



City of Gainesville Text File Report

City Hall
200 East University Avenue
Gainesville, Florida 32601

Introduced: 12/26/2001

File Number: 002005

Version: 3

Status: In Committee

..Title

Above Ground Utility Facilities In Streetscape Projects (NB)

..Recommendation

The Public Works Committee recommends that the City Commission remove this item from the referral list.



City of Gainesville Text File Report

City Hall
200 East University Avenue
Gainesville, Florida 32601

Introduced: 5/9/2002

File Number: 002450

Version: 2

Status: To Be Introduced

..Title

Public Safety Committee Pending Referral List (B)

..Explanation

At the February 11, 2002 City Commission meeting, the Commission requested that staff liaison's bring back a brief explanation of their referrals for further review.

The following referrals should be retained on the pending list:

- #001081 - Citizens Review Board for the Police Department
- #000158 - Prostitutes and Drug Dealers on SW 6th Street
- #001502 - Ad Hoc Committee on University Neighborhoods (also w/PWC)
- #000374 - Vehicle Towing Ordinance and Roam Towing Fees Review
- #001688 - Community Alcohol Committee
- #002382 - Extension of Boundaries for Alcohol Consumption During Events Downtown

The following referrals should be removed from the pending list:

- #001262 - Special Parking Permits for Couriers. This item was discussed on 6/26/01 and returned with a resolution on 8/16/01.

..Recommendation

The City Commission accept the pending referrals of the Public Safety Committee as submitted.

**PUBLIC SAFETY COMMITTEE
PENDING REFERRAL
STATUS REPORT
As of May 2002**

<u>FILE NUMBER</u>	<u>ITEM</u>	<u>REFERRED</u>	<u>DUE</u>
001081	Citizens Review Board for the Police Department (NB)	3/12/01	9/12/01

This item was discussed at the July 17, 2001 Public Safety Committee meeting. Fifty-one citizens spoke. Staff was directed to return with a response report at the August 16th meeting. Citizens for Police Review (CPR) and the FOP were also given an opportunity to provide presentations at the August meeting. Attorney staff was asked to report back on the feasibility of funding a citizens review board from LECFTF funds. The meeting was video taped.

This item was discussed at the August 16, 2001 PSC meeting. GPD, Citizens for Police Review and State Attorney Bill Cervone provided presentations. Nine citizens spoke to the matter and due to time constraints the remaining citizens were told they would be first up to speak at the September 20, 2001 meeting, if they desired.

Discussed 9/20/01. Twenty citizens spoke to the matter. Ron Combs advised that LECFTF funds could not be used for the purpose of funding a police review board. Chair Chestnut suggested the next meetings be working meetings, having devoted three meetings to citizen comments. Commissioner Nielsen suggested looking at an ombudsman position, as an interface between the city and citizens, who would assist the citizen in filing a complaint. Chief Botsford was invited to speak as well as other audience members who wanted to share additional new suggestions.

Discussed 10/18/01. FOP, CPR, GPD and citizens continued discussions. A summary of the previous three meetings was made by the chair. The City Manager presented a projected first year budget for a review board. C/Nielsen presented two draft documents "Alternative Police Complaint Initiation Process" and "Police Complaint Appeal Board". The Chair scheduled the November PSC meeting for three hours and asked staff and citizens to return with recommendations/comments on the documents presented.

Discussed 11/20/01. Dr. Fred Shenkman, UF was invited by the Chair to speak. Dr. Shenkman posed several questions about the discussions and recommended that all of these questions first be answered before moving on. The CPR presented an amended ordinance, FOP showed a video of law enforcement disciplinary hearings, FOP attorney

**Public Safety Committee
Pending Referral Update
As of May 2002**

FILE NUMBER	ITEM	REFERRED	DUE
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spoke, addressing the officers Bill of Rights and bargaining agreement issues. Chair Chestnut presented a draft "Citizens Advisory Review Board" document. After hearing no consensus, the PSC recommended the CC hire an outside consultant to conduct a comprehensive review of GPD's performance and procedures, and at the same time allow the continuation of dialogue of C/Chestnut's draft document through the PSC.

Report out to the CC on 11/26/01 with the following recommendation from the PSC: 1) The City Commission hire an outside consultant to conduct a comprehensive review of the GPD's performance and procedures; 2) at the same time, allow the continuation of dialogue of C/Chestnut's draft document entitled, "Citizen Advisory Review Board" by retaining this referral with the PSC; and 3) allow the consultants report to be brought back to the PSC for discussion, prior to further action with regard to the citizens advisory review board proposal. First Motion: Mayor Bussing moved and C/Nielsen seconded to direct the City Manager to: 1) Report back to the CC on the feasibility and cost of possibly hiring a consultant; and 2) the City Manager also come back with a report on the feasibility of establishing an alternate routing of complaints about the police department. Section Motion: C/Nielsen moved and Mayor-Commissioner Pro-Tem Hanrahan seconded to allow the continuation of dialogue of C/Chestnut's draft document, entitled "Citizen Advisory Review Board" by retaining this referral with the Public Safety Committee.

000158	Prostitutes and Drugs Dealers on SW 6th Street (B)	6/26/00	12/26/01
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This item was discussed in PSC meetings on August 22, 2000, October 19, 2000 and June 26, 2001. The committee was provided with numerous enforcement updates. The item remains pending while awaiting final installation of lighting in the Kirkwood and SW corridor areas. GRU lighting staff will be invited to attend a future PSC meeting to provide this report.

Discussed on 10/18/01. GPD gave an update on enforcement and legislative efforts and presented a video and handout of those efforts, including discussions with the legislative delegation, undercover sting operations, media initiatives with the Police Beat TV show, and posting of arrests on the web page. GPD will continue exploring options.

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As of May 2002**

FILE NUMBER	ITEM	REFERRED	DUE
001502	Ad Hoc Committee on University Neighborhoods (B)	5/14/01	11/14/01

This item (related to item #001317) was referred to the PSC and has not yet been agendaed. The referral is to develop methods to prevent cars from parking on the right-of-way in the non-curb and gutter areas. Scheduled for the January or February 2002 PSC agenda.

000374	Vehicle Towing Ordinance and Roam Towing Fees Review (B)	5/29/01	12/11/01
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The original referral on roam towing was assigned to PSC on August 28, 2000. Since that referral, the PSC held public meetings on October 19, 2000 and November 16, 2000 with a report to the City Commission. On December 11, 2000 the City Commission 1) referred the issue of reviewing the towing ordinance back to the PSC and 2) referred the issues associated with roam towing fees to the City Manager, City Attorney and the City Auditor. The PSC again held public hearings to discuss our portion of the referral regarding the ordinance itself on January 25, 2001, February 22, 2001, March 15, 2001 and April 19th, 2001. On May 29, 2001 the City Commission heard a joint presentation from the PSC and the Audit and Finance Committee (who had the fee referral portion). The action taken in the City Commission minutes is not reflective of the same action that Legistar shows. Specifically, the minutes action shows that the item was referred to the Charter Officers to sort out. And although it makes reference to referring again back to PSC, the last motion shows only action on the fees portion. Legistar shows the item being referred to the Charter Officers and to the PSC on May 29, 2001. The reference made in the minutes reflecting a referral back to PSC is confusing, and the reference made in Legistar does not speak to what the referral to PSC actually is. It has been staff's impression that the entire issue is being held for decisions with the Charter Officers. I believe the PSC will need some direction from the Charter Officers or clarification from the minutes of that May 29, 2001 meeting in order to be able to agenda this item with a clear understanding of our assignment.

GPD, City Attorney and City Auditor staff are pending schedules to meet on this item and will report back recommendations to a future PSC meeting. See memo to staff of July 2001. Currently set for the May 9, 2002 PSC agenda for Charter report to PSC.

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As of May 2002**

<u>FILE NUMBER</u>	<u>ITEM</u>	<u>REFERRED</u>	<u>DUE</u>
001688	Community Alcohol Committee (NB)	8/13/01	

This item was referred to: 1) discuss the issue of regulating consumption of large volumes of alcohol and find out if there is an extreme situation and if so, provide some pro-active input to our Legislative Delegation and 2) invite the Community Alcohol Committee to attend the meeting and offer their input.

Scheduled for the January 17, 2002 PSC meeting. Sheriff Oelrich and UF staff invited to attend.

Discussed at the 1/17/02 PSC meeting. Staff/members from the UF Committee on Alcohol, FSU Partnership for Alcohol Responsibility, Higher Education Center for Alcohol and other Drug Prevention, Corner Drugstore, Inter-fraternity Council at UF, Students Against Destructive Decisions, Alachua County Office of Victim Services, Families Against Drugs, Tampa Police Department, Alachua County Sheriff's Office, Gainesville Police Department, UF Student Lobby Director, UF Dean of Students and students and citizens spoke. The UF Committee on Alcohol presented statistics and a proposal to the PSC for possible assistance 1) in support of regulation of irresponsible drink specials and a review of events such as graduation drinking programs; 2) in support of Party Patrol that has a grant for a limited time; full funding and/or significant support is encouraged; 3) by participating in education via tools such as GRU newsletter and possibly in other city promotions; and 4) by being more diligent in the enforcement of the age 21 drinking laws. The PSC asked GPD staff and UF Alcohol Committee staff to return to the next meeting with underage drinking stats and strategies the committee could use on drink specials in retail establishments, as well as funding possibilities for i.d. scanners. They also asked the CAO staff to look at what legal parameters the city may be able to use in considering the regulation of drink specials.

Discussed at the 2/21/02 PSC meeting. Staff/members from the UF Committee on Alcohol, UF Students and Staff, Students for Sensible Drug Policy, City of Tallahassee, nightclub and restaurant owners/managers, and interested citizens spoke. The UF Alcohol Committee presented numerous documents and surveys on this topic. City Commissioner Meisburg of Tallahassee spoke about the proposed ordinance on regulating drink specials and the Responsible Vendor Act. GPD provided Party Patrol and underage drinking statistics. It was noted that the city cannot regulate drink specials, only the state of Florida has that ability, however the Responsible Vendor Act could be a useful tool. The Committee requested the City Attorney look at what the city can do to implement a Florida Responsible Vendor program defining the level of "teeth" that can

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be included in that. They also requested staff to look at the cost of identification scanners and perhaps a shared cost among the city and others. This item will be discussed again at the March 21, 2002 PSC meeting.

Discussed 3/21/02. Staff from GPD, UF, Downtown Business Owners and interested citizens spoke. GPD presented findings on Tampa's use and cost of id scanners. Staff heard that Ft. Myers has an ordinance prohibiting anyone under the age of 21 from entering an alcohol establishment and Tampa is proposing one similar. The group agreed that this would not be a "politically popular" alternative in Gainesville, particularly with such a large student population, and that this would not keep the under 21 group from drinking at home parties. The committee heard from attorney staff that the City has no authority to mandate participation in a Responsible Vendor Program, nor any local authority to regulate advertising drink specials as the "sale" of alcohol is regulated by the state. Participation could be voluntary and the city could provide an incentive for participation and those who limited advertising of drink specials, some consider irresponsible. There was discussion about UF making the alcohol related arrests public. Bar owners asked about hiring GPD officers to work but were advised that GPD's policy does not allow officers to work in an off-duty capacity in any business that serves alcohol. However, GPD is looking into other possibilities, approaching the downtown owners to seek their interest in hiring off-duty officers who could roam the outside of the business. The committee asked that a report be prepared for the full CC asking for the City Attorney to assist with legislation to prohibit irresponsible advertising of drink specials that promote binge drinking on a statewide basis, or allow municipalities to regulate those advertisements in all establishments that serve alcoholic beverages.

Scheduled as a report to the CC at the May 13, 2002 CC meeting.

002382	Extension of Boundaries for Alcohol Consumption During Events Downtown (NB)	3/12/01	
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The referral to PSC was "Downtown Redevelopment Advisory Board to the CRA: Request that the City Commission explore permitting an extension of boundaries for alcoholic beverages during special events."

Discussed 4/18/02. Members of DRAB and GDOT, police and city attorney staff, UF Alcohol Committee and interested citizens spoke to this matter. GDOT and DRAB explained that the proposal is asking for an extension of boundaries on public property only during certain special events and as allowed by the ABT in granting by permit,

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licensed businesses to extend to serve alcohol within 100' of their building. They are requesting Mr. Bowers be given the authority to grant these special permits, with the understanding that the event organizer would have to have a police presence and clearly defined boundaries. They added that the intent is to bring more families downtown for responsible, enjoyable events. UF Alcohol Committee representatives expressed concern about the ability to monitor outside the business handing off drinks to the underaged and the potential of creating an environment that promotes drinking. GPD staff was directed to bring back a report on the potential impact on staffing, the City Manager to explore other cities and GDOT and DRAB to provide any other pertinent information. Currently scheduled again for the May 9, 2002 PSC agenda.

Prepared by M. Hanna, Staff Liaison