

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

April 23, 2020

6:00 PM

Teleconference Meeting

Charter Review Commission

*Walter Barry (Member)
Richard Blount (Member)
Susan Bottcher (Member)
Jorge Campos (Member)
Cynthia Chestnut (Member)
Robert Cohen (Member)
Crystal Goodison (Vice-Chair)
Scherwin Henry (Member)
Mary Lou Hildreth (Chair)
Jeremiah Tattersall (Member)
Donna Waller (Member)*

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CALL TO ORDER - 6:11 PM**ROLL CALL**

Alternates Eastman and Gonzalez absent.

Present 10 - Member Henry, Member Bottcher, Member Barry, Member Goodison, Member Chestnut, Member Cohen, Member Waller, Member Campos, Member Tattersall, and Member Hildreth

Absent 1 - Member Blount

ADOPTION OF THE AGENDA

A motion was made by Member Campos, seconded by Member Barry, that this Matter be Adopted. The motion carried by the following vote:

Aye: 9 - Member Henry, Member Bottcher, Member Goodison, Member Chestnut, Member Cohen, Member Waller, Member Campos, Member Tattersall, and Member Hildreth

Absent: 2 - Member Barry, and Member Blount

APPROVAL OF MINUTES

Chair Hildreth asked clarifying question of the City Attorney about preparing the amendments. City Attorney Nicolle Shalley responded about revisions to the proposed amendments; allow staff to finalize draft ordinances to release agenda for April 30. Discussed process for advancing proposals to Commission. Chair Hidreth asked clarifying question about voting on items. Nicolle Shalley responded.

[191151.](#) **Approval of Minutes from the April 15, 2020 Charter Review Commission Meeting (B)**

RECOMMENDATION *The Charter Review Commission approve the April 15, 2020 minutes.*

A motion was made by Member Chestnut, seconded by Member Goodison, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 9 - Member Henry, Member Bottcher, Member Goodison, Member Chestnut, Member Cohen, Member Waller, Member Campos, Member Tattersall, and Member Hildreth

Absent: 2 - Member Barry, and Member Blount

BUSINESS DISCUSSION ITEMS

191050.**Proposed Charter Amendment to Require Appointment of a City Attorney
(B)**

Chair Hildreth introduced the item. City Attorney Nicolle Shalley gave opening remarks, shared presentation with the language of the proposed amendment.

Chair Hildreth questioned about the proposed wording change from "may" to "shall".

6:21pm: Member Barry arrived

Nicolle Shalley responded to Chair's question. Chair Hildreth asked follow-up question. Nicolle Shalley responded.

Chair Hildreth commented against moving the change forward.

Member Chestnut agreed with Chair Hildreth. Member Chestnut motioned to have language remain as "may". Seconded by Vice-Chair Goodison.

Member Bottcher asked whether the body would leave the other Charter Officer provisions "may" instead of "shall". Suggested moving forward the same motion for the remaining item. Chair Hildreth agreed.

Nicolle Shalley asked to confirm whether the body intends the motion to withdraw the proposed amendment from consideration. Chair Hildreth confirmed.

Vote passed 10 - 0. Absent: Member Blount.

RECOMMENDATION

The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment

Approved, as shown above

191051.**Proposed Charter Amendment to Retitle the Clerk of the Commission to City Clerk and to Require Appointment of a City Clerk (B)**

Chair Hildreth introduced the item. Proposed removing the provision changing "may" to shall, but leaving amendment changing the title to "City Clerk".

Member Chestnut motion to retitle the Clerk of Commission" to "City Clerk" and Commission "may" appoint a City Clerk. Chair Hildreth asked

clarifying question. Member Chestnut responded. Seconded by Member Waller.

Member Campos commented. Chair Hildreth responded.

Vote passed 10-0. Absent. Member Blount.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

Approved, as shown above

[191052.](#) **Proposed Charter Amendment to Require Appointment of a City Internal Auditor (B)**

Chair Hildreth introduced the item. Suggested moving forward similarly with the item.

Motion by Member Barry; seconded by Member Chestnut to withdraw the proposed amendment. Vote passed 10 -0. Absent: Member Blount.

Member Henry asked a question about leaving the term "may". Chair Hildreth responded that the intention of the motion was to remove the item from going forward. Member Barry agreed.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment.*

Approved, as shown above

[191053.](#) **Proposed Charter Amendment to Extend the Term Limits of the Mayor and City Commissioners (B)**

Motion to remove by Member Campos; Second by Member Chestnut. Member Campos commented. Chair Hildreth commented. Vote passed: 10-0. Absent: Member Blount.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

Approved, as shown above

[191054.](#) **Proposed Charter Amendment to Delete the Charter Office of the General Manager for Utilities, thus Transferring Administrative Authority over the City's Utility System to the City Manager (B)**

Chair Hildreth introduced the item.

Member Waller commented in agreement with removal of the item.

Member Chestnut commented against the proposal.

Member Campos comment in favor of the proposal.

Member Barry commented, suggested recommending the proposal to the City Commission.

Member Tattersall commented in support of moving the amendment forward.

Member Bottcher commented that the City Commission could place an amendment on a future ballot to change the number of Charter Officers.

Member Henry commented in support of the motion to remove the amendment.

Public comment: Evelyn Foxx

Chair Hildreth commented in support of the motion to remove the item.

Vice-Chair Goodison commented.

Chair Hildreth clarified the motion.

Vote passed 6 - 4. Members Campos, Cohen, Tattersall and Waller voting no.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

Approved, as shown above

191055. **Proposed Charter Amendment to Increase Salaries for Members of the City Commission (B)**

Chair Hildreth introduced the item. Member Shalley displayed the ballot question and amended text.

Member Campos commented about the provision related to salary increases depending on employee increases.

Nicolle Shalley responded to Member Campos, clarified the provision.

Member Barry motioned to withdraw the amendment from consideration. Seconded by Member Henry.

Member Tattersall commented in support of moving forward with addressing City Commission salaries to allow more people to run for Commission offices.

Vice-Chair Goodison commented in support of the proposal, allowing more people to run for City Commission.

Member Waller commented against the proposed amendment, referencing negative public comment received on the item.

Member Cohen commented in agreement with Vice-Chair Goodison. Supports moving the item ahead for the Commission to consider.

Member Henry commented against moving forward with the amendment due to budgetary concerns during the COVID crisis.

Member Chestnut commented against moving forward with the amendment.

Member Bottcher commented about the implementation timeline of the amendment, supports moving forward.

Public comment: Anna Prizzia, Don Neimand, Evelyn Foxx, Ms. Moss and Kristen Young.

Member Campos commented about Member Blount's suggestion to delay the implementation schedule to 2024.

Chair Hildreth commented against the proposed amendment.

Vote: Failed 5-5. Members Bottcher, Campos, Cohen, Goodison and Tattersall voting no.

Chair Hildreth asked clarification on the process moving forward, Nicolle Shalley responded that the body would need an odd number of members to vote at the next public hearing, they decide whether to move forward to the City Commission.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

MOTION FAILED

[191115.](#)

Proposed Charter Amendment to Eliminate the Restrictions on Use of Funds for Construction of Paved Surfaces in Designated Areas (B)

Chair Hildreth introduced the item.

Member Tattersall asked a clarifying question about the previous item. Nicolle Shalley responded that for a proposal to move forward, it must be voted on by six members at the next meeting. On a practical note, the item will move forward to the final public hearing on April 30th..

Member Barry asked a clarifying question.

Member Tattersall asked if a motion was needed.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

Discussed

191120. **Proposed Charter Amendment to Further Limit the Authority of the City Commission to Dispose of Certain Utility Facilities (B)**

Chair Hildreth introduced the item. Nicolle Shalley showed the ordinance language, highlighted a slight revision incorporated from the previous meeting.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

Discussed

191121. **Proposed Charter Amendment to Create a Charter Preamble (B)**

Chair Hildreth introduced the item. Nicolle Shalley highlighted wording revisions to the draft ordinance requested at the previous public hearing.

Chair Hildreth commented.

Member Henry suggested a language revision related to citizen participation and opportunity of cultural diversity. Chair Hildreth agreed.

Member Henry moved to strike “the” from the provision. Seconded by Member Chestnut. Vote passed 10-0. Absent: Member Blount.

RECOMMENDATION *The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

MEMBER COMMENT

Member Campos commented about the analysis received about the charter amendments from a tool used by the City to collect data on topics

based on social media activity and interactions.

Nicolle Shalley confirmed that the following items will move forward to the final hearing:

- Item retitling the City Clerk (revised to leave “may”)
- Paved surfaces in Hogtown Greenway
- Disposal of utilities
- Commission salaries
- Charter Preamble amendment, striking “the” from one of the amendment phrases

Member Barry asked clarification about the Clerk requirement. Chair Hildreth responded.

Member Campos asked a question about when the CCRC will inform the public about the proposed amendments. Chair Hildreth responded that she will draft a letter to Mayor Poe outlining the reasoning behind the items being moved forward; and to provide a summary of proposals discussed that were not moved forward to recommend that the City Commission consider addressing by ordinance. Will send to the Clerk to share with other members for feedback.

Nicolle Shalley clarified that the amendments must be transmitted to the Commission by May 3.

Chair Hildreth commented about the letter of reasoning requested by the Mayor.

Member Campos asked if the item will be on a Commission agenda. Chair Hildreth responded about the process. Nicolle Shalley commented about the process, noted that the Commission will hold a Special Meeting on May 11 to review the proposed amendments. Proposed amendments must be adopted by June to meet the deadline for the ballot set by the County Supervisor of Elections Office.

Chair Hildreth asked clarification. Will have draft letter on reasoning to share with members. Nicolle Shalley recommended sharing a draft letter with the members before the April 30th hearing so that members could share feedback during the meeting.

Nicolle Shalley clarified that the CCRC is dissolved on the date of the November election.

Chair Hildreth asked if she would need to participate in the May 11 Commission meeting. Nicolle Shalley responded.

Member Bottcher commented about the CCRC remaining under the Sunshine Law until the election. Asked if members could write editorials, etc .as individuals, but not as representatives of the CCRC. Nicolle Shalley confirmed that the Sunshine Law prohibits discussion among members about business that may come before them. Member Bottcher responded. Nicolle Shalley responded that no business will likely come before the CCRC once the final vote is taken. Member Bottcher recommended that the CCRC members should be available for questions during the its May 11 meeting.

Member Barry encouraged Chair Hildreth to write a brief draft letter limited to items approved.

Chair Hildreth asked about public education.

Vice-Chair Goodison suggested including information on the ballot questions in local voter guide.

Member Waller confirmed that she will work on a local issues voter guide, speakers' bureau will talk about information related to the ballot question. Chair Hildreth asked about information for local group contacts. Member Waller agreed that the CCRC could create its own talking points.

Nicolle Shalley commented that charter amendments will come from the City Commission. Noted that the City's Communications staff will promote the charter amendments through its channels. Highlighted statutory limitations on how amendments must be presented by the City (no advocacy permitted). Recommended leaving trained staff to communicate.

ADJOURNMENT - 7:58 PM