

Non Agenda

ADDITIONAL MATERIAL

10:00 a.m. Regular Meeting

MARCH 20, 2018

SUBMITTED AT THE REQUEST OF

**INTERGOVERNAL AFFAIRS/BOARDS
SECTION**



Office of the County Administrator

INTERGOVERNMENTAL AFFAIRS/BOARDS SECTION

115 S. Andrews Avenue, Room 426 • Fort Lauderdale, Florida 33301 • 954-357-7575 • FAX 954-357-6573

Date: March 20, 2018

To: Bertha Henry, County Administrator

From: Edward Labrador, Legislative Counsel *efl*
Intergovernmental Affairs/Boards Section

Subject: State Constitution Revision Commission (CRC)

Yesterday, the State Constitution Revision Commission (CRC) voted 26-7 to adopt Proposal 13, which would remove the right of county voters to determine by amendment or revision of its County Charter to select constitutional county officers in a manner different than prescribed by the State Constitution, or to repeal such office and transfer the duties to another county office.

If placed on the November ballot and approved by 60% of voters statewide, Broward County would be required to reestablish an independent Office of the Tax Collector, and return certain functions now performed by the County (e.g., ex-officio Clerk of the Board of County Commissioners, auditor, recorder, and custodian of county funds) to the Clerk of the Circuit Court.

The adopted proposed amendment now goes to the Style and Drafting Committee to draft the ballot summary and suggest [in the form of a report] any amendments, clarifications, technical changes, and also suggest combinations with other proposals for the ballot. Once completed, the CRC may adopt the report with at least 22 votes, and take a final vote to place the proposal on the ballot with at least 22 votes as well.

The CRC may adopt other amendments approved with 22 votes, but that would likely require sending the proposal back to the Style and Drafting Committee.

The debate arguments asserted by proponents included:

- Voters should have officers that can hold County Commissioners accountable;
- Constitutional County Officers are more accountable to voters because it's one individual that is directly responsible to residents, as opposed to several county commissioners or county employees layered in various parts of a County organizations;
- It's a constitutional issue and voters statewide should be able to decide the issue;

- With respect to the sheriff, it's a safety issue since having a directly elected sheriff would prevent any intrusion by County Commissions in response to mutual aid requests.

Further, the sponsor of the amendment, Commissioner Carolyn Timmann, Martin County Clerk of the Circuit Court and Comptroller, as part of her closing argument, said she had heard from the County Administrator and "other county employees concerned about their loss of power" in opposition to her proposal, but not from elected County Commissioners.

C: Board of County Commissioners
Monica Cepero, Deputy County Administrator
Andrew J. Meyers, County Attorney
Robert Melton, County Auditor