

CHARTER REVIEW COMMISSION
Wednesday, November 14, 2007 – 8:00 a.m.
6th Floor Conference Room
Council Office Building

Commission Members Present:

Nancy Soreng, Chair
Alice Gresham Bullock, Vice-Chair
Michael Cogan
Karen Czapanskiy
Dianne Felton
Wilbur Friedman
Mollie Habermeier
Robert Shoenberg
Judith Vandegriff
Anne Marie Vassallo
Charles Wolff

Staff:

Justina Ferber, County Council
Marc Hansen, Office of the County Attorney
Marie Jean-Paul, County Council
Amanda Mihill, County Council

Guests:

Councilmember Nancy Floreen
Dale Tibbitts, Office of Councilmember Elrich

Commission Chair Nancy Soreng called the meeting to order at 8:05 a.m.

I. Meeting with Councilmember Nancy Floreen

Councilmember Floreen discussed with Commission members the Infrastructure Working Group Report and the recommendations contained in that report. Councilmember Floreen expressed support for a potential Charter amendment that a Council staff member proposed that would exclude special taxing districts that cover a limited geographic area from Charter Section 305's limitation on property tax revenue growth to the rate of inflation. Councilmember Floreen noted that Section 305 currently exempts development district taxes that are used to fund capital improvement projects. Councilmember Floreen stated that there are a variety of infrastructure needs and stated her belief that ad valorem taxes (taxes based on property value) are the future of financing area-specific projects.

Commission members expressed concern that special taxing districts are a legislative and executive convenience that could change the sense of the County and may pit one part of the County against another. Other Commission members expressed concern about potential balkanization and worried that lower income parts of the County will not be able to get funding from the general County resources and may not be able to afford special taxing district taxes. Councilmember Floreen responded that the County has strayed away from providing core services. For example, spending funds on health care and employees limits the ability for the County to fund what is more boring, but fundamental (e.g., roads). To prevent balkanization, one Commission member suggested that exemptions from the Charter Section 305 limit should be limited to a fraction of the County budget. Councilmember Floreen noted that while she

would prefer to have more flexibility, the proposal would cap the exemptions at ten percent of the budget.

One Commission member stated their belief that the current infrastructure situation in the County is a result of a flawed budgeting system and suggested that an additional layer of process should not be added; instead of fixing the fallout from a problem the problem itself should be fixed.

Responding to a question from the Commission, Councilmember Floreen noted that the exemption from Charter Section 305 would not include items that serve a larger region (e.g., schools, fire stations), but would include localized items (e.g., locally serving roads, special improvements).

Responding to questions from the Commission, Councilmember Floreen stated that the spending affordability guideline process is essentially a decision regarding how to fund things. Councilmember Floreen stated that she did not believe the composition of the Council should be changed. Councilmember Floreen stated that the current composition has a good balance between district and at-large Councilmembers and expressed concern that an all district Council may have problems dealing with Countywide issues. Regarding the possibility of an increased number of Councilmembers, Councilmember Floreen stated that the more members of the Council means greater power in the Executive.

II. Open Discussion of Potential Issues

The Commission had before it a list of issues that have been raised to the Commission and individual Commission members. The Commission did not make a final decision on which issues to study, but discussed the issues on the list to ensure that members understood the proposal and identify any questions that need to be answered.

The Commission discussed the proposal by Robin Ficker to amend Charter Section 305 to require an affirmative vote of 9 Councilmembers to approve any property tax increase. One Commission member requested that Council staff poll Councilmembers to see if there is a consensus among Councilmembers whether or not the Commission should study this issue. Commission members discussed whether all supermajority requirements should be repealed, or reduced from 7 Councilmembers to 6 Councilmembers, and requested Council staff e-mail Commission members the voting requirements for different types of Council votes.

The Commission discussed the proposal by Esther Gelman to prohibit a County employee from receiving paychecks from multiple government entities. Some Commission members expressed support for studying this proposal, while others noted that the Ethics law already covers this issue and suggested that a strengthened Ethics law would be preferable to a charter amendment. Karen Czapanskiy noted that this situation applied to a person in her family and offered to recuse herself should the Commission decide to address this issue.

Ms. Soreng adjourned the meeting at 9:25 a.m.

