

City of Gainesville

*City Hall
200 East University Avenue
Gainesville, Florida 32601*



Meeting Agenda - Final

December 9, 2021

1:00 PM

Roberta Lisle Kline Conference Room

General Policy Committee

*Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large, Seat A)
Commissioner Desmon Duncan-Walker (District 1)
Commissioner Harvey Ward (District 2)
Mayor-Commissioner Pro Tem David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)*

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CALL TO ORDER**ROLL CALL****ADOPTION OF THE AGENDA****APPROVAL OF MINUTES**

[210469.](#) **Approval of Minutes from September 23, and October 28, 2021 General Policy Committee Meetings (B)**

RECOMMENDATION *The General Policy Committee approve the September 23, and October 28, 2021 minutes.*

[210469_September 23, 2021 Minutes_20211014.pdf](#)

[210469_October 28, 2021 Minutes_20211209.pdf](#)

DISCUSSION OF PENDING REFERRALS

[210670.](#) **Appointments to the Citizen Advisory Board for Community Development and the Historic Preservation Board (B)**

RECOMMENDATION *The City Commission discuss the appointments to the Citizen Advisory Board for Community Development and the Historic Preservation Board and take appropriate action.*

[210670_HPBD Ballot & Applications_20211202](#)

[210670_CACCD Ballot & Applications_20211202](#)

[210424.](#) **Commission Staffing Structure (B)**

Explanation: Explore the options for commission office staffing structures in Florida cities and those allowed through the Gainesville City Charter

RECOMMENDATION *The General Policy Committee hear a presentation, discuss, and take any action deemed appropriate.*

[210424_Commission Staffing Structure Report_20211209](#)

[210424_Commission Staffing Presentation_20211209](#)

[200741.](#) **Youth Services Division Update (B)**

AGENDA UPDATE - CHANGED TEXT FILE LANGUAGE

RECOMMENDATION

The General Policy Committee hear a verbal update from staff.

Legislative History

8/26/21 General Policy Heard
 Committee

[200741A Youth Services Research PRCA 20210826.pdf 20211209](#)

[200741B Youth Services Budget with Benefit Impact Proposal 20210823.pdf 2](#)

[200741C Youth Services Division Updates 11 30 2021 20211209](#)

[200741D Youth Services Research 20211209](#)

[200741E Youth services proposed org chart 2021 20211209](#)

[200741F Youth Services Manager Job Description Final 20211209](#)

[200744.](#)**Candidate Qualifying (NB)**

Explanation: At its meeting on April 22, 2021, the General Policy Committee discussed ways to expand the options for candidate qualifying within the City of Gainesville. The City Clerk and City Attorney were directed to update Section 9 of the code of ordinances to have two ways to qualify: 1) fee that is 2% of the office's salary, or 2) in lieu of the fee, collection of 1% of signatures from registered electors in the election district.

The discussion and deliberation associated with this item on April 22, 2021 contemplated the addition of a petition process to ease the monetary requirement, or provide an alternative method, of qualifying for a City Commission seat. After reviewing the applicable Florida statutes and the Commission deliberation, the City Attorney's office is in need of further direction in order to provide a draft ordinance.

As background, Florida Statutes section 99.093 provides,

(1) Each person seeking to qualify for nomination or election to a municipal office shall pay, at the time of qualifying for office, an election assessment. The election assessment shall be an amount equal to 1 percent of the annual salary of the office sought. Within 30 days after the close of qualifying, the qualifying officer shall forward all assessments collected pursuant to this section to the Florida Elections Commission for deposit in the Elections Commission Trust Fund.

(2) Any person seeking to qualify for nomination or election to a municipal office who is unable to pay the election assessment without imposing an undue burden on personal resources or on resources otherwise available to him or her shall, upon written certification of such inability given under oath to the qualifying officer, be exempt from paying the election assessment.

There is no provision allowing a municipality to waive the election assessment (or certification of undue burden) requirement of section 99.093 by petition or otherwise. Florida Statutes section 99.095 provides for a petition process in lieu of the qualifying fee charged to candidates for federal, state, county, or district office.

Presently, a prospective candidate for a seat on the Gainesville City Commission must comply with the election assessment (or certification of undue burden) requirement of section 99.093, and meet the residency requirement for the at-large or district seat. A qualifying petition requirement or a qualifying fee with a petition process alternative could be added. However, these qualifying requirements would be additional to the election assessment (or certification of undue burden) requirement of section 99.093.

If the Commission decides to go forward with the proposal, the amount of an additional qualifying fee and quantity of petitions required would not have to be based upon the salary of the position sought and the number of electors involved, but these may be used as a guide in establishing the fee or quantity of petitions. To that end, one percent of the annual salary of the offices is \$358.68 for a commissioner and \$440 for mayor. There are 89,539 registered voters in the City of Gainesville. One percent of the voters is 895 for the entire city and is approximately 224 for a district. Further, if a qualifying petition requirement or a qualifying fee with a petition process alternative was added to the qualifying criteria to become a candidate for a seat on the Gainesville City Commission, the prospective candidate would need to have the petition signatures verified by the Supervisor of Elections. There is no statutory requirement for the Supervisor to review these petitions. The City would have to enter into an agreement with the Supervisor's office in order to ensure that the petitions would be reviewed. The current Supervisor has indicated a willingness to provide this service to prospective City candidates at a charge of \$0.30 per petition.

Given the information above, the City Attorney's Office seeks direction as to whether there should be an added petition requirement or a qualifying fee with a petition process alternative, in addition to the statutorily-mandated elections assessment. If so, the amount of the additional qualifying fee, the number of required verified petitions, parameters governing the collection of petitions (citywide or districtwide), and the timeframe in which petitions must be collected must be decided.

RECOMMENDATION

The General Policy Committee hear comments from the City Attorney and Clerk, discuss, and take action deemed appropriate.

Legislative History

4/22/21	General Policy Committee	Approved, as shown above
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[200744_Candidate Qualification Requirements Research_20210422.pdf](#)

[200744_Candidate Qualification Presentation_20210422.pdf](#)

[200744_Alachua County Candidate Qualifying Process - Fees and Petition Me](#)

PUBLIC COMMENT

MEMBER COMMENT

NEXT MEETING DATE

January 13, 2022

ADJOURNMENT