

City of Gainesville

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



Meeting Agenda

April 14, 2015

5:00 PM

Roberta Lisle Kline conference room (#16)

Legislative and Organizational Policy Committee

*Mayor Ed Braddy, Chair
Commissioner Craig Carter, Member*

CALL TO ORDER

ROLL CALL

ADOPTION OF THE AGENDA

APPROVAL OF MINUTES

[140859.](#)

Legislative and Organizational Policy Committee Meeting Minutes from March 3, 2015 (B)

RECOMMENDATION

The Legislative and Organizational Policy Committee approve the minutes from the March 3, 2015 meeting as submitted.

[140859_March 3 Minutes_20150414.pdf](#)

DISCUSSION OF PENDING REFERRALS

[130131.](#)

Public Records Request (B)

Explanation: During the January 20, 2015 Committee meeting agenda items #130131 Public Records Request and #130276 Public Records/Clerk's Office were discussed simultaneously. State law requires each employee be the custodian of records they hold and further requires they respond to a public records request in a reasonable amount of time, regardless of whether the entity has a centralized office designated to respond to public records requests. City policies and procedures also include costs and fees in accordance with State law.

Based on direction from the committee, on March 3, 2015 staff presented a draft web page to be placed on the City's website to help citizen's understand how and where to make a public records request, and the potential cost of such requests. Upon, review of the draft, the Committee asked staff to include some "helpful hints" and a link to the Police department for ease in requesting records from Gainesville Police Department.

Fiscal Note: None

RECOMMENDATION

The Legislative and Organizational Policy Committee: 1) Review and approve the draft of webpage/link on website; and 2) Remove items #130131 and #130276 from the referral list.

Legislative History

7/18/13	City Commission	Referred to the Audit, Finance and Legislative Committee
1/20/15	Legislative and Organizational Policy Committee	Discussed

[130131A_G-5 Public Records Admin Procedures_20150120.pdf](#)

[130131B_G-5 Public Records Policy_20150120.pdf](#)

[130131C_Public Records Request Training Pkt_20150120.pdf](#)

[130131_Public Records Request Website Page_20150414.pdf](#)

[140186.](#)

Residency Requirement for Candidates (B)

Explanation: On July 17, 2014 the City Commission referred a discussion of Residency Requirement for Candidates to the Audit, Finance and Legislative Committee. The referral was subsequently transferred to the Legislative and Organizational Policy Committee.

Article II, Section 2.03 of the City Charter outlines the eligibility requirements for each district and at-large candidate. Sec. 9-10(b) of the Code of Ordinances- Qualifications of Candidates for City Commission further states eligibility requirements in a case where redistricting has occurred.

Fiscal Note: None

RECOMMENDATION

The Legislative and Organizational Policy Committee: 1) Discuss the residency requirement for candidates; 2) Take any action deemed appropriate; and 3) Remove #140186 from the referral list.

Legislative History

7/17/14	City Commission	Referred to the Audit, Finance and Legislative Committee
11/18/14	Audit and Finance Committee	Retained in Committee

[140186A_ARTICLE II CITY COMMISSION_20150414.pdf](#)

[140186B_Qualifications of Candidates for City Commission_20150414.pdf](#)

[140622.](#)

Advisory Board Appointments (B)

Explanation: On December 18, 2014 the City Commission referred a discussion of Advisory Board Appointments to the Legislative and Organizational Policy Committee.

The referral suggested that the City Commission consider a more formal interview process for certain board appointments, particularly quasi-judicial boards or boards with more decision making powers. Currently, members of the City Commission receive copies of applications for advisory board openings and have the option to interview the applicants or check their references individually. Each member of the City Commission then submits its vote to the Clerk of the Commission. The votes are tallied and the applicant with the majority vote is placed on the agenda for a final vote of the full Commission.

Attached is a matrix including all City appointed Advisory Boards and Committees, their powers and duties, number of members, terms, residency requirements, and their quasi-judicial status.

Fiscal Note: None

RECOMMENDATION

The Legislative and Organizational Policy Committee discuss the selection process for Advisory Board & Committee appointments and take any action deemed appropriate.

Legislative History

12/18/14 City Commission Referred to the Legislative and Organizational Policy Committee

[140622 Board Committee Matrix 20150414.pdf](#)

140701.

Recourse for Advisory Board Decisions (B)

Explanation: On January 15, 2015 the City Commission referred a discussion of Recourse for Advisory Board Decisions to the Legislative and Organizational Policy Committee.

Sec. 2-245 of the Code of Ordinances states that all boards, committees and commissions appointed by the City Commission shall be advisory to and shall report to the City Commission, unless a charter provision or ordinance of the city shall otherwise provide. Sec. 2-247 defines an Advisory Board as "any board, commission, committee, or council whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations. A Quasi-judicial or administrative board means any board, commission, committee, or council whose powers, jurisdiction, and authority include the final determination, or adjudication of any personal or property rights, duties, or obligations.

During the meeting of January 15, 2015, a citizen expressed concern regarding decisions made by advisory boards and any possible recourse available to citizens for those decisions.

Attached is a matrix including all City appointed Advisory Boards and Committees, their powers and duties, number of members, terms, residency requirements, and their quasi-judicial or administrative status.

Fiscal Note: None

RECOMMENDATION

The Legislative and Organizational Policy Committee discuss the Advisory Board & Committee powers and duties and take any action deemed appropriate.

Legislative History

1/15/15 City Commission Referred to the Legislative and Organizational Policy Committee

[140701A Boards and Committees - Code of Ordinances 20150414.pdf](#)

[140701B Board Committee Matrix 20150414.pdf](#)

[140449.](#)

Removals From Airport Authority (NB)

Explanation: On January 20, 2015, the Committee discussed the membership of the Gainesville-Alachua County Regional Airport Authority (GACRAA) and how members appointed by the City Commission are removed due to absences from meetings.

The Gainesville-Alachua County Regional Airport Authority (GACRAA) consists of nine members, three of which are appointed by the Governor of the State of Florida, one by the Alachua County Board of County Commissioners and the remaining five by the Gainesville City Commission. All members serve a three-year term beginning August 1 and expiring on July 31 of the appropriate year.

In accordance with Florida Statutes Ch. 206-36, Section 4 paragraph (7), a member may be removed by the entity appointing such member upon grounds constituting misfeasance, neglect of duty, incompetence, or permanent inability to perform official duties. Upon conviction of a felony, a member shall be automatically removed. The unexcused failure to attend three consecutive regular meetings of the authority shall be deemed neglect of duty, without limiting the meaning of the term "neglect of duty."

Section 3 of the By-Laws for GACRAA, adopted November 17, 2005, states that any member of the Authority who has had three or more consecutive absences from regular monthly meetings shall be considered in "neglect" of duty. A member may appeal to the full Board and request approval of the three consecutive absences. Should a member be in neglect of duty, the appointing authority shall be notified.

During the discussion, it was determined that a member of GACRAA, appointed by the City, had failed to meet attendance requirements and had already been removed from the Board. Due to the powers and duties held by this board, the item was retained in committee for inclusion in future discussions regarding the selection process for Advisory Board and Committee members.

Fiscal Note: None

RECOMMENDATION

The Legislative and Organizational Policy Committee: 1) Discuss Airport Authority appointments, attendance and selection; and 2) Remove #140449 from the referral list.

Legislative History

10/16/14	City Commission	Referred to the Legislative and Organizational Policy Committee
1/20/15	Legislative and Organizational Policy Committee	Continued

[140449A_GACCAR Members_20150120.pdf](#)

[140449B_Chapter 2006-363_20150120.pdf](#)

[140449C_GACRAA By-Laws Approved on 11-17-05_20150120.pdf](#)

[140828.](#)

Legal Shield (B)

Explanation: On March 5, 2015 the City Commission referred a discussion of LegalShield to the Legislative and Organizational Policy Committee.

LegalShield is a dedicated attorney network that offers affordable on-call legal protection for everyone. LegalShield offers unlimited access for as little as \$17/month. Their framework enables members to pick up the phone and call an accomplished law firm, in their state, that is ready and willing to help, with 24/7 access. Membership allows you to get help on the following issues and many more: home purchase, refinance, and foreclosure; financial collections, warranties, IRS audits; divorce, child support, child custody; estate issues such as wills, living wills and power of attorney; and auto accidents or other moving violations.

LegalShield has the option of offering their service through direct ACH withdrawal from an individual's bank account or payroll deduction, should the employer execute an agreement with LegalShield.

Currently, the Fraternal Order of Police (FOP) and the Communication Workers of America (CWA) offer LegalShield to their members via direct ACH from the members' bank account. IAFF offers a similar benefit to their members using U.S. Legal Services.

Offering LegalShield to City employees via payroll deduction may

require a contract with the City to include administrative fees for administering the enrollment, payroll deduction and billing processes. Consistent with other voluntary benefit offerings this may also require a competitive process in accordance with Purchasing Policy and Procedures.

Fiscal Note: To be determined

RECOMMENDATION

The Legislative and Organizational Policy committee discuss LegalShield, take any action deemed appropriate and remove from the referral list.

Legislative History

3/5/15 City Commission Referred to the Legislative and Organizational Policy Committee

[140828_LegalShield brochure_20150414.pdf](#)

[140829.](#)

Transportation Allowance for Elected Officials (B)

Explanation: During the March 5, 2015 City Commission meeting, the Commission referred a discussion of the transportation allowance for elected officials to the Legislative and Organizational Policy Committee.

In accordance with current Finance procedures and IRS regulations, City employees may submit local travel mileage reimbursement for using their personal vehicle to conduct City business. This may include attending meetings away from their normal work location, picking up supplies from a vendor, visiting project sites, etc. Each employee requesting reimbursement is required to submit a form to their timekeeper that includes the date, the destination, number of miles driven, and the business purpose. The form should indicate approval from their immediate supervisor. The timekeeper will enter the number of miles into the time entry system under payroll code BMLG. Reimbursement will be included on the employees' paycheck as a taxable miscellaneous benefit at the IRS rate, currently 57.5 cents per mile. The timekeeper is required to keep the form on file for audit purposes. Commuting from home to work and work to home is not eligible for local travel reimbursement.

Charter Officers and employees whose employment contract includes a vehicle allowance are not eligible for local travel reimbursement.

City Commissioner salaries as specified in Sec 2-66 of the City Code does not currently provide for a vehicle allowance. Addition of a vehicle allowance would require an ordinance change. However, City policies and procedures do apply to City Commissioners. Hence, City Commissioners may also submit reimbursement for local travel. Commissioners should submit a form (sample attached) to Clerk of the

Commission staff including date, destination, number of miles and purpose of trip to request mileage reimbursement. Reimbursement will be included on their bi-weekly paycheck, taxable under IRS rules. As with other City employees, commuting to and from home is not eligible.

Fiscal Note: None

RECOMMENDATION

The Legislative and Organizational Policy Committee discuss the current practices, take any action deemed appropriate; and remove from the referral list.

Legislative History

3/5/15 City Commission Referred to the Legislative and Organizational Policy Committee

[140829 Mileage Reimbursement Log 20150414.pdf](#)

MEMBER COMMENT

CITIZEN COMMENT

NEXT MEETING DATE

May 4, 2015 at 5:00PM in the Roberta Lisle Kline conference room (#16)

ADJOURNMENT