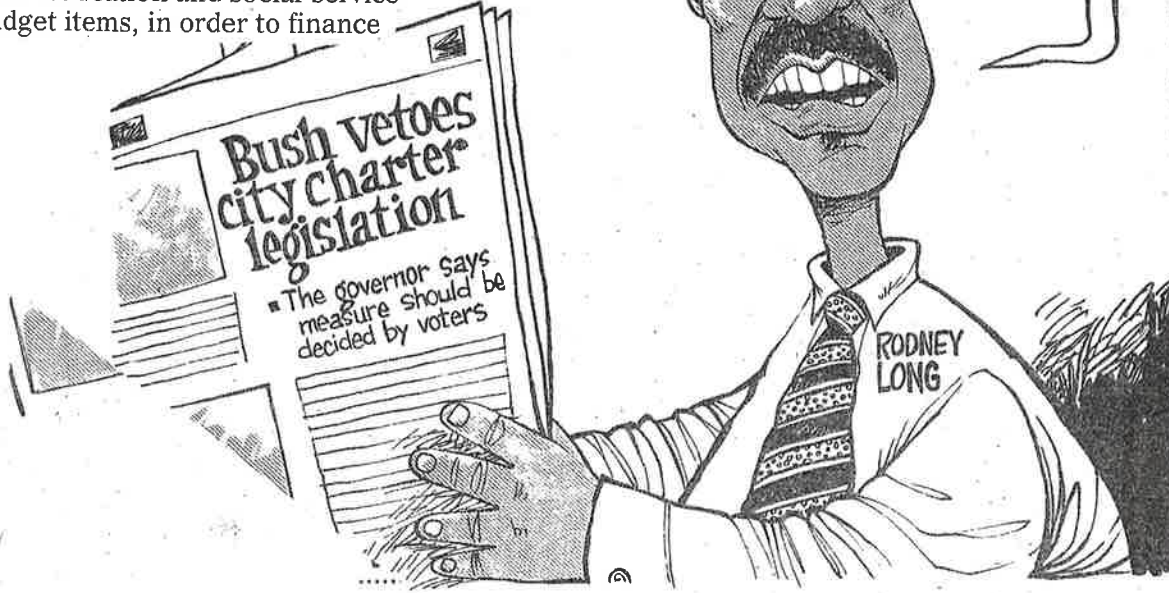


① RE: EQUAL OPPORTUNITY
CHARTER OFFICE
OR ④

#020024
7/18/02
Gabe K.
4 sets of
Documents

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THE GAINESVILLE
SUN

Either way, one thing is indisputable. The cost of implementing the amendment, should it pass, will certainly be significant. It may run into billions of dollars. It may ultimately require a tax increase, or perhaps a slashing of other education and social-service budget items, in order to finance it.



The voters are entitled to know that. There should be no repetition of the last election, in which voters approved constitutional mandate for a shiny new bullet train that appeared on the ballot without a hint as to its costs. The bullet train was the proverbial poke in a poke; arguably, voters went into the booth with no idea of its multi-billion-dollar fiscal implications. And the Legislature still hasn't figured out how to pay for it.

So, yes, Gov. Bush is correct wanting the Legislature to require that a price tag be attached to constitutional mandates (assuming that a fiscal disclosure requirement for constitutional amendments can be legally imposed without first taking it to the voters for approval).

The Democrats accuse Bush wanting to change "the rules in the middle of the game," and that's true. But in a very real sense, this is a Government-in-the-Sunshine issue. Politicians who argue that voters are better off with less information than more are being disingenuous.

"I agree with the governor 100 percent that fiscal impact ought to be published," says Sen. Rod Smith, D-Alachua, who has himself been trying to get just such a reform. "But I'm not sure it's fair for the people who have gone through the process to change the rules in midstream."

In other words, for the sake of the process, it's better to keep the voters fat, dumb and happy at least one more time as they prepare to make a decision that could have dramatic ramifications on the state's future, their children's education and their own pocket-books.

The Democrats may be right to Bush's motives. But Bush is certainly right that the people ought to know exactly what they're voting for.

Gov. Bush obviously supports home rule

On Monday, Gov. Jeb Bush signed local bill HB 1073, giving Alachua County home-rule authority to regulate campaign finance in our local county elections for charter offices. Alachua County voters will now decide whether to accept this empowerment in a binding referendum on our November ballot.

The governor did not have to sign this bill. It would have moved forward without his signature. That he did sign it is significant, and shows his support for this home rule.

This bill is the result of the effort and vision of many dedicated people over the past 17 months. The 68 percent of voters who said they desired this authority in the 2001 straw ballot were instrumental in realizing this vision. Sen. Rod Smith, Rep. Perry McGriff and County Commission Chairman Robert Hutchinson are due special recognition for their efforts in getting this bill through this Legislature.

Susan Wright,
chairperson,
Alachua County Citizens
for Campaign Reform,
Gainesville

VOICE OF THE PEOPLE
Pig in a poke

The Democrats are accusing Gov. Jeb Bush of trying to torpedo a proposed state constitutional amendment that would limit class sizes in public schools.

And they may be right. Gov. Bush says the voters are entitled to know just how much it's going to cost to have smaller classes before they decide whether or not to mandate it.

And he is certainly right. Let's face it — the coming fight over class sizes has as much to do with election-year politics as it does education reform. The Democrats see the initiative as a silver bullet with which to perforate Bush's boast to be Florida's "education governor." The Republicans see it as an effort to undermine Bush's own blueprint for better schools.

EDITORIALS

The right thing

MAY 2, 2002

East Gainesville is undergoing a "renaissance," County Commissioner Rodney Long said on Saturday. And, he added, "It all started when the city of Gainesville went to single-member districts."

To be sure, the adoption of a single-member district system — in which the majority of commissioners run for election in segments of the city, as opposed to citywide — has given residents of east Gainesville the opportunity to have on the commission a representative who is more closely attuned to the problems and opportunities of their section of town. As a matter of fact, Long himself served as east Gainesville's commissioner before eventually moving on to the County Commission.

But we wonder if Long appreciates the history of just how Gainesville came to have single-member districts. It happened nearly two decades ago, when the local National Association for the Advancement of Colored People went to the City Commission and demanded that the city join it in a legal suit that would result in a court-ordered change from at-large to single-member district elections.

The commission declined, opting instead to make the change via a charter amendment referendum. Commissioners, in other words, trusted the people of Gainesville to do the right thing. And the people did not let them down.

Long was among those who expressed anger and disappointment on Tuesday at Gov. Jeb Bush's veto of a local bill that would have created a charter-level equal opportunity officer. "I've been working on this for years, and I can tell you we're not going to let this die," Long told *The Sun*.

Nor should he. But in vetoing the equal opportunity bill, Gov.

Bush sent the same message that he sent when he signed another local bill to allow Alachua County voters to determine whether or not they want to adopt local campaign-finance reform rules.

That message: Trust in the voters to do the right thing.

Wrote Bush in his veto message, "This bill sets out to revise the municipal charter, that could be accomplished at the local level. The municipality is circumventing the local process of amending the charter, and therefore has failed to seek the consent of its citizens by referendum."

In truth, Gainesville might already have a charter-level equal opportunity officer if commissioners had sent this measure to the ballot this year, last year or the year before. But although this change has been in the talking stages for years, Long and other proponents have simply refused to trust the people of Gainesville to do the right thing.

If commissioners of an earlier age had shared that distrust, Gainesville's single-member district system would have been delivered at the rap of a judge's gavel. Instead, it came gift-wrapped as an expression of the will of the people of Gainesville.

The fact that Bush has refused to follow the example of previous governors who have been willing to sign off on charter changes as an expedient means of circumventing the voters does not automatically mean that the governor "really doesn't care about the diversity issue," to quote Commissioner Pegeen Hanrahan. But it's worth asking why city commissioners don't seem to believe that the people who elected them "care about diversity issues."

Put it on the ballot, commissioners. Explain to the voters of Gainesville why it's needed. And then trust the voters to do the right thing. And if, by chance, the voters decline to do so, perhaps it's not the right thing after all.

\$15,000 SETTLEMENT IS REACHED

Judge dismisses Elmore lawsuit

■ The former equal opportunity director had alleged he was a victim of racial discrimination.

By LISE FISHER
Sun staff writer

A federal judge has dismissed a lawsuit against the city of Gainesville after attorneys for the city and its former equal opportunity director reached a settlement in the case of alleged discrimination.

Darrell E. Elmore had sued the city and City Manager Wayne Bowers last year, alleging a violation of federal law when he was fired in 2000.

U.S. District Judge Stephan Mickle dismissed Elmore's lawsuit in mid-April after receiving notice of a \$15,000 settlement, Janet Goldberg McEnery, a Tampa lawyer retained by the city, confirmed Wednesday.

Elmore claimed his firing by Bowers for insubordination was based on racial discrimination and retaliation for Elmore's efforts to investigate discrimination complaints and strengthen the city's equal opportunity and affirmative action operations.

A memo from City Attorney Marion Radson to city officials about the settlement states: "During discovery, nothing came to (McEnery's) attention that would lead to the conclusion that the city or Mr. Bowers discriminated or retaliated against the plaintiff. ... The

witness statements support the city's actions and Mr. Bower's position that the decision was not race based or illegal retaliation.



Elmore

"The settlement should not be construed as an admission by the city of any acts of discrimination.

... The settlement of the case will avoid any additional expenditure of funds for attorney's fees and costs and a possible jury trial," the memo also reported.

Elmore had worked for the city as equal opportunity director from Feb. 5, 1998, until his firing Oct. 12, 2000.

Gary Lee Printy, Elmore's Tallahassee attorney, said, "Basically Mr. Elmore got accepted into law school at UF. He was moving on with his life."

Each side also must pay its own legal costs, court records state.

The amount of the city's costs was not available Wednesday.

Funds for the settlement were paid under the city's self-insurance program.

The lawsuit had sought punitive damages, as well as damages for lost potential wages, back pay, front pay, employment benefits, pain and suffering, humiliation and loss of enjoyment of life.

No. P.O. Box 490, Station 8
Gainesville, Florida 32602-0490

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VENDOR: LAW017470 CITY0205115	LAW 4/17/02	LAW OFFICE OF GARY LEE PRINTY SETTLEMENT - ELMORE		CHECK #: 48536	DATE: 04-22-02		15,000.00
NET AMOUNT OF CHECK							15,000.00

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↓ DETACH HERE BEFORE DEPOSITING CHECK ↓

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5.19.02

Voters can be trusted again

This fall, a charter amendment for a city director will be decided at the polls.

For nearly 23 years, I have maintained a self-imposed policy of never responding to editorials written in The Gainesville Sun either by the editor or citizens.

I recently resisted the temptation of responding to the uninformed writer of the editorials written on April 25 and May 1 in regards to the East

Gainesville moratorium.



**RODNEY
J. LONG**

However, the editorial written May 2 titled "The right thing" has caused me to temporarily suspend this self-imposed ban. The writer has called into question whether I and

others can trust the voters to approve a charter amendment for the Equal Opportunity director for the city of Gainesville.

The writer chose to use the history of how the city of Gainesville in 1986 voted to amend its charter to implement single-member districts as the reason why we should trust the voters. The writer also implies that I have no appreciation or have totally forgotten how that came about.

If the writer would check The Sun's archives, he would find that while serving as executive secretary of the Alachua County branch of the NAACP in 1984, I, and others, including Joseph Judge, past president, and Carl Warren, brought this issue to the attention of the City Commission.

The national agenda for the NAACP for all local branches was to challenge all local governments where African-American voters historically voted overwhelmingly for their candidates of choice in citywide

elections, but were disenfranchised when their votes were counted as a whole.

The City Commission appointed a charter review committee and hired UF Professor Ken Wald as the consultant to draw the districts. I participated in the process and trusted the voters to do the right thing.

I trusted the voters in 1988 when I decided to run for the District I single-member district seat and trusted them again for re-election in 1991.

I again trusted the voters when we placed before them an amendment to the charter to elect a mayor and expand the City Commission from five members to seven members when the population reached 110,000 people.

Once again, I trusted the voters on three occasions in the fall of 2000 while running for the County Commission.

Has the writer forgotten that I trusted the voters in that same election to adopt the Charter 1 Amendment and Alachua County Forever?

Finally, I trusted the voters in the spring of 2001 to approve the one-cent sales tax for construction of the courthouse. It is obvious from this chronology that I have no problem trusting the voters to do the right thing.

The issue of requesting a charter change for a charter officer for equal opportunity by a special act of the Legislature had nothing to do with whether the City Commission trusted the voters, but everything to do with the historical process of how charter officers who report directly to the City Commission have been approved.

The Sun did not advocate in 1979 that the city should trust the voters when the charter was amended by a special act of the Legislature to include a city auditor.

The Sun, in 1990, did not advocate to trust the voters when the legislative delegation arm twisted the city into accepting a special act to amend the charter to include the position of general manager for

utilities.

However, when it comes to amending the charter to include a charter officer for equal opportunity — an individual who, by the way, will investigate complaints of discrimination and ensure that equal opportunity is provided in the procurement of a charter officer for equal opportunity, city services, equal employment of women, veterans and minorities, including Latinos and African Americans, and the fair treatment of our disabled and handicapped citizens — The Sun advocates that we should trust the voters.

The governor, with his veto, and The Sun writer would have the voters to believe that the Blue Ribbon Commission for nearly three years, the City Commission, our legislative delegation, and the entire state Legislature somehow tried to sneak something past them.

With the exception of voting on charter amendments for employees of the City Commission, we have trusted the voters time and time again to amend the charter.

In addition, the city commissioners who voted for this amendment were given the trust of the voters when they were elected.

Now that it appears that the historical process of amending the city's charter of adding employees who report directly to the City Commission has changed, I, and others, will once again trust the voters this fall.

We are confident that the voters will reaffirm the hard work of the Blue Ribbon Commission and the previous vote to amend the charter by the City Commission.

We look forward to working this fall with the many organizations, including The Sun, and individuals who are committed to equal opportunity for the successful passage of this charter amendment.

Rodney J. Long is an Alachua County commissioner and chair of Gainesville's Blue Ribbon Commission for Equal Opportunity.