

Escambia County Charter Commission

Structure or Form of County Government

The Florida Constitution provides for each non-chartered county to be governed by a board of county commissioners composed of five or seven members serving staggered terms of four years.

Florida Statutes allow Boards of County Commissioners in non-chartered counties to appoint a county administrator to administer the affairs of the county.

Non-chartered counties also elect five county officers for terms of four years: a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court.

Escambia County, as a non-chartered county, is governed by a board of county commissioners composed of five members serving staggered terms of four years. Because Escambia County's system of at large elections for its county commissioners was declared to be in violation of the Voting Rights Act by the Federal Court, the county commissioners are elected from five single member districts. In 1985, the Board of County Commissioners enacted an ordinance creating the position of county administrator, and Escambia County presently has an appointed County Administrator.

Pursuant to the Florida Constitution, Escambia County also elects the county constitutional officers of sheriff, tax collector, property appraiser, supervisor of elections, and clerk of the circuit court for four-year terms.

The current Escambia County Charter Commission was appointed by the Board of County Commissioners pursuant to Chapter 125, Part II of the Florida Statutes, to conduct a comprehensive study of the operation of county government and of the ways in which the conduct of county government might be improved or reorganized. No parameters are set by statute for the structure or form of the reorganized government, if the Charter Commission were to conclude that it should be reorganized.

Chapter 125, Part IV of the Florida Statutes, known as the "Optional County Charter Law," which allows a Board of County Commissioners to propose a charter by ordinance, does limit the form of government to be proposed to one of three structures:

- (1). COUNTY EXECUTIVE FORM. The county executive form shall provide for governance by an elected board of commissioners and an elected county executive and such other officers as may be duly elected or appointed pursuant to the charter.
- (2). COUNTY MANAGER FORM. The county manager form shall provide for governance by an elected board of county commissioners and an appointed county manager and such other officers as may be duly elected or appointed pursuant to the charter.

- (3). COUNTY CHAIR - ADMINISTRATOR PLAN. The county chair-administrator plan shall provide for governance by an elected board of county commissioners presided over by an elected chair that shall vote only in case of a tie, and an appointed county administrator and such other officers as may be duly elected or appointed pursuant to the charter.

Under the County Executive Form of government, the elected county executive is not a member of the Board of County Commissioners, but may veto ordinances enacted by the Board, subject to override by a two-thirds vote of the Board. This form of government is found in the Miami-Dade charter and in the charter for the City of Jacksonville.

Miami-Dade has a Board of County Commissioners composed of thirteen members elected from single member districts, and a Mayor elected county-wide. The Mayor serves as the Chief Executive and appoints a County Manager, subject to the Board's approval.

The City of Jacksonville has a City Council composed of nineteen members, fourteen of whom are elected from single member districts, and five, of whom are elected county-wide. The Mayor serves as the Chief Executive of the government and appoints a Chief Administrative officer, subject to approval by the City Council.

Under the County Manager form of government, the County Manager is appointed by and serves at the pleasure of the Board of County Commissioners. The County Manager exercises the executive responsibilities assigned to that office by the charter. The form of government in Escambia County is a Commission/Manager form of government. Those non-chartered counties, which have appointed a county administrator, pursuant to state statute, also operate under a Commission/Manager form of government.

There are nineteen counties in the State of Florida which have adopted charters. The charters for Miami-Dade and the City of Jacksonville were proposed by special acts of the Florida Legislature. The remaining seventeen charters are county charters drafted pursuant to Chapter 125 of the Florida Statutes. Sixteen of these seventeen charters provide for the County Manager form of government.

The remaining county, Orange County, has adopted the County Chair-Administrator Plan of government. Orange County has a Board of County Commissioners composed of six members elected from single member districts and a chairman elected county-wide. The County Chairman is a member of the Board of County Commissioners; he presides over the meetings of the Board and has a vote. The County Chairmen also serves as Chief Executive of the government and appoints the County Administrator, subject to approval by the Board.

The form of government that is best for Escambia County is a matter of opinion. The Escambia County Charter Commission is very interested in hearing the opinions of the citizens on the form of government that they believe would be best for Escambia County.