

# Report of the Florida Local Government Efficiency Task Force

**Carol Whitmore, Chair**

**May 5, 2021**

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June 1, 2021

# INTRODUCTION

## Statement of Purpose

Chapter [2020-114, s. 108](#), *Laws of Florida*, created the Local Government Efficiency Task Force and states, “The task force shall review the governance structure and function of local governments and whether any changes are necessary to make such governments more efficient.” (See Appendix A.)

## Scope of Work

1. Review and discuss Ch. [2020-114, s. 108](#), *Laws of Florida*, and its implementation.
2. Review and consolidate available data, including information on local government operations in Florida, home rule, and preemption, and evaluate literature on local government efficiency efforts in Florida and nationwide.
3. Seek input from stakeholders from cities, counties, and special districts.
4. Conduct meetings to define how or whether the task force will narrow the concept of local government efficiency and to identify key efficiency issues of concern statewide.
5. Prepare a report for the Governor, President of the Florida Senate, and Speaker of the Florida House of Representatives by June 1, 2021.

## Implementation

Chapter 2020-144, *Laws of Florida*, required the Office of Program Policy Analysis and Government Accountability (OPPAGA) to provide research services to the task force. Accordingly, OPPAGA consulted with the Governor’s Office, House, and Senate to arrange the first task force meeting and provided administrative and research support throughout the task force’s process.

The task force met virtually during the COVID-19 pandemic. The public could participate pre-meeting by emailing their comments to the task force or during the meetings via Zoom or telephone. The task force set meeting agendas that included presentations by subject matter experts as well as written and live public input.

All meetings were publicly noticed and published on the OPPAGA, House, and Senate websites. Meetings were broadcast live on the Florida Channel. The task force’s website (<https://oppaga.fl.gov/TaskForce>) includes member biographies, agendas, notices, meeting minutes, participation records, archived meeting videos, and information provided to the task force.

At its first meeting, the task force elected its chair and vice chair and established its rules of order. (See Appendix B.) In subsequent meetings, the task force solicited input from experts on local

government efficiency issues. Subject matter experts presenting at the meetings included individuals with backgrounds in city, county, and special district operations as well as those with experience in taxation and local government financing, local government reporting requirements, local pensions, elections, and environmental issues. (See Appendix C for a list of materials provided to the task force.)

## Membership

As required by Ch. 2020-114, *Laws of Florida*, the task force had six members, with the Governor, President of the Senate, and Speaker of the House of Representatives each appointing two members.<sup>1</sup>

**Chair:** Carol Whitmore, Manatee County Commissioner

**Vice Chair:** Matthew Caldwell, Lee County Property Appraiser

**Members:** Carey Baker, Lake County Property Appraiser; Paul Caragiulo, former Sarasota County Commissioner; Ed Kelley, former Chair of the Volusia County Council; and Senator Ray Rodrigues, Senate District 27 in Lee County

## RECOMMENDATIONS

The Local Government Efficiency Task Force finds that the status quo for several issues is a source of inefficiency for local governments. To address these inefficiencies, task force members made recommendations on several topics: elections, public meetings, reporting, pension plans, unfunded mandates, and business taxes.

### 1. Elections

The task force recommends that the Legislature standardize the statewide local election schedule.

### 2. Public meetings

- a. Recognizing past and current legislation related to notice for public meetings, the task force recommends legislators engage with the media industry to examine options for updating the notice process to use modern technology platforms.
- b. Regarding the discrepancy in the number of required public hearings on proposed ordinances between counties and municipalities, the task force recommends the Legislature amend Florida statutes as needed to reduce the number of municipal hearings to one to make it equivalent to the current county requirement.

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<sup>1</sup> The Governor appointed Carey Baker and Ed Kelley; the Senate President appointed Paul Caragiulo and Carol Whitmore; and the Speaker of the House of Representatives appointed Matthew Caldwell and Ray Rodrigues.

- c. The task force recommends the Legislature amend Florida statutes as needed to allow local governments to hold virtual meetings in emergencies or extraordinary circumstances.

### **3. Local government reporting**

- a. The task force recommends that, as much as it is practical, the Legislature take steps to consolidate duplicative required local government reports into single reports or existing reports and eliminate any reports utilizing information that has already been developed for other reports, such as that found in the Comprehensive Annual Financial Report (CAFR).
- b. The task force recommends that the Legislature change reporting requirements that conflict with municipal fiscal years (e.g., CAFR and annual report).
- c. The task force recommends that the Legislature amend Florida statutes as needed to require that local government reporting requirements be reviewed every 10 years and unnecessary reports be sunset. Additionally, the task force recommends that when a new report is created, the same review process apply.
- d. The task force also recommends that local government reports submitted to the state be centralized and made readily available for use by the public and other agencies.

### **4. Local government pension plans**

To address financial efficiency issues associated with operating local government pension plans, the task force encourages the Legislature to assemble a related task force. This task force would be charged with examining issues related to migrating local government pension plans to the Florida Retirement System. In particular, the task force should identify anticipated transition considerations, such as amortizing any unfunded liabilities of those local pension plans.

### **5. Unfunded mandates**

The task force encourages the Legislature to consider the funding impacts created for local governments by state legislation. For any state mandates that affect local government budgets, the state should partner with local governments to fund programs.

### **6. Local business tax occupancy licenses**

The task force recognizes that when both the city and county require business occupancy taxes, it increases expenses for business owners. However, the task force also recognizes that these taxes create records that facilitate emergency management and issues related to property leases. To address these issues, the task force recommends the Legislature limit the amount charged for these licenses to no more than the cost of administering the license.

# APPENDIX A

## Chapter 2020-114, s. 108, *Laws of Florida*

**Section 108.** In order to implement Specific Appropriations 2729 and 2730 of the 2020-2021 General Appropriations Act:

(1) The Local Government Efficiency Task Force, a task force as defined in s. 20.03, *Florida Statutes*, is established within the Legislature. The task force shall be supported by research services of the Office of Program Policy Analysis and Government Accountability.

(2)(a) The task force shall consist of six members with the Governor, the President of the Senate, and the Speaker of the House of Representatives each appointing two members. Members must be appointed no later than September 1, 2020.

(b) A vacancy on the task force shall be filled in the same manner as the original appointment for the unexpired term.

(c) The task force shall elect a chair from among its members.

(3) Members of the task force shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061, *Florida Statutes*. The task force shall convene its first meeting by November 15, 2020, and shall meet as often as necessary to fulfill its responsibilities under this section. Meetings may be conducted in person or by teleconference or other electronic means.

(4) The task force shall review the governance structure and function of local governments and whether any changes are necessary to make such governments more efficient.

(5) The task force shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by June 1, 2021.

(6) This section expires June 30, 2021.

# APPENDIX B

## Rules of the Local Government Efficiency Task Force

The following rules shall govern procedures of the Local Government Efficiency Task Force (“Task Force”):

(1)(a) The Task Force shall meet at the call of the chair. The Task Force shall meet only within the dates, times, and locations authorized by the chair.

(b) In the absence of the chair, the vice chair shall assume the duty to convene and preside over meetings and such other duties as provided by law or rule.

(c) During a meeting properly convened, the presiding chair may temporarily assign the duty to preside at that meeting to another Task Force member until the assignment is relinquished or revoked.

(2)(a) Meetings shall be open and noticed and conducted in a manner that complies with s. 286.011, *Florida Statutes*.

(b) Before the Task Force may hold a meeting, a notice of such meeting shall be provided to the Executive Office of the Governor, the Secretary of the Senate, and the Clerk of the House of Representatives no later than 4:30 p.m. of the third day before the meeting. The Chair may cancel noticed meetings.

(c) If a majority of Task Force members agrees, the Task Force may continue a properly noticed meeting after the expiration of the time called for the meeting.

(d) A properly noticed meeting agenda shall be created by the Chair. Any changes or additions to the agenda shall be decided by a two-thirds vote of the members of the Task Force present and voting.

(3) A quorum of the Task Force is necessary to take any action or transact any business. A quorum for the Task Force shall be a majority of the appointed members.

(4) Unless otherwise determined or overruled by an agreement of the Governor, President of the Senate, and Speaker of the House of Representatives, the chair shall determine all questions of order arising in Task Force meetings, but such determinations may be appealed to the Governor, President of the Senate, and Speaker of the House of Representatives during the meeting.

(5) In all cases not provided for by the Florida Constitution and *Florida Statutes*, the guiding, but non-binding, authority shall be first the Rulings of the Task Force and then the latest edition of Mason’s Manual of Legislative Procedure.

(6) The Chair may appoint work groups to study issues and present findings and recommendations to the Task Force.

# APPENDIX C

## Materials Provided to the Local Government Efficiency Task Force

The following materials were provided to the Local Government Efficiency Task Force by Office of Program Policy Analysis and Government Accountability staff and stakeholders.

- Florida Association of Counties
  - 2018 Florida County Government Guide
  - Pre-Emption Tracker
  - Local Government Efficiency Issues
  - Recommendations for Efficiency Issues
  - County Unfunded Mandates in Florida
  - Unfunded Mandates List
  - Preemption Research
  - Preemption List
  - Strong Economies, Resilient Counties Document
  - A County Manager’s Guide to Shared Services in Local Government
  - Florida Association of Counties County Manager Survey
- Florida Association of Special Districts
  - Local Government Efficiency Issues
  - Recommendations for Efficiency Issues
- Florida League of Cities
  - Local Government Efficiency Issues
  - Recommendations for Efficiency Issues
  - State and Federal Reporting Requirements
  - Elections Survey Report
- OPPAGA research conducted at the task force’s direction
  - Local Administrative Divisions Memo
  - Home Rule Memo
  - Review of Other States’ Local Government Structure
  - List and links to related OPPAGA research products on local government and special districts



- OPPAGA research products
  - Availability of Local Tax, License, and Fee Information
  - Community Redevelopment Agencies Memo and Presentation
  - Santa Rosa County Fire Memo
  - Water Management District Governance Options Memo
  - Water Management District Report 1
  - Water Management District Report 2
- Taxpayers Accountability and Transparency Project Information
- Information about public notices and newspapers provided during public testimony