



Alachua County Charter Review Commission

November 13, 2009

To: CRC Members

From: CRC Staff

Commission Members

Robert Ackerman

Robert Brinkman

DJ Ferguson

Mitch Glaeser, Vice Chair

Armando R. Grundy-
Gomes

J. K. Irby, Chair

Joseph W. Little

AuBroncee S. Martin

John Martin

Bill Richards

Jim Stringfellow

Rod Tuttle

Lura W. Williams Martin

Ashley Wood

Guy York

County Staff:
Richelle Sucara
Deputy County Manager
Mary Lowry

Alachua County
Charter Review
Commission
Attn: Richelle Sucara
P.O. Box 2877
Gainesville, FL 32602

Telephone:
352-374-5210
Fax:
352-338-7363

Please be reminded of our next meeting scheduled for Monday, November 16, 2009, at 5:30 p.m. in the Grace Knight Room of the County Administration Building. Please allow two hours for this meeting. The current 12 proposals are available on the CRC web site. Click on the item number to see the backup information.

County Attorney Dave Wagner supplied the following criteria that you may want to consider when ranking the proposals for legal counsel.

CRITERIA FOR SELECTION OF ATTORNEY TO ADVISE ALACHUA COUNTY CHARTER REVIEW COMMISSION

Experience & Qualifications

- Experience advising and representing one of the 20 charter governments in Florida, or
- Experience advising a county commission or a charter review commission on the creation or amendment of a county charter.

Financial Proposal

- Hourly fee.
- Will the attorney bill for the time spent traveling to Alachua County to provide legal services?

Please let Richelle Sucara or Mary Lowry know if are unable to attend the November meeting.



Alachua County Charter Review Commission

Agenda

November 16, 2009

Commission Members

Robert Ackerman

Rob Brinkman

DJ Ferguson

Mitch Glaeser, Vice
Chair

Armando R. Grundy-
Gomes

J. K. Irby, Chair

Joseph W. Little

AuBroncee S. Martin

John Martin

Bill Richards

Jim Stringfellow

Rod Tuttle

Lura W. Williams Martin

Ashley Wood

Guy York

County Staff:
Richelle Sucara
Deputy County Manager

1. Call to Order
2. Approval of Agenda
3. Approval of minutes from the October 21, 2009 meeting
4. Announcements
 - a. Proposals on web site
5. Consideration of Work Plan
6. Re-vote on professional legal counsel proposals
 - a. Cobb & Cole
 - b. Bryant Miller Olive
 - c. Gray | Robinson
 - d. Nabors Giblin & Nickerson
7. Legal Review of Alachua County's Home Rule Charter
8. Other business
 - a. Next meeting date: Wednesday, January 20th 2010
 - b. No December meeting
 - i. Time for public outreach, research, and personal study
 - ii. Assignment of city visits
9. Update on proposals to be forwarded for January consideration (1st Phase)
10. Adjournment

Alachua County
Charter Review
Commission
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P.O. Box 2877
Gainesville, FL 32602

DRAFT



Alachua County Charter Review Commission

Meeting Minutes - Thursday, October 21, 2009

Commission Members

Robert Ackerman

Robert Brinkman

DJ Ferguson

Mitch Glaeser, Vice Chair

Armando R. Grundy-
Gomes

J. K. Irby, Chair

Joseph W. Little

AuBroncee S. Martin

John Martin

Bill Richards

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CRC Members Present: Robert Ackerman, Robert Brinkman, D.J. Ferguson, Mitch Glaeser, Armando Grundy-Gomes, J.K. Irby, Joseph Little, Aubroncee Martin, John Martin, James Stringfellow, Rod Tuttle, Ashley Wood, Guy York

CRC Members Absent: Lura Williams Martin, Bill Richards

Among Others Present: County Manager Randall H. Reid, Advisory Board Coordinator Mary Lowry, Assistant City Manager Paul Folkers.

The meeting was called to order at 5:32 p.m.

1. Adoption of the Agenda

The agenda was discussed and adopted as submitted with the addition of item 4.d: Distribution of memo by Joe Little titled "Alachua County Charter Review Commission".

2. Approval of Minutes of September 24, 2009

Joe Little moved that the September 24, 2009, minutes be accepted as presented with one correction: Mr. Wood's name was misspelled. The motion was agreed to.

3. Announcements

The Chair reported that, per Commission instructions that:

- a. He had written all municipalities, the constitutional officers, and the school board regarding the fact that the CRC is in the process of reviewing the County Charter to recommend changes and encouraged their participation.
- b. He had written the five prospective attorneys requesting their proposal for professional legal service.
- c. The CRC web site is ready to be launched. Note: The web site was discussed and the consensus of the CRC was that the web site should include biographic information regarding the CRC members.

d. Joe Little had provided the Commission a paper regarding charter government and the chair recommended it to all members.

4. Meeting Rules & Procedures

Robert Brinkman moved the procedures as presented except that the commission's deliberations would be pursuant to The Standard Code of Parliamentary Procedure (Sturgis). A general discussion followed regarding the proposed procedures.

Mitch Glaeser moved to amend the motion and replace "The Standard Code of Parliamentary Procedure (Sturgis)" with Robert's Rules of Parliamentary Procedure. The amendment was agreed to.

The main motion as amended was discussed and passed unanimously.

5. Work Plan:

The chair provided members with a work plan to be used only as a guide or roadmap for future commission work. After discussion, the commission requested that the chair develop a work plan with more detail including dates to be used as a planning tool by the commission. Without objection, the chair indicated that he and county staff would develop a more detailed plan and present it at the next meeting.

6. Consideration of Legal Counsel Proposals

The chair reported that four law firms had responded to the CRC's invitation to provide a proposal for professional legal counsel for the CRC. The chair indicated that the four proposals were provided to members as part of their agenda packet and all members indicated that they had received the information. It was generally agreed that all four were outstanding proposals and that we were fortunate to have such qualified firms to choose from. The members were then asked to rank the proposals.

Ashley Wood moved that the chair open negotiations with the top ranked firm to provide legal counsel to the commission and that should the chair and top ranked firm fail to come to terms, the chair would then move to the second ranked firm and open negotiations with that firm. (This process would continue until a contract was secured).

After discussion, the motion passed unanimously.

7. Charter Amendment Proposals Received

The chair announced that six proposals have been received. Each proposal has been assigned a tracking number. Copies of the proposals along with a listing of the proposals were or have been provided to the members.

8. Future Meetings

The chair announced that the next meeting of the CRC would be Monday, November 16, 2009. In addition, no meeting is scheduled for December.

9. Outreach

The commission discussed at length what the CRC's public outreach effort should be.

Following the discussion, Armando Grundy-Gomes moved:

- i. That the CRC develop "Hot Teams" made up of approximately three members each and that the Hot teams make presentations to the several municipalities and the Board of County Commissioners respectively.
- ii. That the members may make presentations to civic clubs and community organizations and that a list all presentations be maintained by staff.
- iii. That the chair work with the County Communications Office to publicize the CRC and the fact that all citizens are welcome to provide proposals or information for CRC consideration.

During the discussion, members were reminded that presentations may fall under the open meetings law whenever two or more members attended a presentation. It was agreed that all such meetings must be properly advertised.

After further discussion, the motion passed unanimously.

10. Adjournment:

Next meeting: Monday, November 16, 2009, 5:30 PM, Grace Knight Conference Room

There being no further business, the meeting was adjourned at 7:13 p.m.

Florida Charter Counties

As of November 2008

Charter County	2007 Population (BEBR, 11/07)	Year Adopted	Number of Cities	Districting Scheme	Administrative Structure	Constitutional Officers	Countywide Power
Alachua	247,561	1987	9	5 at-large	administrator	no change	no
Brevard	552,109	1994	15	5 single	administrator	revised	no
Broward	1,765,707	1975	31	9 single	administrator	revised	yes
Charlotte	164,584	1986	1	5 at-large	administrator	residency req.	yes
Clay	184,644	1991	4	5 single	manager	revised	no
Columbia	65,373	2002	2	5 single	administrator	recall;nonpartisan election	yes
Duval	897,597	1968	5	mixed (14/5)	executive	revised	yes
Hillsborough	1,192,861	1983	3	mixed (4/3)	administrator	no change	yes
Lee	615,741	1996	5	5 at-large	administrator	no change	no
Leon	272,896	2002	1	mixed (5/2)	administrator	supervisor nonpartisan	no
Miami-Dade	2,462,292	1957	34	13 single	executive	revised	yes
Orange	1,105,603	1986	13	6 single	chairman	comptroller	yes
Osceola	266,123	1992	2	5 at-large	administrator	BoCC Auditor	no
Palm Beach	1,295,033	1985	37	7 single	administrator	no change	yes
Pinellas	944,199	1980	24	mixed (4/3)	administrator	no change	yes
Polk	581,058	1998	17	5 at-large	administrator	recall;nonpartisan election	no
Sarasota	387,461	1971	4	5 at-large	administrator	revised	no
Seminole	425,698	1989	7	5 at-large	administrator	no change	no
Volusia	508,014	1971	16	mixed (5/2)	executive	revised	yes
Wakulla	29,417	2008	2	5 at large	administrator	no change	no

BASIC DIFFERENCES BETWEEN CHARTER AND NON-CHARTER COUNTIES

March 2008

NON-CHARTER

- ❖ Structure of county government specified in State Constitution and State Statutes. Only amending the State Constitution or State law can change structure.
- ❖ Counties have powers of self-government as prescribed by the State Legislature.
- ❖ State Statutes do not provide for initiative or referendum, or recall of county officers.
- ❖ State Statutes do not require an Administrative Code.
- ❖ County cannot levy a utility tax in the unincorporated area.

CHARTER

- ❖ Structure of county government specified in Charter as approved by the electorate. Structure can be tailored by the local electorate to meet the needs of the county.
- ❖ Counties have all powers of self-government unless they are inconsistent with the Constitution or State law.
- ❖ County charter may provide for initiative, referendum and recall at the county level.
- ❖ County Charter can require an Administrative Code detailing all regulations, policies and procedures.
- ❖ County Charter can provide that a “municipal utility tax” is levied in the unincorporated area.

PART I
HOME RULE CHARTER*

Preamble

Article I. Creation, Powers and Ordinances of Home Rule Charter and Government

- Sec. 1.1. Creation and general powers of home rule charter government.
- Sec. 1.2. Body corporate, name and boundaries.
- Sec. 1.3. Relation to state law.
- Sec. 1.4. Relation to municipal ordinances.
- Sec. 1.5. Land use planning.
- Sec. 1.6. Campaign finance regulation.
- Sec. 1.7. Sale or conversion of county-owned lands used or acquired for conservation, recreation, or cultural purposes.

Article II. Organization of County Government

- Sec. 2.1. Elected commission and appointed county manager form of government.
- Sec. 2.2. Legislative branch.
- Sec. 2.3. Executive branch.

Article III. Elected County Constitutional Offices

- Sec. 3.1. Elected county constitutional offices.

Article IV. Home Rule Charter Transition, Amendments, Review, Severance, Effective Date

- Sec. 4.1. Home rule charter transition.
- Sec. 4.2. Home rule charter amendments.
- Sec. 4.3. Severance.
- Sec. 4.4. Home rule charter effective date.

***Editor's note**—The home rule charter, arts. I through IV, is set out as adopted by reference in Ord. No. 86-20, adopted on Sept. 9, 1986. The home rule charter became effective on January 1, 1987.

PREAMBLE

The citizens of Alachua County, Florida, believing that governmental decisions affecting local interests should be made locally rather than by the state, and, in order to bring to the county the full home rule benefits afforded by the constitution of the State of Florida to charter counties, do ordain and establish this home rule charter for Alachua County, Florida.

ARTICLE I. CREATION, POWERS AND ORDINANCES OF HOME RULE CHARTER AND GOVERNMENT

Sec. 1.1. Creation and general powers of home rule charter government.

Alachua County shall be a home rule charter county, and, except as may be limited by this home rule charter, shall have all county and municipal powers of self-government granted now or in the future by the constitution and laws of the State of Florida.

Sec. 1.2. Body corporate, name and boundaries.

Alachua County shall be a body corporate and politic. The corporate name shall be Alachua County. The county seat and boundaries shall be those presently designated by law.

Sec. 1.3. Relation to state law.

The provisions of this home rule charter are not intended, and shall not be construed, to conflict with the constitution of the State of Florida, general law, or special law approved by vote of the electorate.

Sec. 1.4. Relation to municipal ordinances.

Municipal ordinances shall prevail over county ordinances to the extent of any conflict. Notwithstanding the foregoing, if the county and a municipality enact ordinances establishing different standards for the purpose of protecting the environment by prohibiting or regulating air or water pollution, the ordinances imposing more stringent standards shall prevail to the extent of the difference and be fully enforceable within the

boundaries of such municipality; however, the ordinances imposing less stringent standards shall not be deemed to conflict with ordinances imposing more stringent standards and shall also be fully enforceable within the boundaries of such municipality.

(Res. No. 00-116, § 1, 12-12-00)

Sec. 1.5. Land use planning.

Each municipality shall be responsible for land use planning within its respective boundaries and the county shall be responsible for land use planning in the unincorporated area. Notwithstanding the foregoing, the county and any municipality may enter into an interlocal agreement to provide for joint planning in portions of the unincorporated area not located within any area designated pursuant to general or special law as a reserve for annexation by another municipality or in portions of the area within such municipality. (Res. No. 00-116, § 2, 12-12-00)

Sec. 1.6. Campaign finance regulation.

(A) *Authority—Campaign finance regulation.* Alachua County shall have the power to adopt by charter amendment restrictions more stringent than those imposed by general law upon the financing of campaigns conducted by candidates for elective county offices identified in Article II, Section 2.2 (Legislative branch) and Article III, Section 3.1 (Elected county constitutional offices) of this home rule charter. These additional restrictions may apply to all aspects of campaign financing, including solicitations, contributions, expenditures, recordkeeping, reporting requirements, and noncriminal penalties for violation. The initial additional restrictions authorized by this section shall be proposed by amended amendment of this home rule charter at the general election held in either 2004 or 2006 and shall be adopted if approved by a majority of the electors of Alachua County voting on the amendment in that general election. All additional restrictions shall be proposed by amendment of this home rule charter at a subsequent general election and shall be adopted if approved by a majority of those electors of Alachua County voting on the amendment in that general election. Charter amendments adopted pursuant to the authority granted in this section

shall not be preempted by general law unless the general law expressly supersedes all special acts authorizing county charter home rule power for campaign financing.

(B) *Applicability.* Candidates for elective county offices, as identified in Article II Section 2.2 and Article III Section 3.1 of this Home Rule Charter, shall adhere to the rules set forth in this section for financing campaigns.

(C) *Campaign Contribution Limitations.* Candidates shall not accept campaign contributions made by persons as defined in Section 106.011, Florida Statutes, political committees, and committees of continuous existence in an amount exceeding \$250.00 per election. This limitation does not apply to contributions from political parties.

(D) *Filing financial reports/time for accepting contributions.* Candidates shall adhere to the following requirements when accepting campaign contributions and filing financial reports:

- (1) Candidates shall accept only those campaign contributions received on or before midnight on the seventh day prior to the date of the election.
- (2) Candidates shall file their last period candidate treasurer reports with the Alachua County Supervisor of Elections by no later than 5:00 p.m. on the sixth day prior to the date of the election. This deadline may not be extended by use of a postmark or other courier receipt.
- (3) Candidate treasurer reports shall be filed in electronic format no later than the due date for the paper original reports.
- (4) When reporting their campaign contributions, candidates shall report the source of the contribution as being from those persons and entities described in Chapter 106, Florida Statutes; candidates shall also report the type of contributor and the cumulative total contribution amount from each contributor as of the date of the report.

(E) *Election.* For the purposes of this section, election means any primary election, special primary election, general election, or special election held in the county for the purpose of nominating or electing candidates to county elective offices. (Res. No. 02-142, § 1, 12-10-02; Ord. No. 04-01, Exh. A, 1-27-04)

Editor's note—Two charter amendments amending section 1.6 were put before the voters by Ord. No. 04-01 and were approved by referendum on Nov. 2, 2004.

Sec. 1.7. Sale or conversion of county-owned lands used or acquired for conservation, recreation, or cultural purposes.

(A) A registry is hereby created, consisting of special places owned by Alachua County that are acquired or used for conservation, recreation, or cultural purposes, and that are deemed by the board of county commissioners to be worthy of the highest level of protection. The registry shall be known as the "Alachua County Registry of Protected Public Places." At a public hearing the board may add properties to the registry by adopting a resolution by a majority plus one vote of the membership of the county commission. The resolution shall contain the legal descriptions of the sites and a description of the values that supported their inclusion on the registry, and shall be recorded in the official public records.

(B) Properties, or portions or properties, on the Alachua County Registry of Protected Public Places may not be sold, or converted to a use that will result in a loss of a value or values for which a property was placed on the registry, except by a majority vote of the electors voting in a countywide referendum election.

(C) The above restrictions on divestiture or conversion of property shall not apply where the property is being taken for a public purpose by the state or federal government by way of eminent domain.

(Ord. No. 08-16, §§ 1—8, 8-12-08)

Editor's note—The addition of § 1.7 to the county charter was approved by the voters at an election held on Nov. 4, 2008.

ARTICLE II. ORGANIZATION OF COUNTY GOVERNMENT

Sec. 2.1. Elected commission and appointed county manager form of government.

Alachua County shall operate under an elected county commission and appointed county manager form of government with separation of legislative and executive functions in accordance with the provisions of this home rule charter. The legislative responsibilities and powers of the county shall be assigned to, and vested in, the board of county commissioners. The executive responsibilities and power of the county shall be assigned to and vested in the county manager, who shall carry out the directives and policies of the board of county commissioners and enforce all orders, resolutions, ordinances, and regulations of the board, the county charter, and all applicable general law, to assure that they are faithfully executed.

Sec. 2.2. Legislative branch.

(A) *The county commission.* The governing body of the county shall be a board of county commissioners composed of five (5) members serving staggered terms of four (4) years. There shall be one (1) commissioner for each of the five (5) county commission districts established pursuant to general law and they shall be elected on a countywide basis by the electors of the county. Each candidate for the office of county commissioner shall reside within the district from which such candidate seeks election at the time of qualifying to run for that office, and during the term of office each commissioner shall reside in the district from which such commissioner ran for office, provided that any commissioner who is removed from a district by redistricting may continue to serve during the balance of the term of office.

(B) *Redistricting.* County commission district boundaries shall be changed only after notice and a public hearing as provided by general law.

(C) *Salaries and other compensation.* Salaries and other compensation of the county commissioners shall be set by county ordinance and shall be the same as those set by general law for the county commissioners of noncharter counties.

(D) *Authority.* The board of county commissioners shall exercise all legislative authority provided by this home rule charter in addition to all other powers and duties authorized by general law or special law approved by a vote of the electorate. Provided, the board of county commissioners shall not adopt any ordinance creating classifications based upon sexual orientation, sexual preference, or similar characteristics, except as necessary to conform county ordinances to federal or state law.

(E) *Administrative code.* The county commission shall adopt an administrative code in accordance with general law.

- (1) The administrative code shall organize the administration of county government and set forth the duties and responsibilities and powers of all county officials and agencies.
- (2) The administrative code shall not apply to the elected constitutional officers.

(F) *Vacancies.* A vacancy in the office of county commissioner shall be defined and filled as provided by general law.

(G) *Recall.* The members of the board of county commissioners shall be subject to recall as provided by general law.

(H) *Initiative.*

- (1) The electors of Alachua County shall have the right to initiate county ordinances in order to establish new ordinances and to amend or repeal existing ordinances upon petition by a number of electors qualified to vote equal to seven (7) percent of their total number in the county as a whole in the last preceding general election.
- (2) The sponsor of an initiative ordinance shall, prior to obtaining any signatures, submit the text of the proposed ordinance to the supervisor of elections, with the form on which signatures will be affixed, and shall obtain the approval of the supervisor of elections of such form. The style and requirements of such form shall be specified by ordinance. The beginning date of any petition drive shall commence

upon the date of approval by the supervisor of elections of the form on which signatures will be affixed, and said drive shall terminate one hundred eighty (180) days after that date. In the event sufficient signatures are not acquired during that one hundred eighty (180) day period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. The sponsor shall submit signed and dated forms to the supervisor of elections and upon submission shall pay all fees as required by general law. The supervisor of elections shall within forty-five (45) days verify the signatures thereon.

- (3) Within sixty (60) days after the requisite number of names have been verified by the supervisor of elections and reported to the county commission, the county commission shall notice and hold a public hearing on the proposed ordinance according to law and vote on it. If the county commission fails to adopt the proposed ordinance, it shall, by resolution, call a

referendum on the question of the adoption of the proposed ordinance to be held at the next general election occurring at least forty-five (45) days after the adoption of such resolution. If the question of the adoption of the proposed ordinance is approved by a majority of those registered electors voting on the question, the proposed ordinance shall be declared by resolution of the county commission to be enacted and shall become effective on the date specified in the ordinance, or, if not so specified, on January 1 of the succeeding year. The county commission shall not amend or repeal an ordinance adopted by initiative for a period of one (1) year after the effective date of such ordinance.

- (4) The right to initiate county ordinances shall not include ordinances establishing, amending or repealing the county budget, existing debt obligations, the comprehensive plan of the county, or the zoning or re-zoning of land.

(Amend. of 11-8-94)

Editor's note—A circuit court order issued Nov. 22, 1996 effectively declared the last sentence of subsection (D) above unconstitutional. The order was not appealed and consequently the county is enjoined from enforcing the provision.

Sec. 2.3. Executive branch.

(A) *The county manager.*

- (1) The county manager shall be appointed by and serve at the pleasure of the board of county commissioners. The county manager shall be the chief executive officer of the county and all executive responsibilities and power shall be assigned to and vested in the county manager. The county manager shall exercise all executive authority provided by this home rule charter in addition to all other powers and duties authorized by general or special law.
- (2) The county manager shall be qualified by administrative and executive experience and ability to serve as the chief administrator of the county. [The] minimum qualifications for the county manager shall be established by county ordinance. The county manager shall be appointed by an

affirmative vote of a majority of the membership of the board of county commissioners. The county manager may be removed at any time by an affirmative vote, upon notice, of not less than a majority of the membership of the board, after a hearing if such a hearing is requested by the county manager. The county manager need not be a resident of the county at the time of appointment, but during the tenure in office the county manager shall reside within the county.

- (3) The compensation of the county manager shall be fixed by the board of county commissioners.
- (4) The office of county manager shall be deemed vacant if the incumbent moves his residence from the county or is, by death, illness, or other casualty, unable to continue in office. A vacancy in the office shall be filled in the same manner as the original appointment. The board of county commissioners may appoint an acting county manager in the case of vacancy or temporary absence or disability until a successor has been appointed and qualified or the county manager returns.

(B) *County department heads.*

- (1) The county department heads, with the exception of the county attorney, shall be appointed by and shall be responsible to the county manager. The board of county commissioners shall by majority vote confirm the appointment of department heads.
- (2) The county manager shall have the sole authority to suspend or discharge any department head with or without cause.

(C) *County attorney.* There shall be a county attorney selected by the board of county commissioners who shall serve at the pleasure of the board. The county attorney shall report directly to the board of county commissioners. The county attorney shall provide legal services to the board of county commissioners, county departments, and county boards and agencies as specified by county ordinance.

ARTICLE III. ELECTED COUNTY CONSTITUTIONAL OFFICES

Sec. 3.1. Elected county constitutional offices.

The offices of sheriff, property appraiser, tax collector, clerk of the circuit court and supervisor of elections shall remain as elected constitutional offices and the powers, duties and functions shall not be altered by this home rule charter. The constitutional officers shall perform their executive and administrative functions as specified by law.

ARTICLE IV. HOME RULE CHARTER TRANSITION, AMENDMENTS, REVIEW, SEVERANCE, EFFECTIVE DATE

Sec. 4.1. Home rule charter transition.

(A) *General provisions.* Unless expressly provided otherwise in this home rule charter, the adoption of this charter shall not affect any existing contracts or obligations of Alachua County; the validity of any of its laws, ordinances, regulations, and resolutions; or the term of office of any elected county officer, whose term shall continue as if this charter had not been adopted.

(B) *Initial county commissioners.* The persons comprising the Alachua County board of county commissioners on the effective date of this charter shall become the initial members of the board of county commissioners of the charter government and shall perform the functions thereof until the normal expiration of their terms or until the election and qualification of their successors as provided by law.

(C) *Outstanding bonds.* All outstanding bonds, revenue certificates, and other financial obligations of the county outstanding on the effective date of this charter shall be obligations of the charter government. All actions taken by the former government relating to the issuance of such obligations are hereby ratified and confirmed. Payment of such obligations and the interest thereon shall be made solely from and charged solely against funds derived from the

same sources from which such payment would have been made had this charter not taken effect.

(D) *Employees continuation.* All employees of the former county government shall on the effective date of this charter become employees of the county government created by this charter. All existing wages, benefits, collective bargaining certifications and agreements, and conditions of employment shall continue, until modified by lawful action of the county commission or joint agreement of the county commission and the appropriate bargaining agent when a collective bargaining agreement exists and controls.

Sec. 4.2. Home rule charter amendments.

(A) *Amendments proposed by petition.*

(1) Amendments to the home rule charter may be proposed by petition signed by a number of electors equal to at least ten (10) percent of the number of electors qualified to vote in the county as a whole in the last preceding general election. Each such proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each charter amendment proposed by petition shall be placed on the ballot by resolution of the board of county commissioners for the general election occurring in excess of ninety (90) days from the certification by the supervisor of elections that the requisite number of signatures has been verified.

(2) The sponsor of a petition amendment shall, prior to obtaining any signatures, submit the text of the proposed amendment to the supervisor of elections, with the form on which the signatures will be affixed, and shall obtain the approval of the supervisor of elections of such form. The style and requirements of such form shall be specified by ordinance. The beginning date of any petition drive shall commence upon the date of approval by the supervisor of elections of the form on which signatures will be affixed, and said drive shall terminate one hundred eighty (180) days after the date. In the event sufficient

signatures are not acquired during that one hundred eighty (180) day period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. The sponsor shall submit signed and dated forms to the supervisor of elections and upon submission pay all fees as required by general law. The supervisor of elections shall within forty-five (45) days verify the signatures thereon.

- (3) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

(B) *Amendments and revisions by charter review commission.*

- (1) A charter review commission consisting of not less than eleven (11) nor more than fifteen (15) electors of the county shall be appointed by the board of county commissioners at least twelve (12) months but not more than eighteen (18) months before the general election occurring in 1990 and at least twelve (12) months but not more than eighteen (18) months before the general election occurring every ten (10) years thereafter, to review the home rule charter and propose any amendments or revisions which may be advisable for placement on the general election ballot. No member of the state legislature or the board of county commissioners shall be a member of the charter review commission. Vacancies shall be filled within thirty (30) days in the same manner as the original appointments.
- (2) The charter review commission shall meet for the purpose of organization within thirty (30) days after the appointments have been made. The charter review commission shall elect a chairman and vice chairman from among its membership. Further meetings of the commission shall be held upon the call of the chairman or a majority of the members of the commission. All meetings shall be open to the public. A majority of the members of the charter review commission shall constitute a quorum. The commission may adopt such other rules for its operations and proceedings as it deems desirable. Members of the commission shall receive no compensation but shall be reimbursed for necessary expenses pursuant to law.
- (3) Expenses of the charter review commission shall be verified by a majority vote of the commission and forwarded to the board of county commissioners for payment from the general fund of the county. The charter review commission may employ a staff, consult and retain experts, and purchase, lease, or otherwise provide for such supplies, materials, equipment and facilities as it deems necessary and desirable.
- (4) The charter review commission shall hold at least three (3) public hearings at intervals of not less than ten (10) days nor more than twenty (20) days on any proposed charter amendment or revision, and no charter amendment or revision shall be submitted to the electorate for adoption unless favorably voted upon by a majority of the entire membership of the charter review commission.
- (5) No later than ninety (90) days prior to the general election, the charter review commission shall deliver to the board of county commissioners the proposed amendments or revisions, if any, to the home rule charter, and the board of county commissioners shall by resolution place such amendments or revisions on the general election ballot. If a majority of the electors voting on the amendments or revisions favor adoption, such amendments or revisions shall become effective on January 1 of the succeeding year or such other time as the amendment or revision shall provide.
- (6) If it does not submit any proposed charter amendments or revisions to the board of county commissioners at least ninety (90) days prior to the general election, the

charter review commission shall be automatically dissolved. Otherwise, the charter review commission shall be automatically dissolved on the date of such general election. Upon dissolution of the charter review commission, all property of the charter review commission shall thereupon become the property of the county.

(C) *Amendments proposed by the board of county commissioners.*

- (1) Amendments to this home rule charter may be proposed by ordinance adopted by the board of county commissioners by an affirmative vote of a majority plus one (1) of the membership of the board of county commissioners. Each proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each proposed amendment shall only become effective upon approval by a majority of the electors of Alachua County voting in a referendum at the next general election. The board of county commissioners shall give public notice of such referendum election at least ninety (90) days prior to the general election referendum date.
- (2) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

(Res. No. 00-116, § 3, 12-12-00)

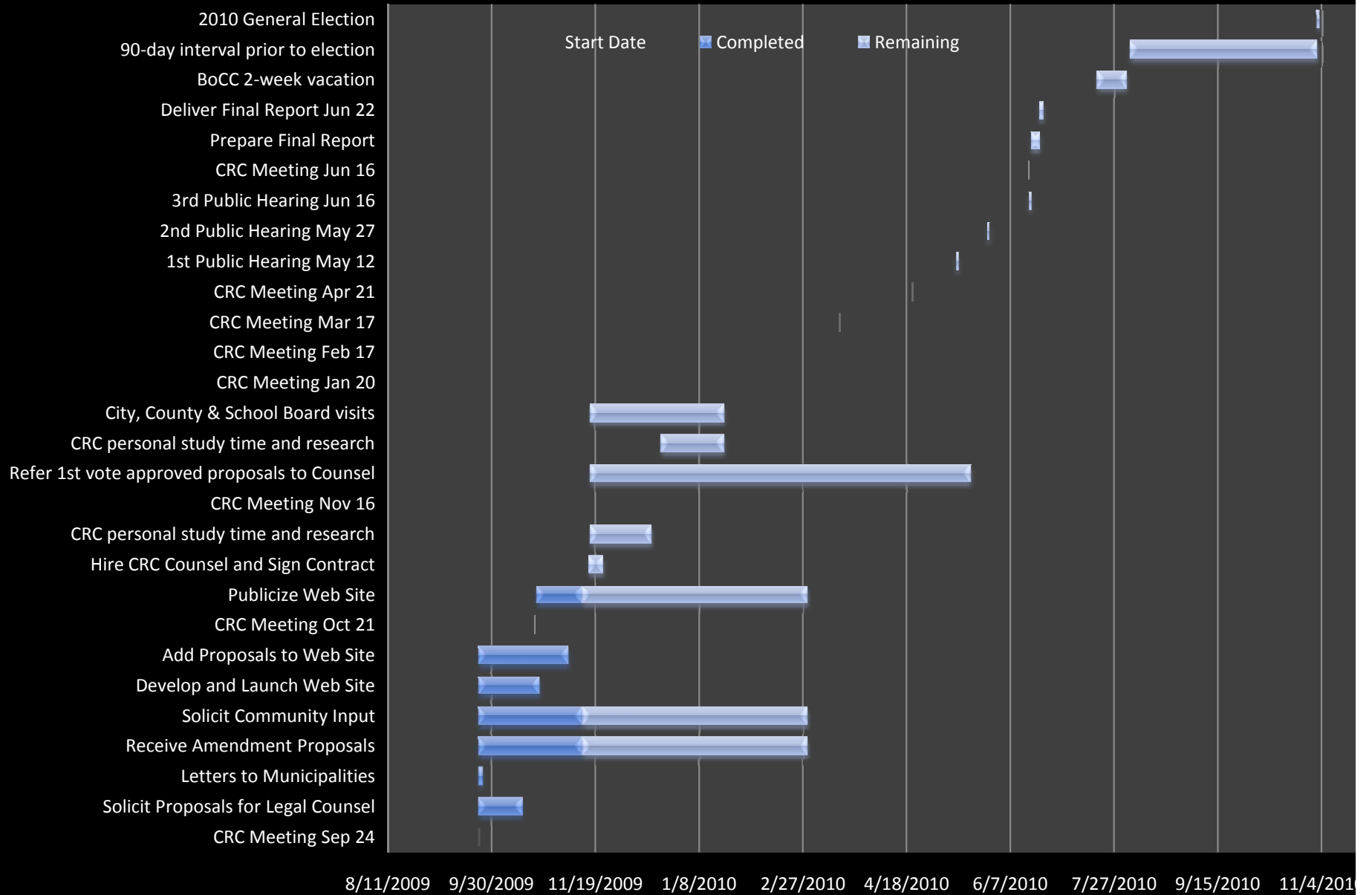
Sec. 4.3. Severance.

If any provision of this charter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the charter which can be given effect without the invalid provision or application, and to this end the provisions of this charter are declared severable.

Sec. 4.4. Home rule charter effective date.

This charter shall become effective on January 1, 1987.

Charter Review Commission Gantt Chart



Municipalities' Meeting Schedules:

City	Meeting Info
Alachua	1 st and 3 rd Monday of the month @ 7:00 PM
Archer	2 nd and 4 th Monday of the month @ 7:00 PM at Archer City Hall Chambers, 16870 SW 134 th Ave.
Gainesville	1 st and 3 rd Thursdays of the month @ 1:00 PM
Hawthorne	1 st Monday of the month @ 6:30 PM
High Springs	2 nd and 4 th Thursday of the month @ 6:30 PM
LaCrosse	2 nd Monday of the month @ 7:30 PM, City Hall, 20613 North State Road 121
Micanopy	2 nd Tuesday of the month @ 7:30 PM, Micanopy Town Hall, 706 NE Chokolka Blvd.
Newberry	2 nd and 4 th Monday of the month @ 7:30 PM, City Hall, 25440 W. Newberry Road
Waldo	2 nd Tuesday of the month @ 7:00 PM, Yerkes Center 14245 Cole Street
Alachua County BoCC	2 nd and 4 th Tuesday of the month @ 5:00 PM

2009-10 CHARTER REVIEW COMMISSION LIST OF PROPOSALS AND DISPOSITIONS

PROPOSAL TRACKING NUMBER	PROPOSAL	DATE RECEIVED	REMOVED BY VOTE OF CRC	REMOVED ON ADVICE OF COUNSEL	APPROVED FOR BALLOT
CRC-09-01	Elect BOCC on nonpartisan basis	09/28/09			
CRC-09-02	Elect Supervisor of Elections on nonpartisan basis	10/01/09			
CRC-09-03	County & City referendum required to impose requirement on municipality (3)	10/09/09			
CRC-09-04	Cap BOCC salary at average county income.	10/21/09			
CRC-09-05	Impose BOCC term limits Two terms. (2)	10/21/09			
CRC-09-06	Merge the City of Gainesville and Alachua County governments into one GOV'T. (2)	10/21/09			
CRC-09-07	BoCC to Appoint Constitutional Officers	10/28/09			
CRC-09-08	Require all county Depts to reflect county demographics	10/28/2009			
CRC-09-09	Impose term limits on county offices – Two 4-year terms	10/28/2009			
CRC-09-10	All sales tax referenda to be held at general election only	11-05-09			



Referenda to be held at General Elections Only

Any referenda required by this Charter, and any referenda required by general law before local option sales taxes may be levied, must be submitted to the electors at the next General election occurring at least sixty (60) days after the referendum is called for.

From: Joey Sharkey [mailto:joeysarkey@bellsouth.net]
Sent: Thursday, November 05, 2009 3:24 PM
To: J.K. "Buddy" Irby
Subject: Charter Review Commission

Good afternoon Mr. Irby,

I hope this email finds you well and I will get directly to my point. I am going to try to attend one of the CRC meetings, but in the event I cannot I wanted to email you my views.

It is imperative the voters have the ability to set our commissioners salaries. We should also be able to vote on term limits. Our government as a whole (local, state, federal) has grown entirely too large. On the local level our commissioners are supposed to be citizen servants and not long term leaders.

With lower salaries and the understanding their service is limited hopefully commissioners will do less damage.

Thank you Sir for your time and consideration,

Joey Sharkey
(C) 352-246-3096
joeysarkey@bellsouth.net



Alachua County Board of County Commissioners

Mike Byerly, *Chair*
Cynthia Moore Chestnut, *Vice Chair*
Paula M. DeLaney
Rodney J. Long
Lee Pinkoson

Administration
Randall H. Reid
County Manager

October 30, 2009

Honorable Chair and Members
Charter Review Commission
P.O. Box 2877
Gainesville, FL 32602-2877

Dear Honorable Chair and Members:

At the October 20th, 2009 Special Meeting on Alternative Funding Sources for Fire Rescue, the Board of County Commissioners voted the following:

"Refer the Unification of Fire Services to the Charter Review Commission to consider as a ballot question for the 2010 election. Further the Board of County Commission would like to express that by sending this item for their review in no way should influence the Committee as to their priorities or suggestions for Charter amendments on the ballot."

Sincerely,

A handwritten signature in blue ink that reads "Mike Byerly".

Mike Byerly, Chair
Alachua County Commission

MB/mvl

Chr10.014

cc: chair letter file

