



Financial Impact Review

Estimated Financial Impacts of Proposed Charter Amendments on the November 4, 2008 General Election Ballot

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**Office of the County Auditor
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Table of Contents

Topic	Page
Executive Summary	3
Purpose and Scope	4
Methodology	5
Background	5
County Charter Question 1: Broward County Metropolitan Transit Authority.....	7
County Charter Question 2: Non-Interference of County Administration	10
County Charter Question 3: Voting Conflict Guidelines.....	12
County Charter Question 4: Broward County Housing Council	14
County Charter Question 5: Policy with a Regional and Countywide Focus.....	17
County Charter Question 6: Broward County Park Preservation	19
County Charter Question 7: Citizens’ Right to a Sustainable Environment.....	21
County Charter Question 8: Broward County Ethics Commission	23
County Charter Question 9: Independent Redistricting Consultant	26
County Charter Question 10: MESC Meeting Schedule	30

Executive Summary

This report presents the estimated financial impacts of the ten (10) proposed Broward County Charter amendments set forth for voter consideration at the November 4, 2008 General Election. Exhibit 1 below shows the estimated financial impacts associated with each proposed Charter amendment on the Broward County General Election ballot.

Exhibit 1: Estimated financial impacts associated with each proposed Charter amendment on the November 4, 2008 General Election ballot.

Charter Amendment Proposal ¹	Estimated Financial Impact	Financial Impact Duration
1. Creation of the Broward County Metropolitan Transit Authority	\$72,000	Per Year
2. Providing for the Non-Interference of the County Commission in Matters Relating to County Administration	\$0	
3. Requiring County Commissioners with a Voting Conflict to Not Participate in Discussion on that Matter	\$0	
4. The Creation of a Broward County Housing Council	\$185,000	Per Year
5. Statement Regarding the Implementation of Policy with a Regional and Countywide Focus	\$0	
6. Broward County Park Preservation	\$0	
7. Statement Regarding the Enactment of Policies Protecting Citizens' Right to a Sustainable Environment	Cannot Be Determined	
8. The Creation of a Broward County Ethics Commission	\$73,000 to \$100,000	One Time
9. Independent Redistricting Consultant for County Commission Single-Member Districts	\$53,000 to \$184,000	For Fiscal 2011
10. Management and Efficiency Study Committee Meeting Schedule	\$0	

Source: Office of the County Auditor Analysis

The financial impact analyses and statements contained in this report contemplate only the required and determinable activities of each proposed Charter amendment. For example, the ascertainable costs of creating, staffing and operating an entity created by a proposed Charter amendment have been considered. However, hypothetical, contingent and uncertain future financial impacts have not been considered. As is typical when preparing financial estimates, we developed assumptions and used

¹ For entire Resolution and Amendment Language, go to http://www.broward.org/charter/pdf/crc_resos_2008_table_of_contents.pdf.

comparative data, where possible, to determine financial impacts. The use of assumptions is necessary because most proposed Charter amendments only provide a general mandate to the County. The proposed amendments do not, however, dictate the method(s) of amendment implementation to be used by the County. For example, proposed Charter amendments generally do not define the number and type of staff that should support proposed advisory boards. Thus, we consulted with appropriate County staff to develop assumptions pertaining to the County's implementation of proposed Charter amendments.

Additionally, our estimates are limited to the financial impacts the proposed Charter amendments will have on the Board of County Commissioners, the County's departments, agencies, offices and the County's budgetary obligations to constitutional officers.

Purpose and Scope

This report presents the estimated financial impacts of the ten (10) proposed Broward County Charter amendments set forth for voter consideration at the November 4, 2008 General Election. The Charter of Broward County (Article XI, Section 11.09) requires the County Auditor to prepare financial impact statements estimating the increase or decrease in revenues or costs to the County resulting from the approval of any proposed Charter amendment.

The financial impact analyses and statements contained in this report contemplate only the required and determinable activities of each proposed Charter amendment. For example, the ascertainable costs of creating, staffing and operating an entity created by a proposed Charter amendment have been considered. However, hypothetical, contingent and uncertain future financial impacts have not been considered. As is typical when preparing financial estimates, we developed assumptions and used comparative data, where possible, to determine financial impacts. The use of assumptions is necessary because most proposed Charter amendments only provide a general mandate to the County. The proposed amendments do not, however, dictate the method(s) of amendment implementation to be used by the County. For example, proposed Charter amendments generally do not define the number and type of staff that should support proposed advisory boards. Thus, we consulted with appropriate County staff to develop assumptions pertaining to the County's implementation of proposed Charter amendments.

Additionally, our estimates are limited to the financial impacts the proposed Charter amendments will have on the Board of County Commissioners, the County's departments, agencies, offices and the County's budgetary obligations to constitutional officers.

Methodology

To estimate the financial impacts of proposed Charter amendments, we:

- Reviewed the Charter Review Commission's "2008 Final Report" as found on the Charter Review Commission's website.
- Reviewed proposed Charter amendments and supporting documentation found on the Charter Review Commission's website.
- Consulted with the County Attorney's Office for legal opinions of amendment requirements, and for assistance in developing financial impact ballot language.
- Conducted interviews of County staff, including County Administration and the Office of Management & Budget.
- Obtained and reviewed estimates from appropriate County agencies of the staff hours (and associated hourly costs) required to implement and support proposed amendment requirements.
- Adjusted all hourly staff rates to a fully burdened rate (e.g. including fringe benefit costs) in accordance with a formula provided by the Office of Management & Budget.
- Developed assumptions, in consultation with the County Attorney and affected agencies, relative to each proposed Charter amendment.

Background

The Charter of Broward County, effective January 1, 1975, is the central document that defines the duties, responsibilities and general structure of Broward County government. Any proposed change(s) to the Charter must be approved by the voters of Broward County. Charter changes may be proposed to the voters by the Board of County Commissioners, the Charter Review Commission or through an initiative of the people.

The Charter Review Commission (CRC) is a 19 member body that meets every six years to conduct a comprehensive study of any and/or all phases of County government.² Upon completion of its review, the CRC may propose changes to the Charter for voter consideration. Any proposed change, called a "Charter amendment," must receive an affirmative vote of at least 13 of the 19 CRC members; qualifying amendments are then submitted to the Board of County Commissioners. The Charter requires the Board of County Commissioners to subsequently place the CRC's proposed amendment(s) with associated ballot language on the next general election ballot.

Broward County's most recent CRC was formed in July 2006. During the period July 2006 to April 2008, the CRC held a series of meetings and public hearings to identify and discuss issues of concern related to Broward County Government. On April 9, 2008, the

² Each member of the CRC is nominated by a County Commissioner and subject to confirmation by a majority vote of the Board of County Commissioners; the Board also appoints one "at-large member" to the CRC. The term of each member of the CRC expires the day after the general election held two (2) years after the year in which said member was appointed.

CRC finalized and approved ten (10) resolutions proposing changes to the Charter. These amendment proposals were presented to the Board of County Commissioners on May 13, 2008 and will be placed on the November 4, 2008 General Election ballot for the consideration of Broward County's electorate. In accordance with the Charter (Article XI, Section 11.09), the County Auditor has prepared financial impact statements for the ten (10) Charter amendment proposals estimating the increase or decrease in revenues or costs to the County resulting from voter approval of each proposed Charter amendment.

County Charter Question 1: Creation of the Broward County Metropolitan Transit Authority

BALLOT QUESTION

“Currently the Charter provides for an Office/Department of Transportation that is managed by the County Administrator. Shall the Charter be amended to create an advisory body to be known as the Metropolitan Transit Authority, governed by an appointed Board of Trustees, which will have the responsibility to recommend improvements to the County’s public transit plan, programs, and operations, and to assist with the coordination of a comprehensive, regional public transit system in Broward County?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment would result in an annual financial impact of approximately \$72,000 in costs to Broward County. These costs are estimated to arise from annual administrative and legal support that would be provided by the County to the Metropolitan Transit Authority.

AMENDMENT SUMMARY

This amendment, if approved by County voters, would create an entity of Broward County Government known as the Broward County Metropolitan Transit Authority (MTA). Governed by a nine (9) member Board of Trustees, the MTA’s purpose would be to:

- Propose recommendations to the County Commission regarding the planning, development, financing, construction, and operation of a comprehensive multi-modal public transit system as provided by Broward County.
- Assist the County Commission and other relevant public bodies in fulfilling Broward County’s commitment to a comprehensive multi-modal public transit system, which shall provide all persons with mobility and circulation throughout Broward County and the South Florida region in accordance with appropriate transit and transportation plans and through an accessible public transit system, provided at a reasonable cost and adequate for different environmental and social needs.
- Facilitate the adoption of local, state, and federal legislation, including dedicated funding sources, to meet the regional transit needs of Broward County residents throughout the county and the South Florida region pursuant to applicable Florida

statutes, including, but not limited to Section 339.175, Florida Statutes, as may be amended from time to time.

- Recommend public education programs and plans to the County Commission in order to provide for programs that will educate the County's residents concerning the use of Broward County's public transit system.

FINANCIAL IMPACT SUMMARY

Our analysis indicates the annual financial impact of creating the MTA is approximately \$72,000. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The proposed Charter amendment establishing the MTA places requirements on both the MTA and Broward County. Specifically:

- **MEETINGS:** The MTA would be required to meet a minimum of six (6) times each fiscal year.
- **MEMBER COMPENSATION:** The nine (9) members of the MTA would serve without compensation, but may be reimbursed for necessary expenses incurred incident to the performance of their duties.
- **SUPPORT STAFF:** Broward County staff would be required to “provide administrative and legal support” to the MTA. This explicitly includes staff from County Administration, the County Attorney’s Office, the Transportation Department and the County Auditor’s Office.
- **FUNDING:** The County Commission would be required to include in the general fund of its annual budget sufficient funds for each fiscal year as is necessary to carry out the MTA’s duties as prescribed in the Charter.

Assumptions

The following assumptions were developed in consultation with the County Attorney and affected County agencies to estimate the financial impact of creating the MTA.

- The MTA would not be authorized to employ an executive director, assistant director or other support staff; County personnel would provide administrative and legal support to the MTA.
- The MTA may only propose recommendations to the Broward County Board of County Commissioners; as such, it would have no authority to independently bind the County or expend funds.

- There would be no cost associated with the appointment of MTA members, as members expressly serve without compensation.
- All required administrative and legal support functions would be provided by the Transportation Department and County Attorney’s Office, respectively; as such, there would be no costs to other County agencies.
- The County Auditor’s Office does not anticipate providing support to the MTA unless requested; as such, no County Auditor costs have been included in the estimate for this amendment.
- General administrative overhead costs (e.g., office supplies, printing costs, member reimbursements) would be approximately 5% of the total cost of the amendment.

Revenue/Cost Estimates

- The cost to provide annual administrative staff support to the MTA is estimated at \$47,000 based on the number of hours and related hourly rates (as adjusted for inclusion of fringe benefits) provided by the Transportation Department.
- The cost to provide annual legal staff support to the MTA is estimated at \$21,000 based on the number of hours and related hourly rates (including fringe benefits) provided by the County Attorney’s Office.
- We estimate there will be no revenue impact resulting from this amendment.

Exhibit 2 below provides a line-item summary of our estimated financial impact of creating the MTA. Our estimate is based solely on the required and determinable activities of this amendment. Hypothetical, contingent and uncertain future financial impacts have not been taken into account.

Exhibit 2: The estimated annual financial impact of creating the MTA is \$72,000.

LINE-ITEM	TOTAL
1. Transportation Department Support	\$47,000
2. County Attorney Legal Support	\$21,000
3. General Administrative Overhead (\approx 5% of total)	\$4,000
TOTAL COST	\$72,000

Source: Office of the County Auditor Analysis

County Charter Question 2: Providing for the Non-Interference of the County Commission in Matters Relating to County Administration

BALLOT QUESTION

“The current Charter requires the County Commission to adopt an ordinance prohibiting the interference of the County Commission or individual County Commissioners in matters relating to County Administration. Shall the Charter be amended to specifically prohibit the County Commission or individual County Commissioners from interfering directly with County employees and provide that all recommendations to the County Administration be made through the County Administrator, except for the purposes of formal inquiries and investigations?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment will have no financial impact to Broward County.

AMENDMENT SUMMARY

Except for the purpose of formal inquiries and investigations, the County Commission and its members shall deal with County officers and employees who are subject to the direction and supervision of the County Administrator solely through the County Administrator, and neither the Commission nor its members shall give orders to any such officer or employee, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the Commission from closely scrutinizing, by question and personal observation, all aspects of County government operations so as to obtain independent information to assist the members in the formulation of sound policies to be considered by the Commission. It is the express intent of this provision, however, that such inquiry shall not interfere directly with the ordinary operations of the County, and that recommendations for change or improvement in County government operations be made through the County Administrator.

Violation of any of the provisions of this Section may constitute grounds for reprimand, pursuant to the applicable statutory and constitutional provisions. Abuses that are also a violation of Chapter 112, F.S., as amended from time to time, may result in the filing of an ethics complaint with the Florida Ethics Commission. Any elected public officer that violates this Section, or otherwise engages in misfeasance, malfeasance or abuse of their position shall also be subject to censure by a supermajority vote of the County Commission.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that there is no financial impact associated with the approval of this amendment. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The amendment would not place requirements on Broward County that result in a financial impact. For example, the amendment places no requirement on the County to create a new process, hire additional staff, reallocate staff resources or implement organizational change(s), etc.

Assumptions

As the amendment would not place requirements on Broward County that result in a financial impact, no assumptions are required.

Revenue/Cost Estimates

No financial impact.

County Charter Question 3: Requiring County Commissioners with a Voting Conflict to not Participate in Discussion on that Matter

BALLOT QUESTION

“State law currently allows County Commissioners who recuse themselves from voting on a matter being considered by the Commission to participate in the discussion on that matter. Shall the Charter be amended to require Commissioners who recuse themselves due to a voting conflict resulting from a financial interest in the matter to leave the Commission chamber and not to communicate or participate in any discussion on that matter?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment will have no financial impact to Broward County.

AMENDMENT SUMMARY

Any County Commissioner who will be required to recuse oneself from voting on a matter to be considered by the County Commission or who recuses oneself from voting on a matter being considered by the County Commission due to a voting conflict, pursuant to Chapter 112, Florida Statutes, as amended from time to time, shall leave the Commission chamber prior to debate and not communicate or participate in any discussion relating to that matter.

Any County Commissioner who recuses oneself from voting on a matter being considered by the County Commission due to the appearance of a voting conflict, pursuant to Chapter 286, Florida Statutes, as amended from time to time, or for any reason not otherwise provided for herein, shall disclose the conflict prior to debate, and may remain on the dais and participate in the discussion relating to that matter.

Violation of any of the provisions of this Section may constitute grounds for reprimand, pursuant to the applicable statutory and constitutional provisions. Abuses that are also a violation of Chapter 112, F.S., as amended from time to time, may result in the filing of an ethics complaint with the Florida Ethics Commission. Any elected public officer that violates this Section, or otherwise engages in misfeasance, malfeasance or abuse of their position shall also be subject to censure by a supermajority vote of the County Commission.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that there is no financial impact associated with the approval of this amendment. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The amendment would not place requirements on Broward County that result in a financial impact. For example, the amendment places no requirement on the County to create a new process, hire additional staff, reallocate staff resources or implement organizational change(s), etc.

Assumptions

As the amendment would not place requirements on Broward County that result in a financial impact, no assumptions are required.

Revenue/Cost Estimates

No financial impact.

County Charter Question 4: The Creation of a Broward County Housing Council

BALLOT QUESTION

“In order to serve the public interest, the County Charter provides for the creation of certain councils. Shall the Charter be amended to provide for a Broward County Housing Council to serve in a non-taxing advisory capacity to facilitate coordination between the County, municipalities, businesses and not-for-profit groups to address such issues as affordable and workforce housing and homelessness, and to make annual recommendations regarding streamlining governmental regulations and enhancing housing stability?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment would result in an annual financial impact of approximately \$185,000 in costs to Broward County. These costs are estimated to arise from annual administrative and legal support that would be provided by the County to the Broward Housing Council.

AMENDMENT SUMMARY

This amendment, if approved by County voters, would create an entity of Broward County Government known as the Broward County Housing Council. Comprised of at least seventeen (17) members, the Housing Council’s duties would be to:

- Explore housing models elsewhere in the country,
- Educate and advise about alternative housing programs,
- Share and explore funding strategies,
- Coordinate and collaborate with housing agencies to maximize countywide funding opportunities,
- Prevent and minimize a duplication of services; and
- Educate the public and engage interested parties to ensure the maximum countywide involvement of all stakeholders.

FINANCIAL IMPACT SUMMARY

Our analysis indicates the annual financial impact of creating the Broward County Housing Council is approximately \$185,000. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The proposed Charter amendment establishing the Broward County Housing Council places requirements on the Housing Council. Specifically:

- **MEETINGS:** The Housing Council would be required to meet a minimum of six (6) times each fiscal year.
- **ANNUAL REPORT:** The Housing Council would be required to submit an annual report to the County Commission and other organizations represented by the Housing Council.
- **MEMBER COMPENSATION:** Not specified.
- **SUPPORT STAFF:** Not specified.
- **FUNDING:** Not specified.

Assumptions

The following assumptions were developed in consultation with the County Attorney and affected County agencies to estimate the financial impact of creating the Broward County Housing Council.

- The Housing Council would not be authorized to employ an executive director, assistant director or other necessary support staff; County personnel would provide administrative and legal support to the Housing Council.
- There would be no cost associated with the appointment of Housing Council members, as the existing Charter (Article II, Section 2.09) requires that advisory board members serve without compensation.
- All required administrative and legal support functions would be provided by the Housing Finance & Community Development Division and County Attorney's Office, respectively; as such, there would be no costs to other county agencies.
- The County Auditor's Office does not anticipate providing support to the Housing Council unless requested; as such, no County Auditor costs have been included in the estimate for this amendment.

- General administrative overhead costs (e.g., office supplies, printing costs, member reimbursements, if any) would be approximately 5% of the total cost of the amendment.

Revenue/Cost Estimates

- The cost to provide annual administrative staff support to the Housing Council is estimated at \$150,000 based on the number of hours and related hourly rates (as adjusted for inclusion of fringe benefits) provided by the Housing Finance & Community Development Division.
- The cost to provide annual legal staff support to the Housing Council is estimated at \$26,000 based on the number of hours and related hourly rates (including fringe benefits) provided by the County Attorney’s Office.
- We estimate there will be no revenue impact resulting from this amendment.

Exhibit 3 below provides a line-item summary of our estimated financial impact of creating the Broward County Housing Council. Our estimate is based solely on the required and determinable activities of this amendment. Hypothetical, contingent and uncertain future financial impacts have not been taken into account.

Exhibit 3: The estimated annual financial impact of creating the Broward County Housing Council is \$185,000.

LINE-ITEM	TOTAL
1. Housing Finance & Community Development Division Support	\$150,000
2. County Attorney Legal Support	\$26,000
3. General Administrative Overhead (≈ 5% of total)	\$9,000
TOTAL COST	\$185,000

Source: Office of the County Auditor Analysis

County Charter Question 5: Statement Regarding the Implementation of Policy with a Regional and Countywide Focus

BALLOT QUESTION

“There is currently no language in the Broward County Charter detailing the County’s role as a regional and countywide authority. Shall a policy statement be added to the Broward County Charter defining the Broward County government’s duty to develop and implement programs, policies and budget with a countywide and regional focus, without being precluded from delivering services on a less than countywide basis?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment will have no financial impact to Broward County .

AMENDMENT SUMMARY

Broward County government shall be considered a regional governmental entity and, as such, shall develop and implement the County’s programs, policies and budget with a regional or countywide focus on issues including, but not limited to the airport, seaport, transportation, economic development, parks, and libraries; provided however, that nothing contained herein shall prevent the County from delivering services on a less than countywide basis.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that there is no financial impact associated with the approval of this amendment. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The amendment would not place requirements on Broward County that result in a financial impact. For example, the amendment places no requirement on the County to create a new process, hire additional staff, reallocate staff resources or implement organizational change(s), etc.

Assumptions

As the amendment would not place requirements on Broward County that result in a financial impact, no assumptions are required.

Revenue/Cost Estimates

No financial impact.

County Charter Question 6: Broward County Park Preservation

BALLOT QUESTION

“The Charter currently does not contain a mechanism to protect parks owned by the County. Shall the Charter be amended to designate County-owned parks as either Natural Area Parks or Regional Parks, and to prohibit the sale, transfer or change of use of such parks without an affirmative vote of sixty percent (60%) of the County electors?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment will have no financial impact to Broward County .

AMENDMENT SUMMARY

Natural Area Parks shall be used for “Passive Recreation Park Uses” only. Natural Area Parks may not be sold, transferred, or used for purposes other than as a Natural Area Park unless such action is approved by an affirmative vote of no less than sixty percent (60%) of the electors of Broward County voting in a referendum at either a general election or a special election called for that purpose. The operation or maintenance of Natural Area Parks may be transferred to a municipality without a referendum, provided that the subject park continues to be used for Passive Recreation Park Uses.

Regional Parks shall only be used for Park Purposes. Regional Parks may not be sold, transferred, or used for purposes other than as a Regional Park unless such action is approved by an affirmative vote of no less than sixty percent (60%) of the electors of Broward County voting in a referendum at either a general election or a special election called for that purpose.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that there is no financial impact associated with the approval of this amendment. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The amendment would not place requirements on Broward County that result in a financial impact. For example, the amendment places no requirement on the County to create a new process, hire additional staff, reallocate staff resources or implement organizational change(s), etc.

Assumptions

As the amendment would not place requirements on Broward County that result in a financial impact, no assumptions are required.

Revenue/Cost Estimates

No financial impact.

County Charter Question 7: Statement Regarding the Enactment of Policies Protecting Citizens' Right to a Sustainable Environment

BALLOT QUESTION

“There is currently no language in the Broward County Charter detailing the County Commission’s duty to protect the environment. Shall an environmental policy statement be added to the Broward County Charter clarifying the Broward County government’s duty to enact ordinances which protect its citizens’ right to a sustainable environment, including clean air and clean water, while encouraging the stewardship of natural resources?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

The financial impact of this amendment to Broward County cannot be determined. The financial impact of environmental sustenance ordinances, which have not yet been proposed or enacted, may not be estimated at this time. The financial impact may also not be estimated because the amendment does not contain a timeframe for the enactment of such sustenance ordinances.

AMENDMENT SUMMARY

Broward County shall enact ordinances which protect its citizens’ right to a sustainable environment, including clean air and clean water, while encouraging the stewardship of natural resources.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that the financial impact associated with the approval of this amendment cannot be estimated. This conclusion is based on the amendment requirements and assumptions provided below.

Amendment Requirements

This Charter amendment, if approved, requires the County to enact some general environmental sustenance ordinances, but there is no requirement that all future ordinances, regardless of the subject matter, contain environmental protections. The amendment instead contemplates striking a balance between sustaining the environment and ensuring the provision of efficient and cost-effective governmental services.

Assumptions

The following assumptions were developed in consultation with the County Attorney and affected County agencies to estimate the financial impact of amendment approval.

- A broad range of general environmental sustenance ordinances enacted by the Board of County Commissioners could potentially satisfy the amendment's requirement(s).
- The amendment does not specify a timeframe for the enactment of general environmental sustenance ordinances.

Revenue/Cost Estimates

Given the uncertainty as to the nature and number of future ordinances enacted by the Board of County Commissioners to satisfy this amendment's requirements, the financial impact of this amendment cannot be determined.

County Charter Question 8: The Creation of a Broward County Ethics Commission

BALLOT QUESTION

“The County Charter provides for the creation of certain councils; and Chapter 112, Florida Statutes, provides a general Code of Ethics which applies to certain public officials. Shall the Charter be amended to create a Broward County Ethics Commission for the specific purpose of preparing a Code of Ethics regulating the behavior of Broward County Commissioners, to be considered by the County Commission and/or the electors of Broward County?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment would result in a one-time, cost of approximately \$73,000 to \$100,000 to Broward County. This cost is estimated to arise from administrative and legal support that would be provided by the County to the Broward County Ethics Commission.

AMENDMENT SUMMARY

This amendment, if approved by County voters, would create an entity of Broward County Government known as the Broward County Ethics Commission. Comprised of eleven (11) voting members, the Ethics Commission’s duties would be to present a Code of Ethics to the Broward County Commission for consideration no later than at the first County Commission meeting in March 2010 (the “Proposed Ethics Code”). If the Broward County Commission fails to adopt the Proposed Ethics Code as proposed by the Broward County Ethics Commission within one hundred eighty days (180) days of its receipt of the proposal, the Proposed Ethics Code shall be presented to the electors of Broward County for consideration at the November 2010 general election. If approved by the electors of Broward County, the Proposed Ethics Code shall become part of the Broward County Code of Ordinances.

The Broward County Ethics Commission shall cease to exist upon adoption of the Proposed Ethics Code by the Broward County Commission or upon the consideration of the Proposed Ethics Code by the electors of Broward County, regardless of the outcome.

FINANCIAL IMPACT SUMMARY

Our analysis indicates the one-time, financial impact of creating the Broward County Ethics Commission is approximately \$73,000 to \$100,000. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The proposed Charter amendment establishing the Broward County Ethics Commission, if approved, places requirements on the Ethics Commission. Specifically:

- **MEETINGS:** The Ethics Commission would be required to meet a minimum of eight (8) times beginning no later than March 1, 2009; the Ethics Commission would cease to exist upon adoption of the Proposed Ethics Code by the Broward County Commission or upon the consideration of the Proposed Ethics Code by the electors of Broward County, regardless of the outcome.
- **SUPPORT STAFF:** Not specified.
- **MEMBER COMPENSATION:** Not specified.
- **FUNDING:** Not specified.

Assumptions

The following assumptions were developed in consultation with the County Attorney and affected County agencies to estimate the financial impact of creating the Broward County Ethics Commission.

- The Ethics Commission would not be authorized to employ an executive director, assistant director or other necessary support staff; County personnel would provide administrative and legal support to the Ethics Commission.
- All required administrative and legal support functions would be provided by County Administration and the County Attorney's Office, respectively; as such, there would be no costs to other county agencies.
- There would be no cost associated with the appointment of Ethics Commission members, as the existing Charter (Article II, Section 2.09) requires that advisory board members serve without compensation.
- The County Auditor's Office does not anticipate providing support to the Ethics Commission unless requested; as such, no County Auditor costs have been included in the estimate for this amendment.
- General administrative overhead costs (e.g., office supplies, printing costs, annual reports) would be approximately 5% of the total cost of the amendment.

Revenue/Cost Estimates

- The cost to provide annual administrative staff support to the Ethics Commission is estimated at \$31,000 based on the number of hours and related hourly rates (as adjusted for inclusion of fringe benefits) provided by County Administration .
- The cost to provide annual legal staff support to the Ethics Commission is estimated at \$38,000 to \$64,000 based on the number of hours and related hourly rates (including fringe benefits) provided by the County Attorney’s Office.
- We estimate there will be no revenue impact resulting from this amendment.

Exhibit 4 below provides a line-item summary of our estimated financial impact of creating the Broward County Ethics Commission. Our estimate is based solely on the required and determinable activities of this amendment. Hypothetical, contingent and uncertain future financial impacts have not been taken into account.

Exhibit 4: The estimated one-time, lump-sum financial impact of creating the Broward County Ethics Commission is \$73,000 to \$100,000.

LINE-ITEM	TOTAL
1. County Administration Support	\$31,000
2. County Attorney Legal Support	\$38,000 to \$64,000
3. General Administrative Overhead (≈ 5% of total)	\$4,000 to \$5,000
TOTAL COST	\$73,000 to \$100,000

Source: Office of the County Auditor Analysis

County Charter Question 9: Independent Redistricting Consultant for County Commission Single-Member Districts

BALLOT QUESTION

"The Broward County Charter currently provides for the County Commission to divide the County into nine single-member districts. Shall the Charter be amended to provide for the use of an independent redistricting consultant to develop plans and implement appropriate standards for redistricting of the County Commission single-member districts?" (Vote "Yes" for approval; vote "No" for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment would result in a financial impact of approximately \$53,000 to \$184,000 in Fiscal Year 2011, and an unquantifiable financial impact every ten (10) years thereafter. These costs are estimated to arise from obtaining the services of an independent redistricting consultant as required by the amendment.

AMENDMENT SUMMARY

The County Commission shall, by supermajority vote, select an independent professional or academic organization, referred to as the "independent redistricting consultant," that possesses relevant experience in redistricting to research, analyze, and develop at least two alternate districting plans. The independent redistricting consultant shall utilize the most recent decennial census to develop districts and residence areas that are consistent with the County redistricting standards set forth in the Charter.

The plans developed by the independent redistricting consultant shall be forwarded to the County Attorney, who shall review each plan for legal compliance with the County redistricting standards, as well as federal, state, and local law. The County Attorney shall forward to the County Commission only the plan or plans that meet legal sufficiency. Thereafter, the County Commission can elect to do one of the following acts:

1. Elect one of the plans forwarded by the County Attorney that was developed by the independent redistricting consultant.
2. Request the independent redistricting consultant to develop additional plans for the County Commission's consideration.

County Commission single-member districts shall be drawn in compliance with the United States Constitution and the federal Voting Rights Act (42 U.S.C. §1973 et seq., as

amended from time to time). Each district shall have a population as nearly equal as practicable.

To the greatest extent possible, the Independent Redistricting Consultant shall maximize both representativeness and, where practicable, competitiveness though neither goal shall be superior to the other. Each district shall be as contiguous and compact as practicable. District boundaries shall conform to the existing geographic boundaries of a municipality and shall preserve identifiable communities of interest to the greatest extent possible.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that the estimated one-time financial impact of obtaining the services of an independent redistricting consultant is \$53,000 to \$184,000 in Fiscal Year 2011, and an unquantifiable financial impact every ten (10) years thereafter. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The proposed Charter amendment establishing the requirement for an independent redistricting consultant, if approved, places obligations on Broward County. Specifically:

- **INDEPENDENT CONSULTANT:** The County would be required to select and hire an independent professional or academic organization that possesses relevant experience in redistricting to research, analyze, and develop at least two alternate districting plans.
- **SUPPORT STAFF:** The County Attorney would be required to review each redistricting plan for legal compliance with the County's redistricting standards, as well as federal, state, and local law.

Assumptions

The following assumptions were developed in consultation with the County Attorney and affected County agencies to estimate the financial impact of establishing the requirement to obtain the services of an independent redistricting consultant.

- Currently, Article II, Section 2.01(A) of the Charter requires the County to redistrict no later than December 31st of the year of publication of each decennial (10-year) census. As such, some level of administrative and legal support relative to redistricting would be required with or without this Charter amendment. Only the net increase (or decrease) of redistricting costs imposed by the approval of this amendment is considered in our analysis.
- The County has, on occasion, used the services of an outside redistricting consultant. However, there is no requirement to do so. In fact, the most recent

redistricting process was conducted solely in-house. Thus, the amendment, if passed, would impose a cost requirement that did not previously exist.

- Our estimate pertains to the Fiscal Year 2011 financial impact of obtaining the services of an independent redistricting consultant. However, approval of this amendment would also obligate the County to a recurring financial impact every ten (10) years thereafter. For example, in 2021, the County would again be obligated to select and hire an independent redistricting consultant. It is impractical to forecast this amendment's financial impact beyond its first impact in Fiscal Year 2011.
- All required administrative and legal support functions would be provided by the Department of Environmental Protection & Growth Management and County Attorney's Office, respectively; as such, there would be no costs to other county agencies.
- The Board of County Commissioners would review and approve redistricting plans with or without this Charter amendment. Therefore, there is no additional Board cost associated with this amendment.
- The County Attorney's Office would review each redistricting plan for legal compliance with the County's redistricting standards, as well as federal, state, and local law with or without this Charter amendment. Therefore, there is no additional County Attorney cost associated with this amendment.
- General administrative overhead costs (e.g., office supplies, printing costs, member reimbursements, if any) would be approximately 5% of the total cost of the amendment.

Revenue/Cost Estimates

- The Department of Environmental Protection & Growth Management (EPGM) estimates that it would provide \$50,000 to \$100,000 of staff support in Fiscal Year 2011 if this amendment was approved. EPGM support would primarily include hiring and managing the independent redistricting consultant. However, if this amendment was not approved, EPGM would likely perform the redistricting in-house, at an estimated staff cost of \$50,000 to \$75,000. Therefore, the net increase in staff cost imposed by amendment approval would be \$0 to \$25,000.
- The Department of Environmental Protection & Growth Management estimates the one-time cost of an independent redistricting consultant in Fiscal Year 2011 would be \$50,000 to \$150,000.
- We estimate there will be no revenue impact resulting from this amendment.

Exhibit 5 below provides a line-item summary of our estimated financial impact of obtaining the services of an independent redistricting consultant to develop plans and implement the required standards for the redistricting of the County Commission single-member districts. Our estimate is based solely on the required and determinable activities of this amendment. Hypothetical, contingent and uncertain future financial impacts have not been taken into account.

Exhibit 5: The estimated one-time financial impact of obtaining the services of an independent redistricting consultant is \$53,000 to \$184,000 in Fiscal Year 2011.

LINE-ITEM	TOTAL
1. Department of Environmental Protection & Growth Management Support	\$0 to \$25,000
2. Independent Redistricting Consultant	\$50,000 to \$150,000
3. General Administrative Overhead (5% of total)	\$3,000 to \$9,000
TOTAL COST	\$53,000 to \$184,000

Source: Office of the County Auditor Analysis

County Charter Question 10: Management and Efficiency Study Committee Meeting Schedule

BALLOT QUESTION

“The Charter currently provides that the Management and Efficiency Study Committee shall convene every six (6) years. It is scheduled to convene next in 2010. Shall the Charter be amended to require the Management and Efficiency Study Committee to meet in 2009 and every six (6) years thereafter in order to provide for a one (1) year hiatus between the meeting of the Charter Review Commission and the Management and Efficiency Study Committee?” (Vote “Yes” for approval; vote “No” for rejection).

FINANCIAL IMPACT STATEMENT

It is estimated that this amendment will have no financial impact to Broward County.

AMENDMENT SUMMARY

The members of the Management & Efficiency Study Committee (MESC) shall be appointed on the first Tuesday in June 2009, as opposed to 2010.

FINANCIAL IMPACT SUMMARY

Our analysis indicates that there is no financial impact associated with the approval of this amendment. This estimate is based on the amendment requirements and assumptions provided below.

Amendment Requirements

The amendment would not place requirements on Broward County that result in a financial impact. For example, the amendment places no requirement on the County to create a new process, hire additional staff, reallocate staff resources or implement organizational change(s), etc. This amendment merely moves the MESC meeting schedule forward one year and therefore requires nothing of the County that was not required previously.

Assumptions

As the amendment would not place requirements on Broward County that result in a financial impact, no assumptions are required.

Revenue/Cost Estimates

No financial impact.