

City of Gainesville

*City Hall
200 East University Avenue
Gainesville, Florida 32601*



Meeting Agenda

January 20, 2015

5:00 PM

Roberta Lisle Kline Conference Room 16

Legislative and Organizational Policy Committee

*Mayor Ed Braddy, Chair
Commissioner Craig Carter, Member*

CALL TO ORDER

ROLL CALL

ADOPTION OF THE AGENDA

APPROVAL OF MINUTES

[140634.](#)

Legislative and Organizational Policy Committee meeting minutes of December 2, 2014 (B).

RECOMMENDATION

The Legislative and Organizational Policy Committee approve the minutes of the December 2, 2014 meeting as submitted.

[140634_Dec 2 2014 Minutes_20150120.pdf](#)

DISCUSSION OF PENDING REFERRALS

[140449.](#)

Removals From Airport Authority (B)

Explanation: The Gainesville-Alachua County Regional Airport Authority (GACRAA) consists of nine members, three of which are appointed by the Governor of the State of Florida, one by the Alachua County Board of County Commissioners and the remaining five by the Gainesville City Commission. All members serve a three-year term beginning August 1 and expiring on July 31 of the appropriate year.

In accordance with Florida Statutes Ch. 206-36, Section 4 paragraph (7), a member may be removed by the entity appointing such member upon grounds constituting misfeasance, neglect of duty, incompetence, or permanent inability to perform official duties. Upon conviction of a felony, a member shall be automatically removed. The unexcused failure to attend three consecutive regular meetings of the authority shall be deemed neglect of duty, without limiting the meaning of the term "neglect of duty."

Section 3 of the By-Laws for GACRAA, adopted November 17, 2005, states that any member of the Authority who has had three or more consecutive absences from regular monthly meetings shall be considered in "neglect" of duty. A member may appeal to the full Board and request approval of the three consecutive absences. Should a member be in neglect of duty, the appointing authority shall be notified.

Fiscal Note: None

RECOMMENDATION *Discuss Airport Authority appointments and attendance and take any action deemed appropriate.*

Legislative History

10/16/14 City Commission Referred to the Legislative and Organizational Policy Committee

[140449A_GACCAR Members_20150120.pdf](#)

[140449B_Chapter 2006-363_20150120.pdf](#)

[140449C_GACRAA By-Laws Approved on 11-17-05_20150120.pdf](#)

[140511.](#)

“At-Will” Positions (B)

Discussion of At-Will positions.

Explanation: At the September 18, 2014 City Commission Meeting, the City Commission referred to the Legislative and Organizational Policy Committee a discussion of At-Will positions.

Fiscal Note: There is no fiscal impact.

RECOMMENDATION *The Legislative and Organizational Policy Committee hear a presentation on At-Will positions provided by the Human Resources Department then discuss or take action as appropriate.*

Legislative History

12/2/14 Legislative and Organizational Policy Committee Continued

[140511_AT WILL Positions_20141202.pdf](#)

[130131.](#)

Public Records Request (B)

Explanation: On July 18, 2013, the City Commission referred an item concerning Public Records Request to the Audit, Finance and Legislative Committee. This item was subsequently referred to the newly formed Legislative and Organizational Policy Committee.

The referral was centered specifically around the use of staff time to access public records, the circumstances for which payment is required or not required. Additionally, a question was raised regarding standard practice related to staff assistance to former elected officials and whether there should be a charge for that service.

The City's Administrative Procedure -Public Records was adopted in 2010. Its purpose is to implement the City's Public Records Policy and ensure that the City's public records are retained and accessible in accordance with Florida law. The Administrative Procedure applies to all City employees. Section VIII, Copy Fees and Special Service Charges outlines the circumstances for which fees should be charged.

VIII. Copy Fees and Special Service Charges

A. Any person may inspect public records in the presence of a City employee (or designee), and he or she may tab, clip, or in some other form, identify which documents he or she would like copied. The City employee shall compute the cost of the requested copies and collect all copy costs from the person requesting copies of public records prior to making any copies.

B. City employees shall charge for all copies of public records the rates allowable by Florida law, as may be amended from time to time; provided, however, that the first ten (10) copies per week, per person shall be without charge. Currently, the rates allowable by Florida law and this Administrative Procedure are as follows:

COPY TYPE / COST

First ten (10) copies: Free

Copies of not more than 14inches x 8.5 inches:

*15 cents per one-sided copy, but no more than an additional
5 cents for each two-sided copy*

Certified copies of a public record: 1 dollar per copy

For all other copies: Actual cost of duplication

C. If the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by the City employees involved, City employees shall charge, in addition to copy costs, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the City employees providing the service that is actually incurred by the City or attributable to the City for the clerical and supervisory assistance required, or both.

D. For the purpose of this section, "extensive" shall be defined as taking more than 15 minutes to locate, review for exempt or confidential information, copy and re-file the requested material. The special service charge shall be computed to the nearest quarter of an hour exceeding 15 minutes based on the current rate of pay and benefits for the pay grade of the person who performed the service and will be assessed when appropriate regardless of the number of individual copies made.

E. The requestor must be notified of any and all potential fees and charges associated with their public records request prior to inspection

and copying. An estimate of the fees and charges may be provided to the requestor and approval obtained prior to producing the request. Payment of all fees and charges assessed must be received prior to copies being made and provided to the requestor and prior to the use of extensive information technology resources or staff time to respond to a public records request.

Fiscal Note: None

RECOMMENDATION

Discuss the city policies and procedures related to Public Records and remove from the referral list.

Legislative History

7/18/13 City Commission Referred to the Audit, Finance and Legislative Committee

[130131A_G-5 Public Records Admin Procedures_20150120.pdf](#)

[130131B_G-5 Public Records Policy_20150120.pdf](#)

[130276.](#)

Public Records/Clerk's Office (NB)

Explanation: On August 20, 2013, the City Commission referred an item concerning Public Records- Clerk's Office to the Audit, Finance and Legislative Committee. This item was subsequently referred to the newly formed Legislative and Organizational Policy Committee.

The referral was generated as a result of citizen comment. Citizen's inquired as to why public records requests cannot be submitted to and responded by the Clerk's office rather than the requirement to ask the holder of the records.

The City's Administrative Procedure -Public Records was adopted in 2010. Its purpose is to implement the City's Public Records Policy and ensure that the City's public records are retained and accessible in accordance with Florida law. The Administrative Procedure applies to all City employees. Section III(A) states that each City employee is the custodian of any public record under his or her supervision and control, such as the public records located in an employee's office desk drawer or an employee's City e-mails. As such, each City employee who has public records in his or her custody is required to retain such records in accordance with the records retention schedules established by the Florida Department of State.

As the custodian of the record, each employee is required to respond to a public records request. In practice, when a request comes in to either the Clerk's office, the City Manager's office, or any other office within the city, and the person receiving that request is not the custodian of the record, that request is then forwarded to the custodian for a response.

Fiscal Note: None

RECOMMENDATION

*Discuss the City policies and procedures related to
Public Records and remove from the referral list.*

Legislative History

8/20/13 City Commission Referred to the Audit, Finance and Legislative
Committee

MEMBER COMMENT

CITIZEN COMMENT

NEXT MEETING DATE

February 3, 2015 at 5:00PM in the Roberta Lisle Kline Conference Room #16

ADJOURNMENT