

City of Alachua
Charter Review Advisory Board Minutes

January 27, 2009

The Charter Review Advisory Board held a meeting on January 27, 2009, at 6:00 p.m. in the Commission Chambers, City Hall, 15100 NW 142nd Terrace, Alachua, Florida.

Board Members Present: Linda Rice Chapman, Duane Helle, Bob Page, and Leoris Richardson.

Staff Present: City Manager Clovis Watson, Jr., City Attorney Marian Rush, Assistant City Manager Danielle Judd, Deputy City Clerk Alan Henderson, and Assistant City Clerk Diane Morgan.

Citizens Present: Gary Hardacre, Carol Thomas, and Michael Canney.

CALL TO ORDER: By Chair Linda Rice Chapman.

INVOCATION: Led by City Manager Clovis Watson, Jr.

PLEDGE TO THE FLAG: Led by City Manager Watson.

ROLL CALL: Assistant City Manager Danielle Judd performed the roll call and a quorum was present.

APPROVAL OF AGENDA: *Bob Page moves to approve tonight's Agenda; Duane Helle seconds the motion. Motion carries 4-0 on roll call vote.*

NEW BUSINESS

1. Minutes: January 20, 2009

City Attorney Marian Rush clarifies for Chair Chapman that the minutes do not have to be as specific as she questioned; they can actually be only bullet points. Assistant City Manager Judd addresses the rest of Chair Chapman's concerns.

Mr. Helle moves to approve the minutes as presented; Mr. Page seconds the motion.

Motion carries 4-0 on roll call vote.

2. Charter Revisions

Section 3.06 – Prohibitions on Former Elected Official

Mr. Page asked for clarification of the language *elected* and *resigned*. City Attorney Rush explains the reason for using that language; they want to make sure it was a good parting of the ways. City Manager Watson gives further examples.

City Attorney Rush reads for clarification: No former elected city official shall hold any compensated appointive city office or employment until one (1) year after the expiration of his elected term or the vacation of his office, unless this prohibition is waived by the City Commission.

Mr. Page moves to approve the language for Section 3.06 expressed by the City Attorney; Leoris Richardson seconds the motion.

Motion carries 4-0 on roll call vote.

Section 3.08 – Meetings

City Attorney Rush notes the language ‘*as prescribed by law*’ was added to incorporate that they would be following whatever any law is and not just their own rules.

City Attorney Rush and City Manager Watson clarifies for Mr. Helle that State laws can affect this.

Assistant City Manager Judd suggests the following language: The City Commission shall meet regularly as prescribed by law at such times and places as the City Commission may adopt by Commission Rules.

Mr. Helle moves to accept the suggested language for Section 3.08 with the exception of changing the word ‘prescribe’ to ‘adopt’; Mrs. Richardson seconds the motion.

Motion carries 4-0 on roll call vote.

Section 4.01 – City Manager Residency

City Attorney Rush notes there is no change from the language they voted on last time.

Mr. Page moves to adopt the language for Section 4.01 as proposed; Mrs. Richardson seconds the motion.

Motion carries 4-0 on roll call vote.

Section 5.04 – Canvassing Board

City Attorney Rush reviews the suggested changes and language as follows: The City Commission may appoint a canvassing board for city elections whose duties, responsibilities, and procedures shall be set by applicable law and Ordinances, as Ordinances may be adopted or amended from time to time.

Mr. Helle moves to approve the language for Section 5.04 as proposed; Mr. Page seconds the motion.

Motion carries 4-0 on roll call vote.

Section 9.04-9.06 – Planning and Zoning Board

City Attorney Rush reviews the proposed changes and language.

Mr. Page moves to approve the language for Section 9.04-9.06 as proposed; Mr. Helle seconds the motion.

Motion carries 4-0 on roll call vote.

Elected Mayor Proviso

City Attorney Rush reviews the proposed changes and language noting that it involves two (2) Articles in the Charter; the first is Article III, Legislative and the second is Article V, Qualifications and Elections.

City Attorney Rush and City Manager Watson give examples and discuss the proposed changes and language in Section 3.05.

City Attorney Rush clarifies the language in the second full paragraph, the third sentence in Section 3.05 as follows: The Vice-Mayor shall act as Mayor during the absence or disability of the Mayor, until the seat is filled.

City Attorney Rush continues reviewing Section 3.07. She suggests adding in section (c) “A vacancy of *either the Mayor or a City Commissioner...*”

Mr. Page requests to go back to Section 3.05 and suggests the following additional language of “*...and if a vacancy in the office occurs he shall be Mayor until the seat is filled.*”

Assistant City Manager Judd reads the text for clarification: The Vice-Mayor shall act as Mayor during the absence or disability of the Mayor, and if a vacancy in the office of Mayor occurs, then he shall become Mayor until the seat is filled.

Mrs. Richardson comments the language states it is understood that he is Vice-Mayor.

Assistant City Manager Judd reads the proposed language as follows: The Vice-Mayor shall act as Mayor during the absence or disability of the Mayor, and if a vacancy in the office of Mayor occurs, then he shall act as Mayor until the seat is filled.

City Attorney Rush reviews the changes and proposed language Article V, Section 5.01 noting this is to show consistency and that people understand the Mayor is a separate seat.

Assistant City Manager Judd confirms they will correct any other misspelled words in the document if they can do so.

Mr. Page moves to approve the changes in Sections 3.05, 3.07, 5.01, 5.02, and 5.03 as discussed; Mrs. Richardson seconds the motion.

It was noted that Sections 3.01-3.04 were inadvertently omitted in the motion.

Chair Chapman notes for the record her concerns that an elected Mayor would create a procedural issue for future elections. City Manager Watson explains how they would proceed with an elected Mayor seat. City Attorney Rush adds that any information and concerns can be conveyed to the City Commission.

Both Chair Chapman and Mr. Helle state their concerns have been clarified.

Mr. Page states for the record, he supports the Mayor concept and recognizes there may be a hiccup, but it would be manageable. It is a good direction for the City to progress.

Mrs. Richardson gives consensus.

Michael Canney comments he doesn't understand what they are trying to achieve and where they are going with this.

City Manager Watson explains the intent behind having an elected Mayor.

Motion carries 4-0 on roll call vote.

OLD BUSINESS

None

OPEN DISCUSSION

Assistant City Manager Judd reviews a draft of the Ordinance title that will run in the local papers and come before the City Commission for first reading on February 9, 2009.

Assistant City Manager Judd notes the next meeting date for Charter Review Advisory Board is February 3, 2009 where everything will be finalized. She recommends that the Chair, as well as the other members on the Board, attend the Commission meetings on February 9 and February 23.

CITIZEN COMMENTS

No comments from citizens.

ADJOURNMENT

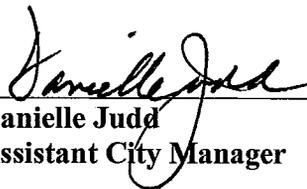
Mr. Page moves to adjourn the meeting; Mr. Helle seconds the motion.

Passed by unanimous consent.

Meeting adjourned at 6:59 p.m.



Linda Rice Chapman
Chair



Danielle Judd
Assistant City Manager

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