

Gainesville, Florida, Code of Ordinances; PART II - CODE OF ORDINANCES; Chapter 2 – ADMINISTRATION; ARTICLE V. - BOARDS, COMMISSIONS AND COMMITTEES

DIVISION 1. GENERALLY

Sec. 2-245. Boards and commissions to report to city commission.

All boards, committees and commissions appointed by the city commission shall be advisory to and shall report to the city commission, unless a charter provision or ordinance of the city shall otherwise provide.

(Code 1960, § 1-14)

Sec. 2-246. Members to remain in office until successors appointed; exceptions.

The members of all boards, committees and commissions appointed by the city commission shall remain in office until their successors are appointed, unless a charter provision or ordinance of the city shall otherwise provide.

(Code 1960, § 1-15; Ord. No. 3164, § 1, 9-23-85)

Sec. 2-247. Removal from office.

(a) The city commission may remove from office any appointee of the city commission as provided by law.

(b) Any appointee of the city commission to any board, commission, committee, authority, or council except the community redevelopment agency, the Gainesville-Alachua County Regional Airport Authority, the Consolidated Police Officers and Firefighters Retirement Plan, the governing board of the Alachua County Library District, the Gainesville Housing Authority, and the Gainesville Enterprise Zone Development Agency, is automatically removed from the board, commission or committee upon filing with the clerk of the commission, the attendance record that indicates:

(1) As to quasi-judicial and administrative boards: The board member has failed to attend four or more consecutive meetings, or that the overall attendance record of the member is less than $66 \frac{2}{3}$ percent for ~~any six-month period~~ the 6 most recent board meetings at which voting occurred (workshop meetings where no votes are taken are specifically excluded). As used in this paragraph, attendance means presence at the meeting no later than ~~15~~ 20 minutes after the meeting is called to order or, if arrival occurs more than 20 minutes after the meeting is called to order, for a duration of at least 51 percent of the entire meeting time as verified by the secretary on the attendance record. Board members may be granted one excused absence per year (based on the member's appointment anniversary date) for a medical reason or professional obligation. This one yearly excused absence will not count against the board member's overall attendance

record for the purpose of removal from office. The board member must notify the board's staff liaison with a request for an excused absence prior to the meeting.

(2) As to advisory boards: The overall attendance record of the board member is less than 50 percent for the 12-month period commencing January 1 and ending on December 31 of any year. As used in this paragraph, attendance means presence at a meeting as may be defined in the rules of the board and approved by the city commission. Additionally, this attendance requirement will not apply to any board member who serves less than the full 12-month period. ~~The automatic removal of any board member under this paragraph may be stayed by the filing of an appeal with the clerk of the commission between January 2 and January 15 of any year. The form of the appeal shall be available at the office of the clerk of the commission which shall include the requirement that the appellant state with particularity the grounds for such appeal that are limited to: 1) professional obligations; 2) sabbatical leave; 3) health or medical reasons; or 4) extenuating circumstances. The city commission shall hear the appeal within 15 days of the filing of any appeal. The decision of the city commission shall be final.~~ As used in this paragraph, attendance means presence at the meeting no later than 20 minutes after the meeting is called to order or, if arrival occurs more than 20 minutes after the meeting is called to order, board members must attend the meeting for a duration of at least 50 percent of the entire meeting time as verified by the secretary on the attendance record. Board members may be granted two (2) excused absences per year commencing January 1 and ending on December 31 of any year for: 1) professional obligations; 2) educational obligations; and 3) medical reasons. The two (2) excused absences shall not count against the board member's overall attendance record for the purpose of removal from the board. The board member must notify the board's staff liaison with a request for an excused absence prior to the meeting

(c) Whenever a board member or former board member is being considered for appointment or reappointment, the city commission shall consider the attendance record of the member.

(d) For purposes of this subsection, an advisory board means any board, commission, committee, council, or authority whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations. All other boards, commissions, committees, councils or authorities are deemed to be quasi-judicial or administrative boards.

(e) Reserved.

(f) The resident members of the consolidated police officer and firefighters pension plan board of trustees, appointed by the city commission, may be removed without prior notice and without cause, such removal to be effective upon the resident members' receipt of written notice of the commission's action.

(Code 1960, § 2-5.1; Ord. No. 3300, § 1, 11-17-86; Ord. No. 3367, § 1, 8-24-87; Ord. No. 3707, § 1, 3-18-91; Ord. No. 3988, § 1, 7-11-94; Ord. No. 4049, § 1, 1-9-95; Ord. No. 960373, § 1, 5-27-97)

Sec. 2-248. Reserved.

Sec. 2-249. Board secretary.

All boards, committees, commissions, authorities, and councils created by the city commission shall elect a board secretary unless a special rule or law provides otherwise. It is the duty of the secretary to provide notice of each meeting to the clerk of the commission at least 48 hours (excluding Saturdays, Sundays and Holidays) prior to the meeting. The secretary shall make, or cause to be made, the minutes of each meeting, and shall verify the attendance of board members at each meeting, and shall verify the attendance of board members at each meeting. The secretary shall file the attendance record with the clerk of the commission as soon as practicable.

(Ord. No. 3988, § 2, 7-11-94)