



# Key Municipal Terms and Policies

FLC Webinar: May 21, 2009





# Agenda

- Review key municipal terms in FL
- Glossary is posted on FLC web site under 'publications'
- Take questions
- Make referrals to resources



# How to Send a Question

- Use the 'chat' box on the "Go to Meetings" bar to send the moderator a question or discussion point
- Your call should NOT be on speaker phone – in case the mute feature does not engage – thank you.



# Key Terms: Municipalities

- Municipality – legal term in FL for a city, town or village; from the Latin “people govern themselves”
- In most states and for US legal references, municipalities sometimes includes townships or municipal districts
- FL Constitution authorizes creation of municipalities and their powers/duties



# More on Municipalities

- City – FL does not distinguish city, town or village by any characteristics. City is from the Greek word for citizen
- Town – Old English for “within the walls”
- Village – Latin for “place to dwell”
- These terms are interchangeable in FL; no difference in powers. Not so in other states



# City Terms

- Charter – city's governing document; in FL every city has a charter (some counties do, too). Broad document – framework
- Home Rule - Constitutional power for cities to self-govern; to enact ordinances that are not prohibited by state/federal law
- Legislative body – either a city council or city commission; no difference in terms
- Ordinance – city law, adopted by vote of the council; very specific and enforceable



# More City Terms

- Administrative Code – some cities pull all policies together in one Code
- Public Hearing – required by state law in some cases, otherwise by city's choice, for enacting certain ordinances or decisions
- Workshop – meeting of the elected body for discussion without final action being taken
- Legislative Meeting – council meetings that are neither public hearing or workshop



# More City Terms

- Charter Officials – varies by city, but usually includes attorney, clerk, and if form of government calls for it – manager
- Charter Officials have ‘standing’ in terms of appointment, employment terms, chain of command
- Resolution – opinion of council at that time; can have force or law, but often commemorative or issue-based
- Policy – rule or procedure adopted by council in any legal process



# Legal Terms

- “Sunshine Laws” – a short-hand reference to FL Statutes chapters 112, 119 and 286 on ethics, meetings, records; toughest laws for local governments in the US
- Quasi-judicial and ex parte – limitations on ability to discuss land-use decisions; talk to your attorney about these terms
- Recall of Elected Officials: malfeasance and misfeasance – grounds for removal by governor



# More Legal Terms

- Incorporation – the act creating a municipality; FL Stat. Ch. 165. Legislature passes special act, voters pass the actual incorporation
- Annexation – expanding the boundaries of a city; FL Stat. Ch. 171. Dual referendum requirement or by voluntary petition (if no voters reside there)



# Collective Bargaining Terms

- If your city has police/fire/general employee unions:
- “Right to Work State” – public employees must petition state to recognize union – Ch. 447 F.S. sets rules for Collective Bargaining
- Impasse – third party is hired to make a recommended settlement
- Negotiation subjects cover all terms and conditions of employment



# More Collective Bargaining

- In FL public sector, no binding arbitration (except by contract for grievances) or strikes
- PERC – Public Employee Relations Commission – State oversight of public sector collective bargaining in FL web site: [www.perc.myflorida.com](http://www.perc.myflorida.com)
- For more information or to request training: Florida Public Labor Relations Association (FPLRA) web site: [www.FPLRA.org](http://www.FPLRA.org) – many cities have staff who are FPLRA members



# Terms You'll Hear Now

- Consolidation of services (functional); rate for actual merger of governments
- Furlough – unpaid leave for employees
- Attrition – eliminate unfilled or vacant positions
- Layoffs – eliminate filled positions
- Early retirement for employees



# Planning Terms

- Florida has a comprehensive plan requirement for state, county and city – no exceptions
- Concurrency: talk to your attorney about the impact of newly-passed legislation on transportation concurrency and impact fees; otherwise, concurrency required for infrastructure before development is finalized
- LDR – Land Development Regulations. Code that implements the Comp plan



# More Planning Terms

- Zoning: subset of regulations based upon land use; many cities adopt these regulations
- For Planning and/or Growth Management Training: contact your Regional Planning Council or the Florida Institute of Government



# Fiscal Terms

- Tax – involuntary measure enacted by government; broadly collected and spent; in FL- cities don't create taxes, only state does
- Fee – voluntary measure (if you want the service); narrowly defined and must be spent on the related service's provision
- Assessment – special fee for a special benefit to property
- Ad Valorem – Latin for “value of” – legal name of the Property Tax



# More Fiscal Terms

- Audit – required by law for cities who expend more than \$100,000/year; reviews compliance by government to accounting standards/practices
- CAFR – Comprehensive Annual Financial Report – required of every local government to the state Department of Financial Services
- Fiduciary – responsibility of public officials for trust accounts; included in certain federal and state laws
- Florida Legislative Committee on Intergovernmental Relations (LCIR)<http://www.floridalcir.gov>



# Resources and Information

- State government agencies: when in doubt, check it on [www.myflorida.com](http://www.myflorida.com)
- Federal agencies: [www.usa.gov](http://www.usa.gov)
- Regional: [www.myregion.org](http://www.myregion.org); Florida Regional Planning Councils <http://www.ncfrpc.org/state.html>
- FLC Glossary: on web site
- Contact FLC – [www.flcities.com](http://www.flcities.com)



# Common Municipal Policies

- Hiring, Firing: most cities adopt Personnel Policies and amend them as needs arise
- Anti-discrimination; ADA; veterans (federal and state regulations also)
- Ethics: FL Commission on Ethics, State law and some cities adopt own policies



# More Policies

- Chain of Command (depends upon form of government)
- Expenditure authority
- Personnel and Grievance procedures (union and non-union)
- Donations, charities
- Advisory boards, committees – establishing, appointing and dissolving
- For comparisons: Peer city"



# What is a Peer City?

- Comparing two FL Cities: always tricky. Look for more than population
- Location (Coastal? Interior?), Suburban, Urban or Rural? Form of Government – be similar
- Scope of Service: as similar as possible
- Other Issue: does city serve beyond its boundaries?



# Questions?

- Please use the chat box on your “go to meetings” bar to send the moderator a question or discussion point



# Thank You!

- The Florida League of Cities appreciates your participation
- Please check the FLC web site and Datagram for more webinars – a different topic each month
- Quarterly sessions for 'newly-elected' and 'newly-appointed'
- Please send any feedback to [ccook@flcities.com](mailto:ccook@flcities.com)