which shall be as provided by the charter.
3. A judicial branch, which shall only have jurisdiction in the enforcement of ordinances enacted by the legislative branch created by this section.

(b) Should the electors of the municipalities of Plant City or Temple Terrace wish to consolidate their governments with the government hereinabove created, they may do so by majority vote of the electors of said municipality voting in an election upon said issue.

(c) The creditors of any governmental unit consolidated or abolished under this section shall be protected. Bonded or other indebtedness existing at the effective date of any government established hereunder shall be enforceable only against the real and personal property theretofore taxable for such purposes.

(d) Such other provisions as might be required by law.

(5) The provisions of such charter and ordinances enacted pursuant thereto shall not conflict with any provision of this constitution nor with general, special or local laws now or hereafter applying to Hillsborough County.

(6) The government established hereunder shall be recognized as a county, that is one of the legal political subdivisions of the state with the powers, rights, privileges, duties and obligations of a county, and may also exercise all the powers of a municipality. Said government shall have the right to sue and be sued.

(7) Any government established hereunder shall be entitled to receive from the state of Florida or from the United States or from any other agency, public or private, funds and revenues to which a county is, or may hereafter be entitled, and also all funds and revenues to which an incorporated municipality is or may hereafter be entitled, and to receive the same without diminution or loss by reason of any such government as may be established. Nothing herein contained shall preclude such government as may be established hereunder from receiving all funds and revenues from whatever source now received, or hereinafter received provided by law.

(8) The board of county commissioners of Hillsborough County shall be abolished when the functions, duties, powers and responsibilities of said board shall be transferred in the manner to be provided by the charter to the government established pursuant to this section. No other office provided for by this constitution shall be abolished by or pursuant to this section.

(9) This section shall not restrict or limit the legislature in the enactment of general, special or local laws as otherwise provided in this constitution.

**History.--Added, C.S. for H.J.R. 1987, 1965; adopted 1966.**

## **Supplement C: Marion County Constitutional Officers**

### **Florida Constitution Article VIII**

#### **Section 1: Counties**

**(d) COUNTY OFFICERS.** *There shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court; except, when provided by county charter or special law approved by vote of the electors of the county, any county officer may be chosen in another manner therein specified, or any county office may be abolished when all the duties of the office prescribed by general law are transferred to another office. When not otherwise provided by county charter or special law approved by vote of the electors, the clerk of the circuit court shall be ex officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds.*

#### **Sheriff**

The Marion County Sheriff, charged as a peace officer, is entrusted with the responsibility of maintaining law and order and the preservation of tranquility by protecting the citizens of Marion County. To provide these services, the Marion County Sheriff's Office utilizes advanced and comprehensive law enforcement practices and is organized into the eight bureaus as follows: special investigations bureau, administrative services bureau, corrections bureau, court Services bureau, community policing bureau, watch command bureau, detective bureau, and the youth and community services bureau.

The sheriff is responsible for the policing of 14 districts within the county and for the intake (booking) and release of every inmate taken into custody by any law enforcement service within the county. In addition, the sheriff is charged with management of the jail and inmate work farm; the delivery of civil process including bailiffs for court operations; investigation of crimes; and the provision of essential youth and community services. The office is staffed by approximately 895 employees and further supported by over 1,500 volunteers.

For additional information on the roles and responsibilities of the Marion County Sheriff's Office, please visit <http://www.marionso.com/main.php>

#### **Tax Collector**

The Marion County Tax Collector is an agent for various state and local government agencies for the collection of revenue. It is the responsibility of the tax collector to invest these revenues and funds, pending their timely distribution, to various state, local agencies, and taxing authorities.

A wide range of services is provided by the tax collector, including collection of ad valorem taxes (property tax), non-ad valorem taxes, motor vehicle and vessel registration and title applications, collection of sales tax, issuance of hunting and fishing licenses, and driver licenses.

For additional information regarding the role and responsibilities of the Marion County Tax Collector, please visit <http://www.mariontax.com>

## **Supplement C: Marion County Constitutional Officers (continued)**

### **Property Appraiser**

The Marion County Property Appraiser determines values of all real and personal property in Marion County for ad valorem tax purposes on an annual basis.

In addition, the Marion County Property Appraiser administers all property and personal exemptions allowed by Florida law, maintains current property records and ownership maps for all properties within the county. Maintenance of these records provides for accurate reflection of the name and address of the owner or fiduciary responsible for payment of the taxes on all properties and a description that accurately describes the property owned.

For additional information regarding the role and responsibilities of the Marion County Property Appraiser, please visit <http://www.pa.marion.fl.us>

### **Supervisor of Elections**

The Marion County Supervisor of Elections is responsible for the operation, administration and direction of elections with exclusive charge of the conduct, management and control of the registration of voters, the holding of elections and all matters pertaining to countywide elections within Marion County. The supervisor also assists with municipal elections.

The Marion County Supervisor of Elections is responsible for preparing and justifying the elections office annual budget in compliance with all laws and practices set forth under a uniform accounting system.

For additional information regarding the role and responsibilities of the Marion County Supervisor of Elections, please visit <http://www.votemarion.com>

### **Clerk of Court**

The Marion County Clerk of Court, as an officer of the Marion County court system, performs a wide range of record keeping, information and financial management for the judicial system, the board of county commissioners, and most importantly, the citizens of Marion County.

Responsibilities of the Marion County Clerk of Court's office includes maintenance of court records including criminal, felony and misdemeanor cases, civil, family, probate and small claims proceedings, juvenile cases, and traffic citations. The clerk is also the official recorder and custodian of all documents placed in Marion County Official Records. In addition, the clerk issues marriage licenses, is authorized to perform marriage ceremonies, issues jury summons, requisitions, and distributes payment of fees to jurors. The clerk's office has also been designated by the United States Department of State to receive and process passport applications and is the only agency in Marion County so empowered.

The Marion County Clerk of Court serves as the budget officer for the board of county commissioners, attends all board meetings, records the proceedings and maintains minutes of each meeting. The clerk also serves as the chief financial officer of the county, ensuring all expenditures of county funds are authorized by law.

For additional information regarding the role and responsibilities of the Marion County Clerk of Court, please visit <http://www.marioncountyclerk.org/public>

**Supplement D: Florida Statutes**  
**Title XI-County Organization and Intergovernmental Relation**  
**Chapter 125– County Government**

*This listing is from the database located on <http://flsenate.gov/statutes/>. It has not been updated to fully incorporate all changes enacted at Special Sessions 2007 C and D, especially as affected by the approval of SJR 2-D (Amendment 1) at the January 29, 2008, special election. Please check the Citator, the Table of Section Changes Made in Florida Statutes, and the Table Tracing Laws for those special sessions for information regarding those changes.*

**125.01 Powers and duties.--**

(1) The legislative and governing body of a county shall have the power to carry on county government. To the extent not inconsistent with general or special law, this power includes, but is not restricted to, the power to:

- (a) Adopt its own rules of procedure, select its officers, and set the time and place of its official meetings.
- (b) Provide for the prosecution and defense of legal causes in behalf of the county or state and retain counsel and set their compensation.
- (c) Provide and maintain county buildings.
- (d) Provide fire protection, including the enforcement of the Florida Fire Prevention Code, as provided in ss. [633.022](#) and [633.025](#), and adopt and enforce local technical amendments to the Florida Fire Prevention Code as provided in those sections and pursuant to s. [633.0215](#).
- (e) Provide hospitals, ambulance service, and health and welfare programs.
- (f) Provide parks, preserves, playgrounds, recreation areas, libraries, museums, historical commissions, and other recreation and cultural facilities and programs.
- (g) Prepare and enforce comprehensive plans for the development of the county.
- (h) Establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public.
- (i) Adopt, by reference or in full, and enforce housing and related technical codes and regulations.
- (j) Establish and administer programs of housing, slum clearance, community redevelopment, conservation, flood and beach erosion control, air pollution control, and navigation and drainage and cooperate with governmental agencies and private enterprises in the development and operation of such programs.
- (k)1. Provide and regulate waste and sewage collection and disposal, water and alternative water supplies, including, but not limited to, reclaimed water and water from aquifer storage and recovery and desalination systems, and conservation programs.

2. The governing body of a county may require that any person within the county demonstrate the existence of some arrangement or contract by which such person will dispose of solid waste in a manner consistent with county ordinance or state or federal law. For any person who will produce special wastes or biomedical waste, as the same may be defined by state or federal law or county ordinance, the county may require satisfactory proof of a contract or similar arrangement by which such special or biomedical wastes will be collected by a qualified and duly licensed collector and disposed of in accordance with the laws of Florida or the Federal Government.

(l) Provide and operate air, water, rail, and bus terminals; port facilities; and public transportation systems.

## **Supplement D: Florida Statutes (continued)**

### **Title XI-County Organization and Intergovernmental Relation**

#### **Chapter 125– County Government**

(m) Provide and regulate arterial, toll, and other roads, bridges, tunnels, and related facilities; eliminate grade crossings; regulate the placement of signs, lights, and other structures within the right-of-way limits of the county road system; provide and regulate parking facilities; and develop and enforce plans for the control of traffic and parking. Revenues derived from the operation of toll roads, bridges, tunnels, and related facilities may, after provision has been made for the payment of operation and maintenance expenses of such toll facilities and any debt service on indebtedness incurred with respect thereto, be utilized for the payment of costs related to any other transportation facilities within the county, including the purchase of rights-of-way; the construction, reconstruction, operation, maintenance, and repair of such transportation facilities; and the payment of indebtedness incurred with respect to such transportation facilities.

(n) License and regulate taxis, jitneys, limousines for hire, rental cars, and other passenger vehicles for hire that operate in the unincorporated areas of the county; except that any constitutional charter county as defined in s. [125.011](#)(1) shall on July 1, 1988, have been authorized to have issued a number of permits to operate taxis which is no less than the ratio of one permit for each 1,000 residents of said county, and any such new permits issued after June 4, 1988, shall be issued by lottery among individuals with such experience as a taxi driver as the county may determine.

(o) Establish and enforce regulations for the sale of alcoholic beverages in the unincorporated areas of the county pursuant to general law.

(p) Enter into agreements with other governmental agencies within or outside the boundaries of the county for joint performance, or performance by one unit in behalf of the other, of any of either agency's authorized functions.

(q) Establish, and subsequently merge or abolish those created hereunder, municipal service taxing or benefit units for any part or all of the unincorporated area of the county, within which may be provided fire protection; law enforcement; beach erosion control; recreation service and facilities; water; alternative water supplies, including, but not limited to, reclaimed water and water from aquifer storage and recovery and desalination systems; streets; sidewalks; street lighting; garbage and trash collection and disposal; waste and sewage collection and disposal; drainage; transportation; indigent health care services; mental health care services; and other essential facilities and municipal services from funds derived from service charges, special assessments, or taxes within such unit only. Subject to the consent by ordinance of the governing body of the affected municipality given either annually or for a term of years, the boundaries of a municipal service taxing or benefit unit may include all or part of the boundaries of a municipality. If ad valorem taxes are levied to provide essential facilities and municipal services within the unit, the millage levied on any parcel of property for municipal purposes by all municipal service taxing units and the municipality may not exceed 10 mills. This paragraph authorizes all counties to levy additional taxes, within the limits fixed for municipal purposes, within such municipal service taxing units under the authority of the second sentence of s. 9(b), Art. VII of the State Constitution.

(r) Levy and collect taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit, and special assessments; borrow and expend money; and issue bonds, revenue certificates, and other obligations of indebtedness, which power shall be exercised in such manner, and subject to such limitations, as may be provided by general law. There shall be no referendum required for the levy by a county of ad valorem taxes, both for county purposes and for the providing of municipal services within any municipal service taxing unit.

## **Supplement D: Florida Statutes (continued)**

### **Title XI-County Organization and Intergovernmental Relation**

#### **Chapter 125– County Government**

- (s) Make investigations of county affairs; inquire into accounts, records, and transactions of any county department, office, or officer; and, for these purposes, require reports from any county officer or employee and the production of official records.
- (t) Adopt ordinances and resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law.
- (u) Create civil service systems and boards.
- (v) Require every county official to submit to it annually, at such time as it may specify, a copy of the official's operating budget for the succeeding fiscal year.
- (w) Perform any other acts not inconsistent with law, which acts are in the common interest of the people of the county, and exercise all powers and privileges not specifically prohibited by law.
- (x) Employ an independent certified public accounting firm to audit any funds, accounts, and financial records of the county and its agencies and governmental subdivisions. Entities that are funded wholly or in part by the county, at the discretion of the county, may be required by the county to conduct a performance audit paid for by the county. An entity shall not be considered as funded by the county by virtue of the fact that such entity utilizes the county to collect taxes, assessments, fees, or other revenue. If an independent special district receives county funds pursuant to a contract or interlocal agreement for the purposes of funding, in whole or in part, a discrete program of the district, only that program may be required by the county to undergo a performance audit. Not fewer than five copies of each complete audit report, with accompanying documents, shall be filed with the clerk of the circuit court and maintained there for public inspection. The clerk shall thereupon forward one complete copy of the audit report with accompanying documents to the Auditor General.
- (y) Place questions or propositions on the ballot at any primary election, general election, or otherwise called special election, when agreed to by a majority vote of the total membership of the legislative and governing body, so as to obtain an expression of elector sentiment with respect to matters of substantial concern within the county. No special election may be called for the purpose of conducting a straw ballot. Any election costs, as defined in s. [97.021](#), associated with any ballot question or election called specifically at the request of a district or for the creation of a district shall be paid by the district either in whole or in part as the case may warrant.
- (z) Approve or disapprove the issuance of industrial development bonds authorized by law for entities within its geographic jurisdiction.
- (aa) Use ad valorem tax revenues to purchase any or all interests in land for the protection of natural floodplains, marshes, or estuaries; for use as wilderness or wildlife management areas; for restoration of altered ecosystems; or for preservation of significant archaeological or historic sites.
- (bb) Notwithstanding the prohibition against extra compensation set forth in s. [215.425](#), provide for an extra compensation program, including a lump-sum bonus payment program, to reward outstanding employees whose performance exceeds standards, if the program provides that a bonus payment may not be included in an employee's regular base rate of pay and may not be carried forward in subsequent years.
- (cc) Enforce the Florida Building Code, as provided in s. [553.80](#), and adopt and enforce local technical amendments to the Florida Building Code, pursuant to s. [553.73](#)(4)(b) and (c).
- (dd) Prohibit a business entity, other than a county tourism promotion agency, from using names as specified in s. [125.0104](#)(9)(e) when representing itself to the public as an entity representing tourism interests of the county levying the local option tourist development tax under s. [125.0104](#).



## **Supplement D: Florida Statutes (continued)**

### **Title XI-County Organization and Intergovernmental Relation**

#### **Chapter 125– County Government**

- (2) The board of county commissioners shall be the governing body of any municipal service taxing or benefit unit created pursuant to paragraph (1)(q).
- (3)(a) The enumeration of powers herein shall not be deemed exclusive or restrictive, but shall be deemed to incorporate all implied powers necessary or incident to carrying out such powers enumerated, including, specifically, authority to employ personnel, expend funds, enter into contractual obligations, and purchase or lease and sell or exchange real or personal property.
- (b) The provisions of this section shall be liberally construed in order to effectively carry out the purpose of this section and to secure for the counties the broad exercise of home rule powers authorized by the State Constitution.
- (4) The legislative and governing body of a county shall not have the power to regulate the taking or possession of saltwater fish, as defined in s. [370.01](#), with respect to the method of taking, size, number, season, or species. However, this subsection does not prohibit a county from prohibiting, for reasons of protecting the public health, safety, or welfare, saltwater fishing from real property owned by that county, nor does it prohibit the imposition of excise taxes by county ordinance.
- (5) (a) To an extent not inconsistent with general or special law, the governing body of a county shall have the power to establish, and subsequently merge or abolish those created hereunder, special districts to include both incorporated and unincorporated areas subject to the approval of the governing body of the incorporated area affected, within which may be provided municipal services and facilities from funds derived from service charges, special assessments, or taxes within such district only. Such ordinance may be subsequently amended by the same procedure as the original enactment.
- (b) The governing body of such special district shall be composed of county commissioners and may include elected officials of the governing body of an incorporated area included in the boundaries of the special district, with the basis of apportionment being set forth in the ordinance creating the special district.
- (c) It is declared to be the intent of the Legislature that this subsection is the authorization for the levy by a special district of any millage designated in the ordinance creating such a special district or amendment thereto and approved by vote of the electors under the authority of the first sentence of s. 9 (b), Art. VII of the State Constitution. It is the further intent of the Legislature that a special district created under this subsection include both unincorporated and incorporated areas of a county and that such special district may not be used to provide services in the unincorporated area only.
- (6)(a) The governing body of a municipality or municipalities by resolution, or the citizens of a municipality or county by petition of 10 percent of the qualified electors of such unit, may identify a service or program rendered specially for the benefit of the property or residents in unincorporated areas and financed from countywide revenues and petition the board of county commissioners to develop an appropriate mechanism to finance such activity for the ensuing fiscal year, which may be by taxes, special assessments, or service charges levied or imposed solely upon residents or property in the unincorporated area, by the establishment of a municipal service taxing or benefit unit pursuant to paragraph (1)(q), or by remitting the identified cost of service paid from revenues required to be expended on a countywide basis to the municipality or municipalities, within 6 months of the adoption of the county budget, in the proportion that the amount of county ad valorem taxes collected within such municipality or municipalities bears to the total amount of countywide ad valorem taxes collected by the county, or by any other method prescribed by state law.

## **Supplement D: Florida Statutes (continued)**

### **Title XI-County Organization and Intergovernmental Relation**

#### **Chapter 125– County Government**

(1)(q), or by remitting the identified cost of service paid from revenues required to be expended on a countywide basis to the municipality or municipalities, within 6 months of the adoption of the county budget, in the proportion that the amount of county ad valorem taxes collected within such municipality or municipalities bears to the total amount of countywide ad valorem taxes collected by the county, or by any other method prescribed by state law.

(b) The board of county commissioners shall, within 90 days, file a response to such petition, which response shall either reflect action to develop appropriate mechanisms or shall reject such petition and state findings of fact demonstrating that the service does not specially benefit the property or residents of the unincorporated areas.

(7) No county revenues, except those derived specifically from or on behalf of a municipal service taxing unit, special district, unincorporated area, service area, or program area, shall be used to fund any service or project provided by the county when no real and substantial benefit accrues to the property or residents within a municipality or municipalities.

History.--s. 1, ch. 1882, 1872; s. 1, ch. 3039, 1877; RS 578; GS 769; s. 1, ch. 6842, 1915; RGS 1475; CGL 2153; s. 1, ch. 59-436; s. 1, ch. 69-265; ss. 1, 2, 6, ch. 71-14; s. 2, ch. 73-208; s. 1, ch. 73-272; s. 1, ch. 74-150; ss. 1, 2, 4, ch. 74-191; s. 1, ch. 75-63; s. 1, ch. 77-33; s. 1, ch. 79-87; s. 1, ch. 80-407; s. 1, ch. 83-1; s. 17, ch. 83-271; s. 12, ch. 84-330; s. 2, ch. 87-92; s. 1, ch. 87-263; s. 9, ch. 87-363; s. 2, ch. 88-163; s. 18, ch. 88-286; s. 2, ch. 89-273; s. 1, ch. 90-175; s. 1, ch. 90-332; s. 1, ch. 91-238; s. 1, ch. 92-90; s. 1, ch. 93-207; s. 41, ch. 94-224; s. 31, ch. 94-237; s. 1, ch. 94-332; s. 1433, ch. 95-147; s. 1, ch. 95-323; s. 41, ch. 96-397; s. 42, ch. 97-13; s. 2, ch. 2000-141; s. 34, ch. 2001-186; s. 36, ch. 2001-266; s. 3, ch. 2001-372; s. 20, ch. 2002-281; s. 1, ch. 2003-78; ss. 27, 28, ch. 2003-415

## **Supplement E: Charter Counties in Florida**

### **Basic Differences between Charter versus Non-Charter Counties**

#### **NON-CHARTER COUNTY**

- The structure of county government is specified in the Florida Constitution and Florida Statutes. Only amending the Florida Constitution or state law can change structure.
- Counties have powers of self-government as prescribed by the Florida Legislature.
- Florida Statutes do not provide for initiative or referendum, or recall of county officers.
- Florida Statutes do not require an administrative code.
- County cannot levy utility tax in the unincorporated area.

#### **CHARTER COUNTY**

- The structure of county government is specified in a charter as approved by the electorate. The structure can be tailored by the local electorate to meet the needs of the county.
- Counties have all powers of self-government unless they are inconsistent with the Florida Constitution or state law.
- County charters may provide for initiative, referendum, and recall at the county level.
- County charters can require an administrative code detailing all regulations, policies, and procedures.
- County charters can provide that a municipal utility tax be levied in the unincorporated area.

*Source: Florida Association of Counties*

## **Supplement E: Charter Counties in Florida (continued)**

In 1968, through the Florida Constitution, the electorate of this state granted voters the power to adopt charters to govern their counties. Charters are formal written documents that confer powers, duties, or privileges on the county. Charters resemble state or federal constitutions and must be approved, along with any amendments, by the voters of the county.

According to several Florida constitutional scholars, the establishment of charter government was designed to remove the resolution of local problems from the Legislature's busy agenda and to grant the county electorate greater control over its regional affairs.

There are now 19 charter counties in the state and collectively are home to over 75 percent of Florida's residents.

<b>County</b>	<b>Year Charter Adopted</b>	<b>Number of Municipalities</b>	<b>2006 Population</b>
<b>Alachua</b>	1987	9	240,764
<b>Brevard</b>	1994	15	531,970
<b>Broward</b>	1975	31	1,740,987
<b>Charlotte</b>	1986	1	154,030
<b>Clay</b>	1991	4	169,623
<b>Columbia</b>	2002	2	61,466
<b>Duval</b>	1968	5	861,150
<b>Hillsborough</b>	1983	3	1,131,546
<b>Lee</b>	1996	5	549,442
<b>Leon</b>	2002	1	271,111
<b>Miami-Dade</b>	1957	34	2,422,075
<b>Orange</b>	1987	13	1,043,437
<b>Osceola</b>	1992	2	235,156
<b>Palm Beach</b>	1985	37	1,265,900
<b>Pinellas</b>	1980	24	947,744
<b>Polk</b>	1998	17	541,840
<b>Sarasota</b>	1971	4	367,867
<b>Seminole</b>	1989	7	411,744
<b>Volusia</b>	1971	16	494,649

*Source: Florida Association of Counties*

**Supplement E: Charter Counties in Florida (continued)**

<b>County</b>	<b>District Structure</b>	<b>Administrative Structure</b>	<b>Constitutional Officers</b>
<b>Alachua</b>	5 At-large	Administrator	No Change
<b>Brevard</b>	5 Single	Administrator	No Change
<b>Broward</b>	9 Single	Administrator	Revised
<b>Charlotte</b>	5 At-large	Administrator	Residency Time Required
<b>Clay</b>	7 At-large	Administrator	Revised
<b>Columbia</b>	5 Single	Manager	Recall; Non-Partisan Election
<b>Duval</b>	Mixed (14/5)	Administrator	Revised
<b>Hillsborough</b>	Mixed (4/3)	Executive	No Change
<b>Lee</b>	5 At-large	Administrator	No Change
<b>Leon</b>	Mixed (5/2)	Administrator	Supervisor Non-Partisan
<b>Miami-Dade</b>	13 Single	Administrator and Strong Mayor	Revised
<b>Orange</b>	6 Single	Executive	Comptroller
<b>Osceola</b>	5 At-large	Manager	Revised
<b>Palm Beach</b>	7 Single	Administrator	No Change
<b>Pinellas</b>	Mixed (3/4)	Administrator	No Change
<b>Polk</b>	5 At-large	Administrator	Recall; Non-Partisan Election
<b>Sarasota</b>	5 At-large	Administrator	No Change
<b>Seminole</b>	5 At-large	Administrator	No Change
<b>Volusia</b>	Mixed (5/2)	Executive	Revised

Source: Florida Association of Counties

## **Supplement F: Marion County Charter-1994 Ballot Issue**

Marion County voters had the opportunity to vote on a proposed charter in November, 1994. That proposed charter limited commissioners salaries to \$18,000, changed none of the functions of the constitutional officers, provided for recall of commissioners, dealt with appointing a county manager and county attorney, and provided for non-interference of individual commissioners with employees, among other things. The charter was defeated in a 52 to 48 percent result.

The impetus for the charter came from a 1990 report from the Joint Center for Environmental and Urban Problems at Florida Atlantic and Florida International Universities which examined **Government Organization Options** for Marion County. That independent report was funded by a group of Marion citizens who subsequently approached the Marion County Board of County Commissioners to appoint a Charter Commission in 1991. That 14-member citizen Commission spent nearly 18 months examining issues and language for inclusion in a charter and they wrote and recommended that charter for the 1994 ballot. The finalized document follows.

### **Proposed County Charter Marion County Charter Commission**

**August 10, 1994**

#### **Article I      Creation, Powers and Ordinances of Home Rule Charter Government**

- Section 1.1      Creation and General Powers of Home Rule Charter Government
- Section 1.2      Body Corporate, Name and Boundaries
- Section 1.3      Relation to State Law
- Section 1.4      Relation to Municipal Ordinances

#### **Article II      Organization of Government**

- Section 2.1      Elected Commission and Appointed County Administrator
  - Form of Government
- Section 2.2      Legislative Branch
  - The County Commission
  - Redistricting
  - Salaries and Other Compensation
  - Authority
  - Administrative Code

## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

	Vacancies
	Recall
	Non-interference
Section 2.3	Executive Branch
	The County Administrator
	County Department Heads
	County Attorney
<b>Article III</b>	<b>Elected County Constitutional Officers</b>
Section 3.1	Elected County Constitutional Officers
<b>Article IV</b>	<b>Finances</b>
Section 4.1	Finances
<b>Article V</b>	<b>Charter Amendments, Transition, Severance, Effective Date</b>
Section 5.1	Home Rule Charter Amendments
	Amendments Proposed by Petition
	Amendments Proposed by the Board of County Commissioners
Section 5.2	Home Rule Charter Transition
	General Provisions
	Initial County Commissioners
	Outstanding Bonds
	Employees Continuation
Section 5.3	Severance
Section 5.4	Home Rule Charter Effective Date

### **Marion County Home Rule Charter**

#### **Preamble**

**The Citizens of Marion County, Florida, believing that governmental decisions affecting local interests should be made locally rather than by the State, and, in order to bring to the County the full home rule benefits afforded by the Constitution of the State of Florida to charter counties, do ordain and establish this**

**Home Rule Charter for Marion County, Florida.**

## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

### **Article I**

#### **Creation, Powers and Ordinances of Home Rule Charter Government**

##### **Section 1.1: Creation and General Powers of Home Rule Charter Government**

Marion County shall be a home rule charter county, and, except as may be limited by this Home Rule Charter, shall have all county and municipal powers of self-government granted now or in the future by the Constitution and laws of the State of Florida.

##### **Section 1.2: Body Corporate, Name and Boundaries**

Marion County shall be a body corporate and politic. The corporate name shall be Marion County. The county seat and boundaries shall be those presently designated by law.

##### **Section 1.3: Relation to State Law**

The Provisions of this Home Rule Charter are not intended, and shall not be construed, to conflict with the Constitution of the State of Florida, a general law, or special law approved by the vote of the electorate.

##### **Section 1.4: Relation to Municipal Ordinances**

Municipal ordinances shall prevail over County ordinances within the municipal boundaries to the extent of any conflict.

### **Article II**

#### **Organization of County Government**

##### **Section 2.1: Elected Commission and Appointed County Administrator Form of Government**

Marion County shall operate under an elected County Commission and appointed County Administrator form of government with separation of legislative and executive functions in accordance with the provisions of this Home Rule Charter. The legislative responsibilities and powers of the County shall be assigned to, and vested in, the Board of County Commissioners. The executive responsibilities and power of the County shall be assigned to and vested in the County Administrator, who shall carry out the directives



## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

and policies of the Board of County Commissioners and enforce all orders, resolutions, ordinances, and regulations of the Board, the County Charter, and all applicable general law, to assure that they are faithfully executed.

### **Section 2.2: Legislative Branch**

- A. The County Commission.** The governing body of the County shall be a Board of County Commissioners composed of five (5) members elected on a partisan basis serving staggered terms of four (4) years. Each County Commissioner shall be limited to serving no more than two (2) consecutive four (4) year terms. There shall be one (1) Commissioner for each of the five (5) County Commission districts established pursuant to general law and they shall be elected on a county-wide basis by the electors of the County. During the term of office each Commissioner shall reside in the district from which such Commissioner ran for office, provided that any Commissioner who is removed from a district by redistricting may continue to serve during the balance of the term.
- B. Redistricting.** County Commission district boundaries shall be changed only after notice and a public hearing as provided by general law.
- C. Salaries and Other Compensation.** The initial salary of the County Commissioners shall be eighteen thousand dollars (\$18,000.00) per annum which salary, with respect to an individual Commissioner, shall be increased in the amount of the County's contribution to the State Retirement System if that individual Commissioner elects to opt out of participation in the State Retirement System. Salaries shall be adjusted each April 1st by the change in the Consumer Price Index (All Urban Consumers, U.S. Department of Labor) for the previous calendar year. County Commissioners shall receive no compensation from the County other than the salary provided for by this Charter and County contributions for fringe benefits mandated by State law.
- D. Authority.** The Board of County Commissioners shall exercise all legislative authority provided by this Home Rule Charter in addition to any other powers and duties authorized by general law or special law.
- E. Administrative Code.** The Board of County Commissioners shall adopt an Administrative Code in accordance with general law within eighteen (18) months of effective date of this

## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

Charter.

(1) The Administrative Code shall organize the administration of County government and set forth the duties and responsibilities and powers of all county officials and agencies.

(2) The Administrative Code shall not apply to the elected Constitutional Officers.

**F. Vacancies.** A vacancy in the office of the County Commissioner shall be defined as provided by general law.

**G. Recall.** The members of the Board of County Commissioners shall be subject to recall as provided by general law.

**H. Non-interference.** Except for purposes of inquiry and information, individual County Commissioners, acting independent of a majority of the Commission, shall not give directions to or interfere with any employee, officer, or agent under the direct or indirect supervision of the County Administrator, County Attorney or any other direct appointees of the Board of County Commissioners. Nothing contained herein shall prevent a County Commissioner from referring a citizen complaint request to the County Administrator.

### **Section 2.3: Executive Branch**

#### **The County Administrator**

(1) The County Administrator shall be appointed and may be terminated with or without cause by a majority of the membership of the Board of County Commissioners. The County Administrator shall be the chief executive officer of the County and all executive responsibilities and power shall be assigned to and vested in the County Administrator, and shall consist of the powers and duties, as required by this Charter or may be prescribed by the Board of County Commissioners, including by way of enumeration, but not limitation, those powers and duties prescribed in Section 125.74. Florida Statutes (1993).

(2) The County Administrator shall be qualified by administrative and executive experience and ability to serve as the chief executive of the county. Minimum qualifications for the County Administrator shall be established by County ordinance. The County Administrator need not be a resident of the County at the

## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

time of appointment but during the tenure in office the County Administrator shall reside within the County.

- (3) The compensation of the County Administrator shall be fixed by the Board of County Commissioners.
- (4) The office of the County Administrator shall be deemed vacant if the incumbent moves his residence from the County or is, by death, illness, or other casualty, unable to continue in office. A vacancy in the office shall be filled in the same manner as the original appointment. The Board of County Commissioners may appoint an acting County Administrator in the case of vacancy, temporary absence or disability until a successor has been appointed and qualified or the County Administrator returns.

### **B. County Department Heads**

- (1) The County department heads shall be appointed by and shall be responsible to the County Administrator.
- (2) The County Administrator shall have the sole authority to suspend or terminate any department head with or without cause.

### **C. County Attorney**

- (1) The County Attorney shall be appointed and may be terminated with or without cause by majority vote of the membership of the County Commission. The compensation of the County Attorney shall be set by the County Commission. The County Attorney shall be a member in good standing of the Florida Bar.
- (2) The County Attorney shall supervise the Office of the County Attorney, including Assistant County Attorneys and support staff. The County Attorney may employ, suspend, discharge or remove Assistant County Attorneys and support staff subject to budget approval and County personnel rules. Special Counsel, as may be required, shall only be appointed upon approval by the Board of County Commissioners. The County Attorney shall provide legal services to the Board of County Commissioners, County departments, County boards and agencies as specified by the County Commission.

**Article III**

**Elected County Constitutional Offices**

**Section 3.1: Elected County Constitutional Offices**

The offices of Sheriff, Property Appraiser, Tax Collector, Clerk of Circuit Court and Supervisor of Elections shall remain as elected constitutional offices and all powers, duties and functions shall be performed as specified by general law.

**Article IV**

**Finances**

**Section 4.1: Finances**

The County Commission shall not incur any indebtedness by the use of certificates of participation, unless approved by a majority vote of the electors of Marion County.

**Article V**

**Charter Amendments, Transition, Severance, Effective Date**

**Section 5.1: Charter Amendments**

**A. Amendments Proposed by Petition**

(1) Amendments to the Home Rule Charter may be proposed by petition signed by a number of electors residing in at least three fifths (3/5) of the County Commission election districts and of the County as a whole equal to fifteen percent (15%) of electors qualified to vote in the last preceding general election. Each such proposed amendment shall embrace but one subject and matter directly connected therewith. Each Charter amendment proposed by the petition shall be placed on the ballot by resolution of the Board of County Commissioners for the general election occurring in excess of 90 days from the certification by the Supervisor of Elections that the requisite number of signatures has been verified.

(2) The sponsor of a petition amendment shall, prior to obtaining any signatures, submit the text of the proposed amendment to the Supervisor of Elections, with the form on which the signatures shall be affixed, and shall obtain the approval of the Supervisor of Elections of such form. The style and requirements of such form shall be specified by

## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

County ordinance. The beginning date of any petition drive shall commence upon the date of approval by the Supervisor of Elections of the form on which signatures will be affixed, and said drive shall terminate one hundred and eighty (180) days after that date. In the event sufficient signatures are not acquired during that one hundred and eighty (180) days period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. The sponsor shall submit signed and dated forms to the Supervisor of Elections and upon submission pay all fees required by general law. The Supervisor of Elections shall within sixty (60) days verify the signatures thereon.

(3) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

### **B. Amendments Proposed by the Board of County Commissioners**

(1) Amendments to this Home Rule Charter may be proposed by ordinance enacted by the Board of County Commissioners by an affirmative vote of a majority of the membership of the Board of County Commissioners. Each proposed amendment shall embrace but one subject and matter directly connected therewith. Each proposed amendment shall only become effective upon approval by a majority of the electors of Marion County voting in referendum at the next general election. The Board of County Commissioners shall give public notice of such referendum election as required by general law.

(2) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

## **Section 5.2: Home Rule Charter Transition**

**A. General Provisions.** Unless expressly provided otherwise in this Home Rule Charter, the adoption of this Charter shall not affect any existing contracts or obligations of Marion County; the validity of any of its laws, ordinances, regulations, and resolutions; or term of office of any elected County officer, whose term shall continue as if this Charter had not been adopted.

## **Supplement F: Marion County Charter-1994 Ballot Issue (continued)**

**B. Initial County Commissioners.** The persons comprising the Marion County Board of County Commissioners on the effective date of this Charter shall become the initial members of the Board of County Commissioners of the Charter Government and shall perform the functions thereof until the normal expiration of their terms or until election and qualification of their successors as provided by law.

**C. Outstanding Bonds.** All outstanding bonds, revenue certificates, and other financial obligations of the County outstanding on the effective date of the Charter shall be the obligations of the Charter Government. All actions take by the former government relating to the issuance of such obligations are hereby ratified and confirmed. Payment of such obligations and the interest thereon shall be made solely from and charged solely against funds derived from the same sources from which such payment would have been made had this Charter not taken effect.

**D. Employees Continuation.** All employees of the former county government shall on the effective date on this Charter become employees of the County government created by this Charter. All existing wages, benefits, collective bargaining certifications and agreements, and conditions of employment shall continue, until modified by lawful action of the Board of County Commissioners or joint agreement of the Board and the appropriate bargaining agent when a collective bargaining agreement exists and controls.

### **Section 5.3: Severance**

If any provision of this Charter or the application thereof to any person or circumstance is held invalid, the invalidity shall not effect other provisions or applications of the Charter which can be given effect without the invalid provision or application, and to this end the provisions of this Charter are declared severable.

### **Section 5.4: Home Rule Charter Effective Date**

This Charter shall become effective on November 21, 1994. The provisions of Section 2.2C of this Charter shall apply to all incumbent County Commissioners and to each County Commissioner whose term of office begins on or after the effective date of this Charter.

## **Supplement G: Public Works Capacity: Planning for the Future**

Marion County and surrounding counties have identified critical issues concerning public infrastructure supply, including concerns over future capacity to meet the needs of residents for electricity, water, waste water treatment and solid waste disposal. These shortages will intensify as growth continues throughout the region. Some of the solutions may involve cooperation with other counties in the region and may include construction of facilities outside Marion County.

Many of these shortages and potential solutions may be interrelated. Responsibility for these services may be best resolved in a multi-jurisdictional approach that includes both public and private entities.

Planning for future demands on vital public utilities involves lead times measured in multiples of years. Rapidly increasing fossil fuel costs will have dramatic impacts on the viability of energy generation and solid waste disposal.

In the past, the nature of large-scale public works projects has led to citizen opposition, regardless of the site selected or methods proposed. Failure to address both local and regional stakeholder and citizen concerns in the planning stages may result in expensive delays at the licensing and construction stages of large public works projects. Involving both local and regional stakeholders will be essential to develop broad community support.



## **Government Resources**

- ◆ City of Belleview [www.belleviewfl.org](http://www.belleviewfl.org)
- ◆ City of Dunnellon [www.dunnellon.org](http://www.dunnellon.org)
- ◆ City of Ocala [www.ocalafl.org](http://www.ocalafl.org)
- ◆ City of Ocala Police Department [www.ocalapd.com](http://www.ocalapd.com)
- ◆ Florida Association of Counties [www.fl-counties.com](http://www.fl-counties.com)
- ◆ Florida City and County Management Association [www.fccma.org](http://www.fccma.org)
- ◆ Florida League of Cities [www.flcities.com](http://www.flcities.com)
- ◆ Florida Legislative Committee on Intergovernmental Relations [www.floridalcir.gov](http://www.floridalcir.gov)
- ◆ Florida State Senate [www.flsenate.gov](http://www.flsenate.gov)
- ◆ Government Research Resource [www.justia.com](http://www.justia.com)
- ◆ Marion County Clerk of Court [www.marioncountyclerk.org](http://www.marioncountyclerk.org)
- ◆ Marion County Emergency Services Alliance [www.emsainc.com](http://www.emsainc.com)
- ◆ Marion County, Florida [www.marioncountyfl.org](http://www.marioncountyfl.org)
- ◆ Marion County Property Appraiser [www.pa.marion.fl.us](http://www.pa.marion.fl.us)
- ◆ Marion County Sheriff's Office [www.marionso.com](http://www.marionso.com)
- ◆ Marion County Supervisor of Elections [www.votemarion.com](http://www.votemarion.com)
- ◆ Marion County Tax Collector [www.mariontax.com](http://www.mariontax.com)
- ◆ Municipal Code Resources [www.municode.com/resources](http://www.municode.com/resources)
- ◆ National Association of Counties [www.naco.org](http://www.naco.org)
- ◆ Ocala City Council [www.ocalafl.org/city\\_council.aspx](http://www.ocalafl.org/city_council.aspx)
- ◆ Ocala/Marion County Chamber of Commerce [www.ocalacc.com](http://www.ocalacc.com)
- ◆ State of Florida [www.myflorida.gov](http://www.myflorida.gov)
- ◆ Town of McIntosh [www.townofmcintosh.org](http://www.townofmcintosh.org)



## **Glossary of Government Terms**

- **Ad Valorem** — a tax levied on the assessed value of real property. See also *Property Tax*.
- **Assessed Value** — a valuation set upon real estate or other property by the County Property Appraiser as a basis for levying taxes.
- **Board** — the governing board of the district or, if such board has been abolished, the board, body, or commission succeeding to the principal functions or to whom the powers given to the board by this act have been given by law.
- **Bond/ Bond Certificate** — a written promise to pay a specified sum of money, (face value or principle), at a specified date in the future (maturity date), together with interest at a specified rate.
- **Budget** — a comprehensive financial plan of revenues and expenditures for a fiscal year as approved by the governing body. Most local governments utilize an operating budget and a capital improvement budget.
- **Budget Amendment** — a revision to the adopted budget occurring during the affected fiscal year as approved by the governing body which causes an increase or decrease in a fund's total.
- **Capital Improvement** — physical assets constructed or purchased, that have a minimum cost and useful existence period determined by local government budgeting.
- **Community Development District (CDD)** — a local unit of special-purpose government which is created pursuant to this act and limited to the performance of those specialized functions authorized by this act; the boundaries of which are contained wholly within a single county; the governing head of which is a body created, organized, and constituted and authorized to function specifically as prescribed in this act for the delivery of urban community development services; and the formation, powers, governing body, operation, duration, accountability, requirements for disclosure, and termination of which are as required by general law.
- **Comprehensive Plan** — a general community plan that describes land use patterns according to whether a given district or parcel will be devoted to residential, commercial, or industrial use. Such a plan also includes transportation, public facilities, and sometimes social services or redevelopment (urban renewal) plans.
- **Constitution** — the system of fundamental laws and principles that prescribes the nature, functions, and limits of the government.
- **Contingency** — a budgetary reserve to provide for emergencies or unanticipated expenditures during the fiscal year.
- **Demand** — the quantity of goods and services that consumers are willing and able to purchase at various prices during a given period of time.
- **Department** — an organizational unit responsible for carrying out a major governmental

## **Glossary of Government Terms (continued)**

function such as police, fire, planning, or public works.

- **Developer** — an entrepreneur/leader of a development team responsible for the overall vision of the project and the coordination of the purchase of land, design, project planning, financing, and construction of the entire project.
- **Electorate** — the body of enfranchised citizens; those qualified to vote.
- **Fee** — a charge by government associated with providing a service, permitting an activity, or imposing a fine or penalty. Major types of fees include user charges and building permits.
- **Fiscal Year** — any consecutive 12-month period designated as a budget year.
- **Functional Consolidation** — two or more local governments can improve the delivery of a mutual service or function through functional consolidation. This allows one entity to provide the area-wide delivery of a specified service or group of services. Functional consolidation may provide such benefits as economies of scale and more efficient service delivery.
- **Fund** — an accounting structure which allocates specific revenue(s) and appropriations for a designated purpose such as the General Fund or Capital Improvement Fund.
- **General Fund** — the general operating budget for the municipality used to account for all financial resources except those required to be allocated and accounted for in separate funds.
- **Home Rule** — the power of a local town, city, or county to set up its own system of self-government without receiving a charter from the state.
- **Impact Fee** — fees charged to cover, in whole or in part, the anticipated cost of necessary infrastructure improvements as a result of new development.
- **Infrastructure** — public facilities provided to a site so that it can be developed, including, but not limited to roads, bridges and public works services.
- **Interlocal Agreements** — a formally adopted agreement between two agencies or organizations that is matter of coordination and agreement between the local jurisdictions and must comply with legal requirements for that jurisdiction. Once signed, an interlocal agreement becomes a contractual obligation.
- **Level of Service** — an indicator of the extent of service provided by, or proposed to be provided by, a facility, department, organization, or agency.
- **Mill** — the designated amount used to determine property taxes by multiplying the specified mill rate times the assessed property value.
- **Millage Rates** — the rate established each year by municipal governments which is used in the calculation of property taxes. A “Mill” is 1/1000 of one dollar; used in computing taxes by multiplying the rates times the taxable value divided by 1,000.

## **Glossary of Government Terms (continued)**

- **Municipality** — an urban district having corporate status and powers of self-government.
- **Municipal Service Benefit Unit (MSBU)** — a specific taxing unit established by the Board of County Commissioners via an adopted ordinance, which derives a specific benefit for which a special assessment is imposed to defray part or all of the cost of providing that benefit.
- **Municipal Service Taxing Unit (MSTU)** — a specific taxing unit established by the Marion County Board of County Commissioners via an adopted ordinance, which derives a specific benefit, for which a levy is imposed to defray part or all of the cost of providing that benefit.
- **Operating Budget** — a financial plan which presents proposed expenditures for the fiscal year and estimates to finance them.
- **Ordinance** — a law or statute enacted by a city or county.
- **Population** — the total number of people residing in a specified area.
- **Public Works** — facilities run by public agencies to provide water, power, waste disposal, transportation, and similar services to meet common social and economic objectives.
- **Recall Provisions** — procedures that allow citizens to remove and replace a public official before the end of a term of office.
- **Risk Management** — the City of Ocala Risk Management Department manages the employee insurance programs, employer insurance programs for liability and Workers' Compensation, and the administration of the City of Ocala and Marion County self-insurance program. In addition, the department analyzes ways to make insurance coverage more cost effective and writes safety and insurance procedures for the city and the county. Through the Interlocal Agreement, risk management provides services to all of the constitutional officers, as well as contracting services to the City of Belleview, the City of Dunnellon and the Withlacoochee Regional Planning Council, amounting to a combined total of more than 3,000 employees.
- **Tax** — a fee charged (levied) by a government on a product, income, or activity.
- **Project** — a development, improvement, property, utility, facility, public works, enterprise, or service now existing or to be established.
- **Special District** — a local unit of government, other than a city, town, or county, authorized by law to perform a single function or a limited number of functions, and including, but not limited to, water-sewer districts, irrigation districts, fire districts, school districts, community college districts, hospital districts, transportation districts, and metropolitan municipal corporations.
- **Statute** — a law enacted by state legislature.

## **Study Topic Related Acronyms**

<b>BEBR</b>	Bureau of Economic and Business Research, University of Florida
<b>CDD</b>	Community Development District
<b>CPA</b>	Certified Public Accountant
<b>DRI</b>	Development of Regional Impact
<b>EAC</b>	Executive Advisory Committee
<b>EDC</b>	Economic Development Corporation
<b>EMSA</b>	Emergency Medical Services Alliance, Inc.
<b>FAC</b>	Florida Association of Counties
<b>FDER</b>	Florida Department of Environmental Regulation
<b>FDOT</b>	Florida Department of Transportation
<b>FLC</b>	Florida League of Cities
<b>FS</b>	Florida Statutes
<b>GAAP</b>	Generally Accepted Accounting Principals
<b>GFOA</b>	Government Finance Officers Association
<b>MCFR</b>	Marion County Fire Rescue
<b>MCSO</b>	Marion County Sheriff's Office
<b>MSBU</b>	Municipal Service Benefit Unit
<b>MSTU</b>	Municipal Service Taxing Unit
<b>OPD</b>	Ocala Police Department
<b>PPI</b>	Public Policy Institute of Marion County
<b>SERP</b>	Statewide Emergency Response Plan
<b>TPO</b>	Transportation/Planning Organization

## **2008 Structure of Local Government Study Resource Speakers**

<b>Ms. Dee Brown</b>	<b>Supervisor of Elections, Marion County</b>
<b>Ms. Catherine Cameron</b>	<b>Director, Marion County Risk Management</b>
<b>Mr. Don Corley</b>	<b>Finance Director, City of Ocala</b>
<b>Ms. Virginia Deegal</b>	<b>General Counsel, Florida Association of Counties</b>
<b>Mr. David R. Ellspermann</b>	<b>Clerk of the Court, Marion County</b>
<b>Ms. Barbara Fitos</b>	<b>Marion County Board of County Commissioners Marion County Public Library</b>
<b>Mr. John Garri</b>	<b>Finance Director, Marion County</b>
<b>Mr. Dan Gentry</b>	<b>Fire Chief, City of Ocala Fire Department</b>
<b>Mr. Chris Holley</b>	<b>Executive Director, Florida Association of Counties</b>
<b>Ms. Connie Jones</b>	<b>Former Asst. County Manager, Miami-Dade, Florida</b>
<b>Mr. Ray Kelchner</b>	<b>Manager-Risk Administration Marion County Risk Management</b>
<b>Mr. M. Stuart McElhaney</b>	<b>Fire Chief, Marion County Fire Department</b>
<b>Mr. Randall Reid</b>	<b>County Manager, Alachua County, Florida</b>
<b>Ms. Gisela Salas</b>	<b>Former Asst. County Administrator, Marion County</b>
<b>Mr. Richard Simmons</b>	<b>Program Coordinator-Range Rider, Florida City and County Management Association</b>
<b>Mr. Greg Slay</b>	<b>Marion County Transportation Planning Organization</b>
<b>Mr. Villie Smith</b>	<b>Marion County Property Appraiser</b>
<b>Ms. Lynn Tipton</b>	<b>Director of Membership Development, Florida League of Cities</b>
<b>Mr. Michael Tomich</b>	<b>Budget Director, Marion County</b>
<b>Mr. Pete Wahl</b>	<b>District Manager, Sumter Landing Community Development District</b>
<b>Mr. Tom Wilder</b>	<b>Chief of Staff, Marion County Sheriff's Office</b>



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## **2008 Structure of Local Government Study Committee**

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*The Public Policy Institute of Marion County is dedicated to advancing public interest, building democracy, enhancing community, and improving the quality of life by involving citizens in the process.*

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