

0405718

Charter Review Committee Minutes

Public Hearing
June 7, 2005
Tuesday, 7:00 p.m.
City Hall – Commission Chambers

I. Call to Order

Chair Penny Wheat called the meeting to order at 7:00 p.m.

II. Roll Call

Members Present: Chair Penny Wheat
Matthew Cole (arrived 7:10 p.m.)
Bruce Delaney
Beverly Hill
Horace Moore, Sr.
Larry Vettel

Members Absent: Odetta MacLeish-White

Staff Present: Sr. Assistant City Attorney Charles Hauck
Staff Liaison SuAnn Williams
City Attorney's Office Extern Angelique Knox

Others Present: Members of the Public

III. Adopt Agenda

Horace Moore moved, Larry Vettel seconded, to adopt the June 7, 2005 agenda. Motion carried 5-0.

IV. Opening Remarks

A. Chair Penny Wheat introduced members of the Committee and City Staff and delivered opening remarks.

B. Charles Hauck, Sr. Assistant City Attorney provided opening preliminary remarks and introduced a videotape of Marion Radson, City Attorney. The videotape provided an overview of the City of Gainesville's form of government and structure; the Charter Review Committee's function and charge; and the election process relating to the mayor and city commissioners.

V. Public Hearing

The following members of the public presented comments: County Commissioner Rodney Long; Mark Goldstein; Cleve Sharpe; Charlie Grapski; Barbara Sharpe; Dyonne McGraw; Bruce DeLaney; Commissioner Jack Donovan; Bruce Brashear; Janet Woods; Vinay Raj; David Welch; Vincent Lipsio; Joanne Auth; Ron Brinkman; and Harold Saive.

The following is a summary of the ideas and suggestions presented:

Length of term and Term limits

- 4-year terms.
- Keep the current three years.
- Move to two-year terms like Congress; however, no term limits.
- Two term limit.
- No term limits (let the voters decide.)
- 4-year terms and two-term limits with cap of 10 yrs. for current city commissioners.
- Extended terms are not necessarily the way to achieve a better government; the issue should be access/feedback to elected officials, not number of years in office. (handout)

Elections

- Keep elections non-partisan. Partisanship does not necessarily bring any more identity to the candidate or informed voters.
- Return to partisan elections.
- Use "Instant Runoff Voting" and do away with perceived "voter fatigue" and cost of run-off elections. (handout)
- Three types of electoral process: (1), Winner takes all (creates more losers than winners); (2), proportional representation; and (3), preferential voting.
- To be elected, require a majority, not a plurality.

Election cycle

- Elections every two years instead of every year.
- Keep elections in the spring, with elections every year.
- Keep elections in the spring to allow more consideration of purely local issues. Candidates have to fight for limited attention and money in the fall. Voters often have to wade through several ballot cards. There is voter "drop off" of local races in fall elections.
- All municipalities in Alachua County should hold elections on the same day in the spring; and local issues be placed on the ballot at that time.
- Move to a September primary and November general election to achieve a higher voter turnout.
- A move to November elections will not necessarily solve the problem of poor voter turnout.

Other

- Return to the system of a non-elected mayor and rotate the office of mayor-commissioner among the commissioners to promote collegiality and to embrace different ideas.
- Return to the former 5-commissioner system; expand districts; and increase salaries of the 5 commissioners.

-Use a system of 4 district commissioners; 2 at large; and a facilitator who does not vote.

VI. MEMBER COMMENTS

Mr. Moore expressed appreciation to those who attended the public hearing and watched on television.

Mr. Vetel thanked everyone who came; stated his belief that a better-informed voter does not necessarily mean a better voter; and suggested that the Committee's job is to determine how to enhance voter participation.

Chair Wheat announced the dates of future regular Committee meetings, and thanked everyone for attending the hearing.

VII. ADJOURNMENT

Chair Wheat adjourned the public hearing at 9:00 p.m.

Charter Review Committee Minutes

Meeting of June 16, 2005
Thursday, 1:00 p.m.
City Hall, Rm. 016

I. Call to Order

Chair Penny Wheat called the meeting to order at 1:00 p.m.

II. Roll Call

Members Present: Chair Penney Wheat
Matthew Cole (arrived 1:20)
Bruce Delaney
Beverly Hill
Horace Moore
Larry Vettel

Members Absent: Charles Grapski

Staff Present: City Attorney, Marion Radson
Sr. Assistant City Attorney Charles Hauck
Staff Liaison SuAnn Williams
City Attorney's Office Extern Angelique Knox
City Attorney's Office Paralegal Natalie Duguid

Others Present: Alachua County Supervisor of Elections Pam Carpenter
Vinay Raj

III. Approve Agenda

Beverly Hill moved, Bruce Delaney seconded, to adopt the June 16, 2005 agenda.
Motion carried 5-0.

IV. Approve Minutes

Bruce Delaney moved, Horace Moore seconded, to approve the May 19, 2005 minutes.
Motion carried 5-0.

IV. Pending Items

A. Report by Chair Wheat on presentation to City Commission May 23. The Committee discussed the minutes of the May 23 City Commission meeting and the broadened charge to the Committee to consider other election-related issues.

- B. Discussion of the Charter Review Committee's June 7 public hearing.
- C. Continuation of Discussion from May 19 Meeting regarding Florida Peer City Information
 - (1) Voter turnout in peer cities since 2000 (prepared by Angelique Knox)
Ms. Knox had gathered data from many peer cities, which represented a breakdown of voter turnout in municipal elections in the City of Ft. Lauderdale, City of Coral Springs, City of Clearwater, City of Plantation, City of Pompano Beach, City of Sunrise, City of Hollywood, and distributed to the committee recently acquired data from the City of Tallahassee. The data reflected no significant differences in "undervoting," or drop off votes. The Committee is looking at this issue in making comparisons in Spring and Fall elections.
 - (2) Update to peer cities as to changes made in length of terms, term limits and election cycles since 2000 (prepared by SuAnn Williams). The committee received the report.
- D. Continued discussion of Report from Supervisor of Elections-Cost of City Elections.

Ms. Carpenter discussed early voting costs for the 2002 and 2003 elections. There was no breakdown of costs in the information sent by the supervisor of elections to the City staff for purposes of compiling information for the committee.

Committee member and former Supervisor of Elections Beverly Hill discussed that the costs for City elections have increased over the years, beginning in 2001, due to numbers of poll workers, redistricting and additional precincts.

For those cities in Alachua County that conduct their own elections, the supervisor of elections trains the poll workers, prints the ballots, and provides equipment.

Ms. Carpenter suggested that because citizens are in the routine of voting in the fall, that it may be best for the City to have its elections in the fall in odd years in September or October. She said that City fall elections may not necessarily decrease the cost to the City, however, it may increase the turnout.

Instant Runoff Voting (IRV). Ms. Carpenter said the election systems in the state are not currently set up to allow the use of instant runoff voting. Changes to hardware or software would be required to accommodate IRV. In response to questions regarding the cost of a change to IRV, Ms. Carpenter indicated that she was presently unable to provide an estimate of such.

Ms. Carpenter said she is very interested in attending future meetings.

Natalie Duguid discussed the table she created representing data from peer cities obtained from the Economic Development Department. The Committee discussed the criteria for powers of the mayor and requested data back as to the three levels which were previously determined in a previous Charter Review Committee. Natalie will bring back data as to the Economic Development national study and SuAnn will bring back data as to the Florida peer cities.

- E. Discussion of Charge and decision on what items to include for presentation for Charter Amendment - Chart detailing timelines (B)

V. Informational Items

Public Policy Discussion Items

Chair Wheat presented a draft outlining issues to provoke thought and as a way to get started in making the July 25 interim report to the City Commission. She suggested that perhaps the first question addressed should be whether current mayor and commissioners should be held to current charter restrictions for term length and term limits for the remainder of their current term. A public perception of incumbents' self-interest may be a factor if they are not held to current charter restrictions. Members Delaney and Cole agreed that "it is important that the value of the potential change does not get lost in a public discussion of self-interest."

City Commission and mayoral "seats" were discussed, which are subject to 3-year terms and 2 term limits. All City Commissioners, whether they are elected at large or a district, would have the opportunity to run for the office of mayor, and the mayor likewise has the opportunity to run for the 6 commission seats. The Committee members agreed that they wish to diminish as much as possible the perception of self-interest.

Member Vettel added that the current seats should be held to the term they were voted into.

Horace Moore moved, Bruce Delaney seconded, that the City Attorney's Office will prepare ballot language that will attempt to reflect the Committee's concerns about this issue, on or before the July 21 meeting. Motion carried 6-0.

Horace Moore moved, based on the discussions by the citizens at the public hearing and the Committee, to support 4-year terms of the City Commissioners. Matthew Cole seconded. Discussion ensued.

Member Delaney discussed that even though consensus of the committee appears to be in support for a 4-year term, it would be helpful to first establish an arms-length arrangement for the current mayor and city commissioners.

Matthew Cole offered to withdraw his second, and Horace Moore declined to withdraw his motion.

Length of term has a lot to do with whether there are term limits and other electoral concerns, and consensus neither of the public nor from the committee has been determined.

Chair Wheat said that it is important to remove from this issue any possible public perception that the incumbent commissioners are doing this to benefit themselves, and believes this issue should be presented to the City Commission without first discussing those issues that could be perceived to benefit them, and that the issue of how long someone is in office is directly tied to when the election is held and whether there are term limits.

The motion failed 3-3, and no action is taken.

VII. Member Comment

Horace Moore asked Staff to review the timelines.

Chair Wheat requested that members of the Committee bring something in writing on the issues they will be considering. Mr. Radson brought up that past Charter Review Committees have often taken preliminary votes leading to a direction, with the complete understanding that vote is subject to being reconsidered until a final report is made.

June 7 minutes will be on the next meeting's agenda to approve, which should be included in the July 25th status report.

Chair Wheat said that the Monday before the public hearing, Christina Moore, from WRUF News called, and she advised her that no substantive discussion has been made yet.

Chair Wheat will continue with the same format in the interim report and will e-mail it to charterreview@citizencomment.org.

VIII. Public Comment

IX. Adjourn

The Chair adjourned the meeting at 3:00 p.m.

Charter Review Committee Minutes

Meeting of July 21, 2005
Thursday, 1:00 p.m.
City Hall, Rm. 016

I. Call to Order

Acting Chair Matthew Cole called the meeting to order at 1:03 p.m.

II. Roll Call

Members Present: Matthew Cole
Bruce Delaney
Charles Grapski
Beverly Hill
Horace Moore
Larry Vettel

Members Absent: Penny Wheat

Staff Present: Sr. Assistant City Attorney Charles Hauck
Staff Liaison SuAnn Williams

Others Present: Vinay Raj
Michael Bell

III. Approve Agenda

Beverly Hill moved, Larry Vettel seconded, to adopt the July 21, 2005 agenda. Motion carried 6-0.

IV. Approve Minutes

Bruce Delaney moved, Horace Moore seconded, to approve the June 16, 2005 minutes, as amended on page 2, paragraph D. Motion carried 6-0.

Acting Chair Cole welcomed new member Charles Grapski to the committee.

V. Information Items

The Committee received the report on the Economic Development Peer Cities and the report on Florida Peer Cities.

VI. Pending Items

Acting Chair Cole asked the Committee members to preliminarily state their views on changing term limits. It was the consensus of those members present that the 2 term limit for the mayor and commissioners should remain the same. Member Grapski noted that he was not prepared to make a determination until other factors were determined.

Acting Chair Cole then asked the Committee members to preliminarily state their views on the mayor and commissioners' length of terms, and the consensus was to change the length of terms from 3 years to 4 years.

Before making a decision on election cycles, the Committee would like to discuss at its next meeting different scenarios involving implementing a change in length of term, as such might be affected by a change in election cycles.

The next question by Acting Chair Cole was for the Committee members to preliminarily state their preference in holding the municipal elections in the spring or fall. There was no determination of a consensus; however, most of the discussion was in favor of a spring election.

The Committee asked that its consensus as to term limits and length of terms be included in its interim report to the City Commission at its July 25 meeting.

Member Grapski discussed "choice voting" and will provide the Committee members with further information via e-mail.

For purposes of presentation, the Committee made the following recommendation:

Bruce Delaney moved and Beverly Hill seconded, to maintain existing term limits of 2 consecutive terms, but that the length of term be expanded to 4 years.

Motion carried 6-0.

The Committee discussed two alternatives regarding an incumbent mayor or a commissioner's ability to benefit from lengthening of terms.

The Committee determined that the existing "rules" applicable to an incumbent mayor or commissioner's current term limits should be enforced. This would allow an incumbent mayor or commissioner, with the current ability to be re-elected for one more 3-year term as such, to be re-elected for one more 4-year term, if the change to 4-year terms was presented to and approved by the voters. An incumbent mayor or commissioner already serving his/her second 3-year term would not be eligible to run for re-election as such for another 3- or 4-year term.

VII. Adjournment.

The Acting Chair adjourned the meeting at 3:03 p.m.

Charter Review Committee Minutes

Meeting of August 18, 2005
Thursday, 1:00 p.m.
City Hall, Rm. 016

I. Call to Order

Chair Penny Wheat called the meeting to order at 1:03 p.m.

II. Roll Call

Members Present: Penny Wheat
Matthew Cole (arrived 1:16)
Bruce Delaney
Charles Grapski
Beverly Hill
Horace Moore
Larry Vettel

Members Absent: None

Staff Present: City Attorney Marion Radson
Paralegal Natalie Duguid
Staff Liaison SuAnn Williams
Supervisor of Elections Pam Carpenter

Others Present: John Boyle, Nicole Boyle, Bob Karp, Vinay Raj
Dan Richards, Ann Wood

III. Adopt Agenda

Beverly Hill moved, Horace Moore Larry Vettel seconded, to adopt the July 21, 2005 agenda. Beverly Hill moved to reorder the agenda by moving item VI.D, relating to instant run-off voting, before Public Comment, and after, if necessary. Motion carried 6-0. This motion was for the purpose of budgeting time for the Supervisor of Elections on the agenda as she was only available for the first 45 minutes of the meeting.

IV. Approve Minutes

Larry Vettel moved, Beverly Hill seconded, to approve the July 21, 2005 minutes, as amended by striking the word "year" on page 2, item VI, second line, and highlighting and underlining the words "For purposes of presentation," on page 2, Item VI, paragraph 7. Bruce Delaney moved, Horace Moore seconded, to approve the July 21, 2005 minutes, as amended. Motion carried 6-0.

V. Pending Items

Supervisor of Elections Pam Carpenter discussed choice voting and presented several issues that would need to be considered. First she noted that state law does not currently provide for this voting method so any machinery that was purchased would need to be certified by the State through its application and testing process. In regard to purchasing the equipment, she stated that each machine would cost approximately \$10,000 and noted that there are 31 city precincts to cover. Finally, there would be the added expense of training poll workers and educating the public.

Mr. Grapski noted that Alachua County is looking at choice voting and that there is a report from a Blue Ribbon Committee with the County Manager's response to that report available. Ms. Williams was requested to obtain a copy of that report for the Committee's next meeting. Supervisor Carpenter also stated that there was the additional challenge of having several different types of elections running concurrently in that the Presidential election would need to be conducted utilizing one method and the City's utilizing another. Chair Wheat asked whether Supervisor Carpenter would commit a report to writing so that the Committee could study it more carefully, and requested her to please forward the final draft to the Committee.

Regarding holding elections in the spring or fall, Supervisor Carpenter noted that people are accustomed to voting in a fall election and suggested that perhaps having a "municipal election day," with all cities in the county voting on the same day in odd-numbered years, would be something to consider. Supervisor Carpenter stated she would report back to the committee on the total effect of moving to a fall election and asked committee members to contact her if they had any questions.

Chair Wheat asked what legal work would be required in order to implement a change to choice voting. Mr. Radson indicated that choice voting would require a charter amendment, to be submitted to the voters in the next municipal election.

As to early voting, Supervisor Carpenter reminded Committee members that the City would also need to offer early voting on the same schedule as the county in county-wide elections and that perhaps this could be offered in city halls, public libraries, in satellite offices of the Supervisor of Elections, and areas equally accessible to everyone.

Chair Wheat pointed out that the Committee's next regular meeting on September 15th is the last meeting to determine recommendations to the City Commission, and suggested that staff and the committee draft a report and present it to the committee on September 15 so that every member can see it prior to it going to the City Commission.

Opinions expressed by Committee members on holding a spring or fall election:

	Date	Standalone
Bruce Delaney	No strong preference	X
Beverly Hill	Fall elections in odd numbered years	X
Matthew Cole	Fall elections in even numbered years	
Larry Vettel	Fall elections in odd numbered years	X
Charles Grapski	Depends on the entire package, otherwise in favor of status quo (Spring and standalone)	
Horace Moore	Spring elections in odd years	X
Penny Wheat		

Horace Moore moved, Bruce Delaney seconded, that City elections be standalone elections held in numerically odd years. Discussion ensued. Mr. Delaney called for the motion: Motion carried 5-2 (with Larry Vettel and Matthew Cole dissenting).

Horace Moore moved, Larry Vettel seconded, to maintain existing term limits of 2 consecutive terms, but that the length of term be expanded to 4 years. Charles Grapski asked that the question be divided (length of terms and term limits). Motion carried 7-0 as to maintaining 2 consecutive terms; motion carried 6-1 as to increasing length of terms to 4 years (with Charles Grapski dissenting).

Bruce Delaney moved to allow current mayor and commissioners with current ability to be elected for one consecutive 3-year term to be re-elected to one 4-year term. Motion was withdrawn.

Staff was requested to return to the committee at its next meeting with two illustrations showing scenarios for standalone elections held in odd-year elections. In addition, at the next meeting, the Committee will consider the draft report, the report from Natalie Duguid on choice voting, and Member Grapski's report on choice voting.

VII. Adjournment.

Chair Wheat adjourned the meeting at 3:11 p.m.

Charter Review Committee Minutes

Meeting of September 15, 2005
Thursday, 1:00 p.m.
City Hall, Rm. 016

I. Call to Order

Chair Penny Wheat called the meeting to order at 1:00 p.m.

II. Roll Call

Members Present: Penny Wheat
Matthew Cole
Bruce Delaney
Charles Grapski
Horace Moore
Larry Vettel

Members Absent: Beverly Hill

Staff Present: City Attorney Marion Radson
Sr. Assistant City Attorney Charles Hauck
Paralegal Natalie Duguid
Staff Liaison SuAnn Williams
Supervisor of Elections Pam Carpenter

Others Present: Ann Collette, Brian Scarborough, Linda Basham, Joe Rock, Janet Woods, Walter Willard, Rob Brinkman, Mark Goldstein, Vinay Raj, Ann Wood

III. Adopt Agenda

Horace Moore moved, Bruce Delaney seconded, to adopt the September 15, 2005 agenda. Motion carried 6-0.

IV. Approve Minutes

Bruce Delaney moved, Larry Vettel seconded, to amend the August 18, 2005 minutes by clarifying portions on page 3, V., Pending Items, as follows:

As to Member Charles Grapski's opinion as to holding spring or fall elections, Mr. Grapski asked the entire context of his opinion be stated: "No strong preference at the current time because it depends on the entire package; otherwise preference is for the status quo, Spring elections."

In addition, on page 3, the second portion of the Committee's stated motion should read:

Horace Moore moved, Larry Vettel seconded, to maintain existing term limits of 2 consecutive terms, but that the length of term be expanded to 4 years. Charles Grapski asked that the question be divided (length of terms and term limits). As to maintaining 2 consecutive term limits, the motion carried 7-0. As to increasing length of terms from 3 to 4 years, the motion carried 6-1 (with Charles Grapski dissenting).

Matthew Cole moved, Horace Moore seconded, to approve the August 18, 2005 minutes, as amended. Motion carried 6-0.

Horace Moore moved, Matthew Cole seconded, to recess the meeting for 5-10 minutes, after Item V.B is discussed, to resolve computer technical problems. Motion carried 6-0.

V. Pending Items

- A. Illustrations showing scenarios for implementation schedules held in odd-year elections by Natalie Duguid.

Ms. Duguid presented a Powerpoint presentation of the objectives of the committee, including four models of alternatives to meet those objectives.

Committee Attorney Charles Hauck explained the models and the extent to which the listed objectives are met by each model. The objectives listed were implementing odd numbered year elections as soon as possible; achieving 4-year terms as soon as possible; staggering terms as much as possible; and to allow incumbent Mayor and City Commissioners, eligible to run again, to run for a second 3- or 4-year term.

Model 1 – All incumbents (not term limited) eligible for 3-year second term.

Model 2 –All Incumbents (Not Term Limited) to have 4-year Second Term

Model 3 – Mayor (Hanrahan) and District 4 (Lowe) With 4-year Second Terms

Model 4 – At Large (Bryant) and District 3 (Donovan) With 4-year Second Terms

Discussion ensued concerning the different models. Members of the public also expressed their views.

Matthew Cole would like to have seen a model showing staggered 4/3 even year elections, with 4-year terms and see if it would make a difference in implementation. Charles Grapski agreed. Chair Wheat responded that this scenario was not the way the Committee voted on the matter and asked what values did they hope to achieve in seeing this model. Mr. Grapski said his concern was that all commission seats would not be treated equally. Mr. Vettel said the issue was irrelevant. Mr. Delaney said his interest in treating the commission seats equally was when the public looks at the plan that they should only vote on the plan itself and not for individual incumbents. Mr. Moore agreed with Mr. Vettel that an implementation date should be as soon as possible, and that the issue of incumbents is irrelevant.

Discussion ensued as to the timeline to make recommendations to the City Commission and the possible necessity of calling an additional meeting. Chair Wheat requested staff find out available dates and room availability.

Supervisor of Elections Pam Carpenter expounded on her comments from the last meeting.

Horace Moore moved to consider Models 1 and 3. Larry Vettel seconded. Mr. Moore called the question. Motion failed due to a tie vote. (Chair Wheat, Members Cole and Grapski dissenting).

Horace Moore, Bruce Delaney, Matthew Cole preferred Model 1.

Chair Wheat preferred to keep things the way they are presently, but would prefer Model 1 (which treats all incumbents equally) were there to be a change.

Matthew Cole preferred Model 2

Charles Grapski preferred to keep things the way they are presently, but would prefer Model 2 were there to be a change.

Larry Vettel preferred Model 3

Further discussion ensued. Members discussed possible dates and times and room availability for an additional meeting.

Charles Grapski moved, Bruce Delaney seconded, to call for another Charter Review Committee meeting on Thursday, September 29, at 1:00 – 3:00 p.m. Motion carried 6-0.

B. Draft Final Report

Horace Moore moved, Larry Vettel seconded, to table discussion of the Draft Final Report to the next meeting on September 29, 2005. Motion carried 6-0.

Chair Wheat indicated that the September 29, 2005 agenda will have two pending items: (1) Implementation Models; (2) Draft Final Report.

C. Reports on Choice Voting

Horace Moore moved, Charles Grapski seconded, to move this item to the next meeting of the Charter Review Committee on September 29, 2005, as the first item on the Agenda.

Discussed ensued. Mr. Moore called the question. Votes carried 6-0.

VI. Member Comment

Bruce Delaney asked to invite Supervisor of Elections Pam Carpenter to the September 29 meeting.

VII. Public Comment

Vinay Raj questioned whether fall elections had been decided or if it is still pending. Chair Wheat stated that the Committee had voted only to recommend "standalone elections in consecutively odd years", but the issue of dates is still pending. Mark Goldstein made recommendations about how to obtain feedback for each elected official during each election cycle, and was asked by Chair Wheat to e-mail his recommendations and he will do so.

Rob Brinkman distributed a copy of a letter dated September 12, 2005 from the Save Our Parks organization regarding a proposed charter amendment. Chair Wheat requested Mr. Brinkman e-mail that letter to her so she could forward it on to the City Commission, and he will do so. Also if this matter is to be considered at a later meeting, Chair Wheat will pass the gavel to Vice-Chair Cole, due to her previous County Commission participation in this issue.

VIII. Adjournment.

Chair Wheat adjourned the meeting at 3:20 p.m.