

City Charter Review Commission

Work Plan Status

Updated 03.06.2020

Article	Date	Action	Status
Article 1			
	9/16/19, 8/15/19, 7/1/19	<p>(9/16) Clerk addressed in memo for the 9/16 meeting</p> <p>(8/15) Request for staff to bring back cleaned-up language of charter. Dan Nee asked for clarification about getting deliverables back to the Commission. Dan Nee asked question about how Charter Commission wants to present proposed changes to the City Commission; need to decide a format for tracking changes discussed and decisions made.</p> <p>(7/1) Request for staff to review and clean up outdated/obsolete charter language.</p>	
1.04 Special Powers	3/2/20, 2/3/20, 1/6/20	<p>(3/2) Chair Hildreth proposed draft preamble language. Motion to adopt the draft preamble as presented. Passed 9 – 0.</p> <p>(2/3) Member Blount proposed draft language to include in the City Charter. Motion to accept proposed language in some form (to be determined) for inclusion in a preamble to the City Charter. Passed 8 – 0 (Henry abstained).</p> <p>Member Blount commented that he will present language on racial equity at the 2/3/20 CRC meeting for consideration of inclusion in the charter under Article 1.04(21)</p>	Vote to direct City Attorney to draft charter amendment ordinance to create City Charter “preamble”.
Article II			
2.01 Composition	7/1/19	Straw poll: Majority voted to maintain seven members	

		Member Chestnut asked for staff to report on: 1) would like to know year language was written to move from five to seven members; and 2) when was the change. (Currently 130,000 population)	
2.02 Districts	7/1/19	Discussion	
2.03 Eligibility	2/3/20, 8/5/19, 7/1/19	<p>(3/2) Motion to approve the draft charter amendment to extend the term limits of the Mayor and City Commissioners. Passed 7 – 3.</p> <p>(2/3) Discussion of Charter Officer analysis on defining resident and residency. Motion to remove the item from the list of proposed charter amendments; but include as a recommendation to the City Commission to address by ordinance. Passed 9 – 0.</p> <p>(2/3) Motion to direct City Attorney to draft a charter amendment ordinance to amend 2.03 to revise City Commissioner term limits from two consecutive terms to three consecutive terms.</p> <p>(8/5) Motion to amend minutes to reflect adding motion on terms limits to direct staff (discussed at 7/1 meeting)</p> <p>(8/5) Motion to add to end of section language "The City Commission shall define resident and residency as it applies to Section 2.03.</p> <p>(7/1) Request to City Attorney to prepare language to clarify residency requirement/domicile.</p> <p>(7/1) Motion to change term limit to three full terms (consecutive). Passed 9-1.</p>	<p>Vote to move the draft charter amendment ordinance forward to public hearing.</p> <p>Vote not to move forward a charter amendment to define residency.</p> <p>Vote to direct City Attorney to draft charter amendment ordinance to amend 2.03 (term limits).</p>

2.04 Election and terms	2/3/20, 1/6/20, 8/5/19, 7/1/19	(2/3) County Supervisor of Elections Office addressed Instant Runoff Voting (IRV) (or Ranked Choice Voting). Discussion of Charter Officer Analysis. Motion not to move forward charter amendment to require IRV for City elections. (1/6) Presentation and discussion about Ranked Choice Voting for City elections. Motion to (1) obtain possible charter language from Jon Severini and submit for staff analysis; and (2) move forward RCB as a proposed charter amendment. Passed 5 – 4. (7/1) Motion to keep language of appointments during vacancies the same. Passed 7-3.	Vote not to move forward with a charter amendment to require Instant Runoff Voting (IRV).
2.05 Recall of commissioners	8/5/19	Directed the Clerk to review section to find out if section preempted by the State, remove if so. Dan Nee responded that removal from office is controlled by Florida Statutes.	
2.06 Commission as judge of qualifications of members	8/5/19	Discussion	
2.07 Commission actions	8/5/19	Reviewed, no discussion.	
2.08 Mayor	9/16/19, 8/5/19	Discussion. Senior advisors with Florida Association of County Managers responded to questions. Motion to contact ICMA to come to the September or October meeting, table the 2.08 for discussion and members to bring specific ideas to discuss in advance. Passed 10-0.	
2.09 Commissioner forfeiture of office and interest in contracts	8/5/19	No discussion	
2.10 Interference with charter officers	8/5/19	Deferred until the discussion regarding the mayor system	
2.11 Oaths of office		Reviewed, no discussion	
Filing Fee	2/3/20, 8/5/19	(2/3) Discussion of Charter Officer Analysis. Motion to remove the proposal to amend Article II City Commission to allow	Vote not to move forward with charter amendment

		<p>Commission candidates to collect petitions in lieu of paying election qualifying fees. Passed 9 – 0.</p> <p>Motion to request City Attorney to research: (1) Including a requirement in the Charter that all Commission candidates collect petitions regardless of ability to pay qualifying fee; (2) Whether this could be accomplished by charter amendment or ordinance. Vote failed 3 – 5.</p> <p>(8/5) Motion to add under Section 2.0 a provision for City Commission candidates the option to collect petitions in lieu of paying the filing fee to qualify for office and include same provisions on population used by the County. Passed 10-0.</p>	<p>to allow petitions in lieu of qualifying fees for Commission candidates.</p>
<p>Compensation of Commissioners</p>	<p>3/2/20, 2/3/20, 12/2/19, 11/4/19, 10/7/19, 9/16/19, 8/5/19</p>	<p>(3/2/) Discussion and presentation by the City Attorney’s Office. Motion to table until the next meeting.</p> <p>(2/3) Motion to direct City Attorney to draft a charter amendment ordinance to amend Article II City Commission to calculate the annual salary for each City Commissioner based on the City population as provided in Sections 145.031 and 145.19, Florida Statutes, with the Mayor receiving an additional \$10,000. To be implemented evenly over a five-year period beginning October 1, 2021. Passed 7 – 2.</p> <p>(12/2) Subcommittee presented recommendations on formula to implement Commission pay increase. Discussion on potential formula revisions.</p> <p>Motion for staff to bring legally vetted language to the effect of: “Each member of the City Commission shall receive an annual salary based on the City of Gainesville population as indicated in FL statutes 145.031 and 145.19. The Mayor shall receive an additional amount equal to \$10,000 that of the base salary. Shall be implemented evenly over a five-year period beginning October 1, 2021.” Passed 10 – 0.</p>	<p>Continued to the 3/18/20 meeting.</p> <p>(2/3) Vote to direct City Attorney to draft charter amendment ordinance to calculate annual City Commissioner salaries.</p>

		<p>(11/4) Motion to create a sub-committee to develop formula options for implementing City Commission/Mayoral pay increase. Passed 11-0. Motion to include a discussion about changing the City Commission from 7 members to 5 members in the Commission salary workshop. Motion failed 4-7.</p> <p>(10/7) Motion to reconsider motion from 9/16 meeting regarding Commission salaries to permit additional discussion. Passed 10-0. Motion to ask staff to bring proposed charter amendment to determine tying Commissioner salaries to the state formula for county commissions. <i>No second to the motion, no vote. Discussion regarding Mayor's compensation to be continued at 11/7 meeting.</i></p> <p>(9/16) Motion to request staff analysis setting the compensation for the Mayor at 10% of the County Commission's salaries; and the remaining 6 Commissioners at 60% of County Commission. Passed 5-4.</p> <p>(8/5) Motion for staff to review compensation of Commissioners, bring to CRC a model used to determine salaries based on the County Commission model (based on population). Passed 10-0.</p>	
Article III: Administration			
3.01 Charter officers	9/16/19	Discussed	
3.02 City manager	9/16/19	Discussed	
3.03 City attorney	3/2/20, 2/3/20, 9/16/19	(3/2) Motion to approve the draft charter amendment ordinance requiring the appointment of a City Attorney.	Vote to move the draft charter amendment ordinance regarding the

		(2/3) See below 3.05 Discussed	appointment of a City Attorney forward to public hearing.
3.04 Clerk of the commission	3/2/20, 2/3/20, 9/16/19	(3/2) Motion to approve the draft charter amendment ordinance requiring the appointment of a City Clerk. (3/2) Motion to approve the request submitted by Omichele Gaaney to modify the charter to refer to the “Clerk of Commission” as the “City Clerk”. Passed 9 – 0. (2/3) See below 3.05.	Vote to move the draft charter amendment ordinance regarding the appointment of a City Clerk forward to public hearing.
3.05 City internal auditor	3/2/20, 2/3/20, 11/4/19, 10/7/19, 9/16/19, 8/5/19	(3/2) Motion to approve the draft charter amendment ordinance requiring the appointment of a City Auditor. (2/3) Motion to direct City Attorney to draft charter amendment ordinance to amend 3.03. City attorney, 3.04. Clerk of commission and 3.05. City internal auditor to state the commission “shall” (rather than “may”) appoint these Charter Officers to serve at the will of the commission. Passed 8 – 1. (11/4) Jess Irby, Alachua County Clerk of Court spoke about the structure and functions of the County’s internal auditing; provided back-up documentation. (10/7) Request to invite Jess Irby, Alachua County Clerk of Court, to speak about internal auditing at the next meeting. Motion to amend the language on 3.02, 3.03, 3.04, 3.05, 3.06, 3.08 to state that the commission “shall” (rather than “may”) appoint these positions to serve at the will of the commission. Passed 10-0.	Vote to move the draft charter amendment ordinance regarding the appointment of a City Auditor forward to public hearing.

		<p>Presentation from Bob Melton, ALGA, on the internal city auditor position. Eileen Marzak, City Auditor staff, responded to questions about the City Auditor’s Office.</p> <p>(9/16) Discussed. Noted that the City auditor wants to speak about the position; suggestion to ask the City Attorney and other Charter Officers to speak at a future meeting.</p> <p>(8/5) CRC commented about email from City Auditor with requests regarding having language completed for that position. Asked if someone from the professional auditor’s association could present at the October meeting (15 minutes).</p>	
3.06 General manager for utilities	3/2/20, 2/3/20, 9/16/19	<p>(3/2) Motion to approve the draft charter amendment ordinance requiring the appointment of a City Clerk.</p> <p>(2/3) Discussion of Charter Officer Analysis. Directed City Attorney to draft charter amendment ordinance to delete 3.06. General manager for utilities from the Charter and amend 3.02. City Manager to include the utilities powers and duties from 3.06.</p> <p>(9/16) Discussed. Motion to lower the GRU Manager from a Charter Officer to be under the City Manager’s Office. Passed 8-0.</p>	Vote to move the draft charter amendment ordinance regarding the GRU Manager for Utilities forward to public hearing.
3.07 Audits and examinations of administrative departments	10/7/19	Discussed	
3.08 Equal opportunity director	9/16/19	Discussed	
Article IV: Boards & Committees			
4.01 Boards and committees	12/2/19	Introduced	
4.02 City plan board	12/2	Discussed with section 4.03. No formal recommendations, but members suggested CRC including observations and comments	

		regarding board member qualifications and other topics when presenting formal recommendations to the City Commission.	
4.03 Building and land development regulatory boards	12/2/19	Discussed.	
Article V: Special Provisions			
5.01 Charter amendments	3/2/20, 12/2/19	<p>(3/2) Motion to increase the signature requirement for citizen initiated Charter amendments from 10% up to 20%. Passed 7 – 3.</p> <p>(12/2) Discussed whether 11/4 recommendation on initiatives and referendums and would be added to this section. Discussed modification to the 4/5 voting requirement (<i>no action taken</i>).</p> <p>(11/4) Motion to set threshold of signatures for an ordinance petition at 15%; and to increase the percentage required for charter amendments to 20%. Passed 8-3.</p>	Vote to direct City Attorney to draft charter amendment ordinance to increase the signature requirement for citizen initiative Charter amendments from 10% to 20%.
5.02 Issuance of ad valorem bonds generally			
5.03 Retirement and pension plan for city employees			
5.04 Disposal of utilities	3/2/20, 12/2/19	<p>(3/2) Motion to revise the disposal of utilities language - to unstrike the phrase “so as to materially reduce the capacity of the city to produce of distribute electrical energy or water”. Passed 9 – 1.</p> <p>Motion to replace “future utility-related enterprises or intellectual processes” to “intellectual property”; and to add “wastewater, natural gas, gas utility, reclaimed water, GRUCom, or water production or distribution facilities; or intellectual property.” Passed 10 – 1.</p>	Vote to direct City Attorney to draft charter amendment ordinance to revise the disposal of utilities language.

		(12/2) Motion to amend the section to the following: "The Commission may not, in any manner, dispose of or agree to dispose of the city's <u>electrical, water, wastewater, reclaimed water production or distribution facilities or GRUCOM or future utility-related enterprises or intellectual processes</u> , or any part thereof so as to materially reduce the capacity of the city to provide unless the commission does so by ordinance with the prior approval of a majority vote of the qualified electors of the city voting at an election for the purpose of approving the ordinance." Passed 9 -0.	
5.05 Fresh pursuit and arrest by municipal officers	12/2/19	Discussed.	
5.06 Funds for construction of paved surfaces in designated areas	12/2/19	(3/2) Motion to delete section 5.06 Funds for construction of paved surfaces in designated areas. Passed 10 – 0. (12/2) Motion to strike the section. Request that the discussion be reflected in the record. Passed 8 – 0; Member Campos abstained.	Vote to move forward the proposed amendment.
5.07 Equal opportunity; duties of charter officers	01/06/20, 12/2/19	(1/6) Item introduced. No discussion. (12/2) Request to table the item until the next meeting to allow for additional member comment.	
5.09 Sale or conversion of City-owned lands	12/2/19	Discussed.	
Referendums & Initiatives	3/2/20, 11/4/19, 8/5/19	(3/2/) Discussion of draft charter amendment to create a section in Article V to allow a citizen initiative process for City ordinances; and set threshold of signatures for an ordinance petition at 15% of registered voters. Discuss at a future meeting the matter of adding referendum and initiatives to the next meeting agenda under 2.00.	Continued to the 3/18/20 meeting. Member Tattersall will bring the County's charter language regarding a citizen initiative process for ordinances to discuss at the next meeting.
Article VI: Transition Schedule			

6.01 Former charter provisions	1/6/20	Article VI introduced. No discussion.	
6.02 Ordinances and resolutions preserved			
6.03 Rights of officers and employees			
6.04 Pending matters			