

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**March 8, 2018**

**1:00 PM**

**Roberta Lisle Kline Conference Room**

## **General Policy Committee**

***Mayor Lauren Poe (At Large)***  
***Mayor-Commissioner Pro Tem Harvey Budd (At Large)***  
***Commissioner Helen Warren (At Large)***  
***Commissioner Charles Goston (District 1)***  
***Commissioner Harvey Ward (District 2)***  
***Commissioner David Arreola (District 3)***  
***Commissioner Adrian Hayes-Santos (District 4)***

***If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352)334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.***

## ADOPTION OF THE AGENDA

### AGENDA STATEMENT

*"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited.*

### ROLL CALL

### APPROVAL OF MINUTES

[170865.](#)

#### **General Policy Committee Minutes (B)**

**RECOMMENDATION**

*The General Policy Committee approve the minutes of February 22, 2018.*

[170865\\_GPCMinutes\\_20180308.pdf](#)

### BUSINESS DISCUSSION ITEMS

[170717.](#)

#### **Charter Review Commission (B)**

*Explanation: At the January 4, 2018 City Commission Meeting, at the request of Commissioner Hayes-Santos, the City Commission referred this issue to the General Policy Committee. As set forth in Section 5.01 of the City Charter, a Charter amendment may be proposed by a petition signed by 10 percent of the registered voters of the City, or by an ordinance adopted by a four-fifths vote (i.e., 6 of the 7 members) of the City Commission. Upon receipt of the voter petition or adoption of the ordinance, the proposed amendment is put to a vote of the electors at the next general election or at a special election called for that purpose. The full proposed amendment must be published once each week for 4 consecutive weeks prior to the election in a newspaper of general circulation published in the City. If the proposed amendment receives an affirmative vote of a majority of the votes cast, the amendment shall be effective not later than the 90th calendar day after the day on which the vote was taken unless otherwise provided in the proposed amendment. In addition, under State Law, the City Charter may be amended by*

*Special Act of the Florida Legislature. The City Charter (without the lengthy legal description of the municipal corporate limits) is provided as back-up to this agenda item.*

*In the past (2005 was the last example), the City Commission has created a Charter Review Committee comprised of citizens appointed by individual Commissioners. The Charter Review Committee would consider any direction provided by the City Commission, hold public meetings to discuss proposed Charter amendments, receive citizen comment, and issue a written report to the City Commission with the recommendations of the Committee. The City Commission would then consider the proposed Charter amendments (if any) and upon adoption of an ordinance (by 4/5ths of the Commission) the Charter amendment would be submitted to vote of the electorate. The Final Report of the City of Gainesville 2005 Charter Review Committee dated October 10, 2005 (without its lengthy Appendix) is attached as back-up to this agenda item.*

*As an example of another amendment process, Article XI, Section 2 of the Florida Constitution requires that once every 20 years, a 37-member Constitution Revision Commission (CRC) is convened to conduct a thorough review and propose amendments to the Florida Constitution (the State's equivalent of a charter.) The amendments that the CRC approve go directly on the ballot for Florida voters to decide. The members of the CRC consist of: the Attorney General of Florida; fifteen members selected by the Governor; nine members selected by the Speaker of the House of Representatives and nine members selected by the President of the Senate; and three members selected by the Chief Justice of the Supreme Court of Florida with the advice of the Justices. A CRC was convened in 2017 and must complete its work by May 10, 2018, which is the deadline to submit its final report to the Florida Secretary of State. Any amendments approved by the 2017 CRC will be placed on the November 6, 2018 ballot. If a proposed amendment is approved by at least 60% of the electors voting on the measure and, unless another date is specified in the amendment, the amendment shall become effective on January 8, 2019.*

**RECOMMENDATION**            *Discuss as Committee deems appropriate.*

**Legislative History**

1/4/18            City Commission            Referred to the General Policy Committee

[170717A\\_Gainesville City Charter\\_20180308.pdf](#)

[170717B\\_Charter Review Committee Report 2005\\_20180308.pdf](#)

[170321.](#)

**Consider participation in Alachua County Landscape Irrigation Design and Maintenance Standards Ordinance (B)**

**Hear a follow-up presentation regarding the Alachua County Landscape Irrigation Design and Maintenance Standards Ordinance.**

*Explanation:* On November 9, 2017, the General Policy Committee heard a staff presentation on the Irrigation Ordinance adopted and implemented by Alachua County in the unincorporated area. The presentation provided a summary of the issue, background information and options for consideration.

The General Policy Committee directed staff to:

- bring back the cost of regulating irrigation in the City of Gainesville,
- reach out to a diverse group of stakeholders, and
- gather data on water savings in the unincorporated area since the implementation of the Irrigation Ordinance.

On January 3, 2018, City of Gainesville and Alachua County staff met and discussed county water conservation programs. The County's Irrigation Ordinance is currently administered by 1.5 full time employees. County staff indicated that opting-in the County Ordinance would be cost-neutral at this time. City staff estimates that an irrigation program could be administered at a similar staffing level with an approximate cost of \$140,000.

On February 14, 2018, the City of Gainesville hosted a publicly noticed Urban Irrigation Design Thinking Charrette. Approximately 20 stakeholders participated, including landscape architects, landscapers, nursery owners, developers, engineers, planners and environmental experts. Representatives from Alachua County, Gainesville Regional Utilities, the University of Florida and the St. Johns Water Management District attended.

At this time, data on the impacts of Alachua County's Irrigation Ordinance on water use is not available; however, Pierce Jones, from the University of Florida, will share plans for analyzing water use data from Alachua County's program. More time is needed to measure the effects of implementation.

*Fiscal Note:* Policy may have fiscal impacts depending upon the recommendations of the General Policy Committee. Additional fiscal impacts will be assessed as a follow up to policy recommendations and brought back in accordance with the budget process.

**RECOMMENDATION**

The General Policy Committee: 1) hear a presentation; 2) direct staff to work with stakeholders to: draft a City Ordinance for water conservation, develop an outreach, education and implementation program, and

establish metrics to analyze the effectiveness of

the Ordinance and it's implementation; and 3) remove Legislative Item 170321 from the GPC Referral List.

**Legislative History**

8/17/17	City Commission	Referred to the General Policy Committee
11/9/17	General Policy Committee	Discussed

[170321A Staff Analysis Irrigation Ordinance 20171109](#)

[170321B Presentation Irrigation Ordinance 20171109](#)

[170321A Presentation Pierce Jones 20180308](#)

[170321B Presentation Irrigation Ordinance 20180308](#)

[170712.](#)

**Conflict of Interest and Financial Disclosure Form (B)**

*Explanation: At the January 4, 2018 City Commission Meeting, at the request of Commissioner Hayes-Santos, the City Commission referred this issue to the General Policy Committee. Currently, the City has not enacted any local ethics code or requirements for its elected or appointed officers; but instead relies on State law and the Florida Commission on Ethics for such matters. The State ethics laws are generally comprised of three components: mandatory disclosures; prohibited actions and business relationships; and mandatory training. The Florida Commission on Ethics interprets and applies Florida's ethics laws by acting on complaints, recommending penalties, issuing legally binding advisory opinions interpreting the ethics laws, and serving as an ethics resource to elected and appointed officers.*

*Disclosure Filings*

*As to disclosure filings that apply to municipal officers, the State law requires disclosures of: financial interests; voting conflicts; gifts; clients represented before any City board; and business transactions, relationship or interest for purpose of obtaining exemption/waiver.*

*State law imposes a monetary fine, collected by the Florida Commission on Ethics, for failure to timely file required disclosures. A reference chart and a copy of each State disclosure form is attached as back-up to this agenda item. The forms are helpful because they clearly describe who must file and what information must be provided.*

*Prohibited Actions & Relationships*

*As to prohibited actions and relationships that apply to municipal officers, the State law prohibits:*

- (a) Solicitation and Acceptance of Gifts;*
- (b) Unauthorized Compensation;*
- (c) Misuse of Public Position;*
- (d) Disclosure of Use of Certain Information for personal benefit;*

- (e) Solicitation or Acceptance of Honoraria;
- (f) Doing Business with One's Agency;
- (g) Having Conflicting Employment or Contractual Relationships;
- (h) Dual Public Employment;
- (i) Appointing, Employing or Contracting with Relatives;
- (j) Lobbying One's Agency after Leaving Office; and
- (k) Voting Conflicts of Interest.

#### *Mandatory Training*

*As to mandatory training, elected municipal officers must complete 4 hours of ethics training each calendar year which addresses, at a minimum, Article. II, Section 8 of the State Constitution, the State Code of Ethics for Public Officers and Employees, and public records and public meetings laws. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.*

#### *Penalties*

*The State law provides the following penalties for violations of the ethics laws by municipal officers: fines, impeachment, removal from office, suspension from office, public censure and reprimand, forfeiture of no more than one-third of his/her salary per month for no more than 12 months, a civil penalty not to exceed \$10,000, restitution of pecuniary benefits received because of the violation committed.*

#### *City Ethics Requirements*

*The City may enact local ethics requirements that are supplemental to, but do not conflict with, the State law. In crafting any local ethics requirements, the City Commission should consider what concern(s) it is trying to address and determine that local action is necessary because the concern is not adequately addressed by State law. In addition, the Commission should consider whether any new requirements or the associated penalties, would deter citizens from serving on City boards. New local requirements could range from requiring members of all City boards to file a Form 1 - Disclosure of Financial Interests with the Clerk of the Commission, with the penalty for failure to file being removal from the City board, to creating an entire local ethics code and local ethics officer and board with investigation and enforcement authority.*

*Fiscal Note: If the Commission considers creating City ethics requirements, the Commission should consider the City resources (primarily cost and time/availability of City employees) necessary to administer and enforce such requirements.*

#### RECOMMENDATION

*Discuss as Committee deems appropriate.*

#### Legislative History

1/4/18      City Commission      Referred to the General Policy Committee

[170712A\\_Chart\\_State\\_Ethics\\_Disclosure\\_Filings\\_20180308.pdf](#)

[170712F\\_Form4A\\_20180308.pdf](#)

[170712E\\_Form2\\_20180308.pdf](#)

[170712D\\_Form9\\_20180308.pdf](#)

[170712C\\_Form8B\\_20180308.pdf](#)

[170712B\\_Form1\\_20180308.pdf](#)

[170872.](#)

### Reconstitution of the EEO Committee (NB)

**RECOMMENDATION**            *The General Policy Committee discuss.*

**Legislative History**

3/1/18            City Commission            Referred to the General Policy Committee

[170648.](#)

### Expanding Affordable Internet in Gainesville (NB)

*Explanation: At their December 7, 2017 regular meeting, the City Commission referred this item to the General Policy Committee for discussion.*

**RECOMMENDATION**            *Discuss and take any action deemed appropriate.*

**Legislative History**

12/7/17            City Commission            Referred to the General Policy Committee

[170868.](#)

### General Policy Committee Referral List (B)

**This is a request for the General Policy Committee to review anticipated dates for pending items to be placed on an upcoming General Policy Committee Agenda.**

*Explanation: Staff was requested to provide anticipated dates that pending referrals would be placed on upcoming General Policy Committee Agendas.*

*Fiscal Note: None*

**RECOMMENDATION**            *The General Policy Committee review the list of anticipated dates for pending referrals to be placed on upcoming General Policy Committee Agendas.*

[170868\\_GPC\\_Referral\\_List\\_20180308.pdf](#)

## ADJOURNMENT