

## 2020 Alachua County Charter Review Commission Agenda

Wednesday, June 24, 2020 – 5:30 p.m.

Commission Members-Douglas Bernal; K Richard Blount; Scott Camil; James Ingle; Nicholas Klein; Pradeep Kumar; Joe Little, Vice-Chair; Erroll “Stanley” Richardson; Tamara Robbins; James Thompson; Penny Wheat, Chair and Kristen Young

This meeting is a virtual meeting, as authorized by the Florida Governor’s Executive Order No. 20-69, and Alachua County Emergency Order No. 2020-10.

The public may attend virtually through Cox Cable Channel 12, Facebook, and the County’s Video on Demand Website. For meeting audio only, call **301-715-8592**, and when prompted, enter Meeting ID **670 695 3024**.

The public may submit comments to the CRC through email ([CharterReview@alachuacounty.us](mailto:CharterReview@alachuacounty.us)) or by calling into the public comment message line when prompted to call during the meeting.

Public comment will be taken by telephone on all non-ministerial items on which the CRC votes, and on CRC-related matters not on the agenda.

Once public comment is opened for an item under discussion, please call **929-205-6099**, and when prompted, enter Meeting ID **273 174 8038**. Callers will be put in a queue, and prompted when it is their turn to speak. **TO AVOID FEEDBACK, SPEAKERS MUST TURN DOWN THEIR MEETING SOUND WHEN ADDRESSING THE COMMISSION.**

Callers should state their name and limit comments to three minutes.

The public is encouraged to submit any written or photographic documents prior to the meeting to [CharterReview@alachuacounty.us](mailto:CharterReview@alachuacounty.us). Any questions regarding participation should be directed to the Alachua County Communications Office at (352) 374-5204.

Backup documents for indicated agenda items, including all charter amendments for which public hearings are being held, may be accessed online at the following web address:  
<https://alachuacounty.us/charterreview/>.

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*All persons are advised that, if they decide to contest any decision made at a any of these meetings, they will need a record of the proceedings and, for such purpose they may need to ensure a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to based. (Section 286.0105 Florida Statutes)*

*If you have a disability and need an accommodation in order to participate in this meeting, please contact the Alachua County Equal Opportunity Office at (352) 374-5275 at least 2 business days prior to the meeting. TTY users please call 711 (Florida Relay Service).*

2020 Alachua County Charter Review Commission  
Agenda – Wednesday, June 24, 2020 – 5:30 p.m.

1. Call to Order and Roll Call
2. Adoption of Agenda
3. Adoption of Minutes – June 10 (*Backup document available*)
4. Final Report – Approve Final Report; authorize Chair and CRC staff to work with County Communications staff to digitize the report; and authorize the Attorney to correct scrivener's errors. (*Backup document available*)
5. Public information program - (*Backup document available*)
6. CRC Guest Column – Approve guest column (*Backup document available*)
7. Attorney Invoice – Vose Law Firm (*Backup document available*) Approve invoice
8. Final Attorney invoice – Authorize Chair to approve a final invoice
9. Public Comment – on any CRC-related matter not on the Agenda (not to exceed 30 minutes)
10. Member Comments
11. Attorney and Staff Comments
12. Information Items (*Backup document - if available*)

ITEM 1 – Call to Order and Roll Call



ITEM 2 – Adoption of the Agenda



ITEM 3 - Adoption of Minutes – June 10 (*Backup document available*)

# DRAFT-DRAFT-DRAFT #2

## 2020 ALACHUA COUNTY CHARTER REVIEW COMMISSION

MINUTES-June 10, 2020

5:30PM VIRTUAL MEETING

Next Meeting-June 24, 2020

### 1. Call to Order and Roll Call (06:13Minutes)

Chair Wheat called the meeting to order at 5:30PM and made opening comments, which included an explanation of the public comment opportunities and the telephone number to call; and where to follow televised streaming and the telephone number to call for audio only (for those without computers.) Liaison Lannon called the roll and a quorum was established with 10 members present at Roll Call.

Commissioner Bernal: Present

Commissioner Richardson: Present

Commissioner Blount: Absent

Commissioner Robbins: Present

Commissioner Camil: Present

Commissioner Thompson: Present

Commissioner Ingle: Present

Commissioner Young: Absent

Commissioner Klein: Present

Vice-Chair Little: Present

Commissioner Kumar: Present

Chair Wheat: Present

Commissioner Young arrived at 5:37PM and Commissioner Blount arrived at 5:41PM.

### 2. Adoption of the Agenda (11:50 Minutes)

Vice Chair Little moved and Commissioner Klein seconded to adopt the agenda.

Attorney Vose provided advice on the procedure to follow regarding reading and considering the Resolutions.

Commissioner Blount moved and Commissioner Robbins seconded to amend the motion to adopt the agenda by reading the full language that will appear in the Charter at the beginning of discussing each item. **Amendment Motion failed 2-10** with Commissioners Blount and Robbins voting yes.

**Main Motion to adopt the agenda carried 12-0.**

3. Adoption of Minutes May 27, 2020 (26:00 Minutes)

Vice-Chair Little moved and Commissioner Klein seconded to adopt the May 27<sup>th</sup> Minutes Version #3.  
**Motion carried 12-0.**

4. Public Hearing Question #A1-County Charter Amendment Establishing County Growth Management Area (27:00 Minutes)

Chair Wheat called on Attorney Vose, who read the ballot title and summary, which were displayed on screen with the public comment telephone number and the ID code. Chair Wheat opened the Public Hearing.

James Stephens spoke against the Resolution because of misleading language and maps.

David Hillman spoke against the Resolution because of affordable housing and confusing jurisdiction issues.

There being no further callers, Chair Wheat closed the public hearing.

5. Adoption of CRC Resolution 2020-01

Commissioner Thompson moved and Commissioner Young seconded to adopt CRC Resolution 2020-01. Chair Wheat called on Attorney Vose, who read the title of the resolution.

**Motion carried 10-2** with Commissioners Klein and Robbins voting no.

6. Public Hearing Question #B-County Charter Amendment to Identify and Eliminate Racial, Economic, and Gender Bias in County Policies (54:05 Minutes)

Chair Wheat called on Attorney Vose, who read the ballot title and summary, which were displayed on screen with the public comment telephone number and ID code.

Attorney Vose provided information on the action taken by the Board of County Commissioners.

Chair Wheat opened the public hearing.

David Hillman spoke about the possibility of lawsuits.

Anna Prizzia spoke in support of the Resolution but indicated some language was confusing.

Sharon Daniels spoke about two possible amendments on the ballot, the role of staff, and the advisory board/committee application process

Elizabeth Lunior spoke in support of the Resolution and the need for accountability.

Sarah Younger spoke about a Toolkit and data outcomes.

Luke Tobus spoke of support of the Charter Amendment, the program to implement and the advisory board/committee application process.

There being no further callers, Chair Wheat closed the public hearing.



7. Adoption of CRC Resolution 2020-02

Commissioner Thompson moved and Commissioner Ingle seconded to adopt CRC Resolution 2020-02. Chair Wheat called on Attorney Vose, who read the title of the resolution.

**Motion failed 6-6** with Commissioners Bernal, Camil, Richardson, Robbins, Young and Vice-Chair Little voting no.

The meeting recessed at 7:28PM and reconvened at 7:39PM.

8. Public Hearing Question #C-County Charter Amendment Creating Environmental Protection Officer as Charter Officer (2:15 Hours)

Chair Wheat called on Attorney Vose, who read the ballot title and summary, which were displayed on screen with the public comment telephone number and ID code. Chair Wheat opened the public hearing.

Michael Hill wanted to speak on the next item and indicated that he would call back.

David Hillman spoke against the Resolution.

Sarah Younger spoke in support of the Resolution and stated that the proposal raises the level of awareness of environmental issues in the County.

Chair Wheat read an email from Chris Bird, who had requested it be read into the record.

There being no further callers, Chair Wheat closed the public hearing.

9. Adoption of CRC Resolution 2020-03

Commissioner Camil moved and Commissioner Thompson seconded to adopt CRC Resolution 2020-03.

Chair Wheat called on Attorney Vose, who read the title of the resolution.

Commissioner Robbins read into the record an email from Randy Reid.

Commissioner Robbins indicated that a citizen had indicated via e-mail that citizen comment needs to be kept open longer for persons navigating one device. Attorney Vose stated that the CRC could do that.

**Motion failed 6-6** with Commissioners Bernal, Blount, Richardson, Robbins, Young and Vice-Chair Little voting no.

10. Public Hearing Question #D-County Charter Amendment Establishing Alachua County Affordable Housing Trust Fund (3:08 Hours)

Chair Wheat called on Attorney Vose, who read the ballot title and summary, which were displayed on screen with the public comment telephone number and ID code. Chair Wheat opened the public hearing.

Michael Hill spoke in support of the Resolution and public housing.

David Hillman spoke in support of the Resolution and the cost of building affordable housing.



Sarah Younger spoke in support of the Resolution and the use of trust funds on the West Coast of the United States.

There being no further callers, Chair Wheat closed the public hearing.

11. Adoption of CRC Resolution 2020-04

Commissioner Ingle moved and Commissioner Thompson seconded to adopt CRC Resolution 2020-04 with the amendment that in the event another Charter Amendment adding Section 1.8 to the Alachua County Charter is approved at referendum that this section would be numbered 1.9. Chair Wheat called on Attorney Vose, who read the title of the resolution.

**Motion carried 8-3** with Commissioner Camil, Young and Vice-Chair Little voting no and Commissioner Blount absent.

12. Public Hearing Question #E-County Charter Amendment Cleanup Amendment Removing Unconstitutional Provisions (3:42 Hours)

Chair Wheat called on Attorney Vose, who read the ballot title and summary, which were displayed on screen with the public comment telephone number and ID code. Chair Wheat opened the Public Hearing. There were no public comments. Chair Wheat closed the public hearing.

13. Adoption of CRC Resolution 2020-05

Commissioner Robbins moved and Commissioner Klein seconded to adopt CRC Resolution 2020-05. Chair Wheat called on Attorney Vose, who read the title of the resolution. **Motion carried 12-0.**

14. Public Hearing Question #F-County Charter Amendment Concerning Candidate Treasurer Report Requirements (3:49 Hours)

Chair Wheat called on Attorney Vose, who read the ballot title and summary, which were displayed on the screen with the public comment telephone number and ID code. Chair Wheat opened the public hearing. There were no public comments. Chair Wheat closed the public hearing.

15. Adoption of CRC Resolution 2020-06

Vice-Chair Little moved, and Commissioner Klein seconded to adopt CRC Resolution 2020-06. Chair Wheat called on Attorney Vose, who read the title of the resolution. **Motion carried 12-0.**

16. Tabled Motion re: order of ballot proposals/Adoption of CRC Resolution 2020-07 (3:52 Hours)

Vice-Chair Little moved and Commissioner Young seconded to remove from the table Commissioner Thompson's motion from December 11th "the Charter Review Commission shall clearly indicate to the Board of County Commissioners and the Supervisor of Elections its preferred order of appearance on ballot for amendments". **Motion carried 12-0.**

Vice-Chair Little moved and Commissioner Robbins seconded to adopt Resolution 2020-07 placing the charter amendments in the following order 1. Land Use 2. Affordable Housing 3. Unconstitutional Clean-up and 4. Campaign Treasurer Report. Chair Wheat called on Attorney Vose, who read the title of the resolution. **Motion carried 12-0.**

Vice-Chair Little moved and Commissioner Camil seconded for the Chair to send a letter to the County Commission requesting the CRC amendments appear before the County Commission amendments on the ballot. **Motion carried 11-1** with Commissioner Blount voting no.

17. Agreement with Alachua County Clerk of Court (4:01 Minutes)

Vice-Chair Little moved and Commissioner Klein seconded to accept the Clerk's letter of June 3 and enter it into the record of the meeting.

Attorney Vose advised that he had spoken with the Clerk and did not anticipate any issues.

**Motion carried 12-0.**

18. Referral of eliminated proposals (4:05 Hours)

Commissioner Robbins offered the following amendments:

1. Re-Bold a final sentence
2. Insert language on # 76 Impact Fees
3. Election voting machines in SOE letter
4. Rights of Nature-convince "a majority" not us
5. Bold items when recommendations
6. All titles underlined
7. Bolded language concerning Website
8. Ranked voting in SOE letter
9. MSTU listed out
10. Interlocal agreements to all municipalities
11. Noise Pollution to City of Gainesville letter and municipalities

Vice-Chair Little moved and Commissioner Klein seconded to approve the letters as amended.

The Chair opened up for public comment. There was no public comment.

**Motion carried 12-0.**

Chair Wheat discussed the letter to the 2030 Charter Review Commission. Chair Wheat suggested e-mailing any edits/amendments.

19. Final Report (4:18 Hours)

Chair Wheat explained that she provided a draft final report and the need for two biographies. Chair Wheat requested that comments be sent to Liaison Lannon.

20. Attorney Invoice (4:21 Hours)

Vice-Chair Little moved and Commissioner Richardson seconded to approve invoice #1567 dated June 30<sup>th</sup> 2020 for \$22,010.00. **Motion carried 11-0** with Commissioner Blount absent.

21. Public Comment (4:23 Hours)

Chair Wheat opened for public comment.

County Commissioner Ken Cornell thanked each of the Commissioners and the Commission as a whole.

Vice-Chair Little left the meeting at 9:50PM.

22. Member Comment (4:26 Hours)

Commissioner Robbins recommended meeting on a Wednesday, and inquired about the County hiring outside council regarding Senate Bill 420.

Commissioner Bernal spoke about County Commissioner Cornell.

Commissioner Young, Ingle and Kumar thanked the Commissioners.

Commissioner Klein thanked the Commissioners and said he enjoyed spending his birthday in the meeting.

Chair Wheat thanked Liaison Lannon, Attorney Vose, Josh Massre and Alan Yetter.

23. Attorney and Staff Comments

There were no Attorney or staff comments

24. Information Items

Information Items are attached in the minutes.

Commissioner Klein moved and Commissioner Kumar seconded to adjourn the meeting. Motion carried 11-0 with Vice-Chair Little absent. The meeting adjourned at 10:00PM.



ITEM 4 – Final Report – Approve Final Report; authorize Chair and CRC staff to work with the County Communications staff to digitize the report; and authorize the Attorney to correct scrivener's errors.

(Backup document available)





# 2020 Alachua County Charter Review Commission

## Report to the Citizens of Alachua County

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*Top row, L-R: Joe Little, Kali Blount, Penny Wheat, Wade Vose. Row 2, L-R: James Thompson, Kristin Young, Tamara Robbins, Douglas Bernal. Row 3, L-R: Stan Richardson, Scott Camil, James Ingle, Nicholas Klein. Row 4: Pradeep Kumar. May, 2020*

## Introduction

June 24, 2020

This was no “normal” tenure of the once per decade Alachua County Charter Review Commission (CRC).

Most of us spent our December holidays aware that a virus was spreading in China. During the March 11th meeting, the CRC discussed whether this virus’ transmission in the United States might affect future CRC meetings. That March 11th meeting was our last held in-person, as the Covid-19 global pandemic forced the shutdown of business throughout the world, and in Alachua County for almost two months. With deadlines to meet, the CRC began April 21st to hold online “virtual” meetings and public hearings.

On April 12, 2020, the Johns Hopkins Covid-19 dashboard displayed the following - worldwide: infections 1,793,224; deaths 110,052. Alachua County: infections 177; 0 deaths. On June 15, 2020 the Johns Hopkins Covid-19 dashboard displayed the following - worldwide: infections 7,969,003; deaths, 434,669. Alachua County: infections 541; deaths 10. Beginning in late March, Alachua County has been subject to State of Florida Executive and Alachua County Emergency Orders.

In nine months (September 26, 2019-June 24, 2020), the CRC held 16 meetings and 3 public hearings. Extensive public outreach resulted in numerous published media reports, and the CRC website’s online form received 80 submittals - more than any previous CRC. After significant public debate and discussion, the CRC advanced twelve submittals for legal analysis and six proposals to public hearings.

On June 10<sup>th</sup>, the CRC approved 4 Charter amendments for voters to consider on the November 3rd general election ballot: County Growth Management Area; Affordable Housing Trust Fund; “Cleanup” Amendment Removing Unconstitutional Provisions; and Candidate Treasurer Reports. The CRC also sent letters with referrals to each municipality; the County Commission; and the Metropolitan Transportation Planning Organization. Those referrals are public submittals, deemed by the CRC as improper for inclusion in the Charter, that are appropriate ideas to be explored by policy makers.

Though life as we knew it has been altered in this extraordinary time in our history, one principle has not changed: the process of deliberating local home rule authority is still of great public importance. With robust public participation – and the ability to adapt to unprecedented circumstances – the CRC met its Charter obligations. The 2020 Alachua County Charter Review Commission hereby submits this report of its 2019-2020 activities to the Alachua County public.



**2020 Alachua County Charter Review Commission (CRC)  
Report to the Citizens of Alachua County**

**Table of Contents**

**Introduction**  
**Ballot Recommendations**  
**History and Duties**  
**Member Appointments**  
**Legal Counsel**  
**Staff Liaison and County Support**  
**Meetings**  
**Public Outreach**  
**Submission/Consideration of Proposals**  
**Narrowing of Proposals**

**List of Appendices**

**Appendix A – Resolutions of 4 charter amendments transmitted to Board of County Commissioners for placement on November 3, 2020 ballot**  
**Appendix B – Map of Proposed County Growth Management Area (June 12)**  
**Appendix C – History of Previous Alachua County CRCs; Attorney Torres memo email re: document source**  
**Appendix D – Clerk of Court Memorandum for staff services**  
**Appendix E – Recommendations for the 2030 Charter Review Commission**  
**Appendix F – Guides to Charter Commissions**  
National Civic League, Guide for Charter Commissions, sixth edition; Local Government Review article  
**Appendix G – CRC letter to County Manager**  
**Appendix H - Timeline**  
**Appendix I – Agendas**  
2020: June 10; May 27; May 13; May 6; May 4; April 29; April 22; April 21; March 11; February 26; February 12; January 29; January 22; January 8. 2019: December 11; November 13; October 30; October 8; September 26.  
**Appendix J – Minutes**  
2020: June 10; May 27; May 13; May 6; May 4; April 29; April 22; April 21; March 11; February 26; February 12; January 29; January 22; January 8. 2019: December 11; November 13; October 30; October 8; September 26.  
**Appendix K – Public outreach program; example outreach efforts**

Communications Office memo; Chair letter to Elected Officials; Chair letter to editor; list of known published articles; sample Communications Office media release; Welcome remarks – CRC meetings; Address List

**Appendix L – Online submittal form**

**Appendix M – Staff liaison weekly updates**

1;2;3;4;5;6;7;8;9;10;11;12;13;14;15;16;17;18;19;20

**Appendix N – Chart of 2020 proposals by title and CRC disposition**

**Appendix O - 2020 original proposals as submitted**

**Appendix P - CRC Rules of Procedure (as amended January 29, 2020)**

**Appendix Q - Lobbyist Disclosure policy**

**Appendix R -Legal Review and Analysis of CRC Advanced Items**

Access to Public Records Online; Alternatives to Rights of Nature Proposals; County Land Use Regulation Area; Drat Impact Fee Work Product; Charter Officer of Environmental Protection; Identify and Eliminate Racial, Economic and Gender Bias; Revised Ballot Language for County Growth Management Area; Removal of Unconstitutional Provisions; Remove Requirement for Candidate Treasurer Paper Report; Required Affordable Housing; Revised Ballot Language Options

**Appendix S- Title summary and ballot question for proposals advanced to public hearing (as amended May 13 & May 27, 2020)**

**Appendix T – Some data and maps considered during CRC deliberations**

- Presentation and timeline (Supervisor of Elections)
- County comparisons; and charter county comparisons (Florida Association of Counties)
- Rural Concerns Advisory Committee letter
- Alachua County Commissioners and terms of office (maintained by County Manager’s office)
- Racial Equity Resource Guide (Government Alliance on Race and Equity, GARE)
- Presentation, Inclusive Housing (Alachua County Growth Management Department)
- Map, Climate Migrants (Alachua County Environmental Protection Department)
- Poster/Map, Alachua County Countywide Visioning and Planning Committee (2005)
- Estimated Acreage Change by Jurisdiction in Alachua County, as of February 18, 2020;
- Estimated Acreage Change by Jurisdiction in Alachua County, updated June 2, 2020;
- Population Density by Jurisdiction – June 2, 2020 (Alachua County Growth Management Department)

**Appendix U – Letters of referral of CRC eliminated items**

Municipalities; County Constitutional Officers; Alachua County Commission (with attachments 1-2); School Board; Metropolitan Transportation Planning Organization

**Appendix V – Declarations of Emergency**

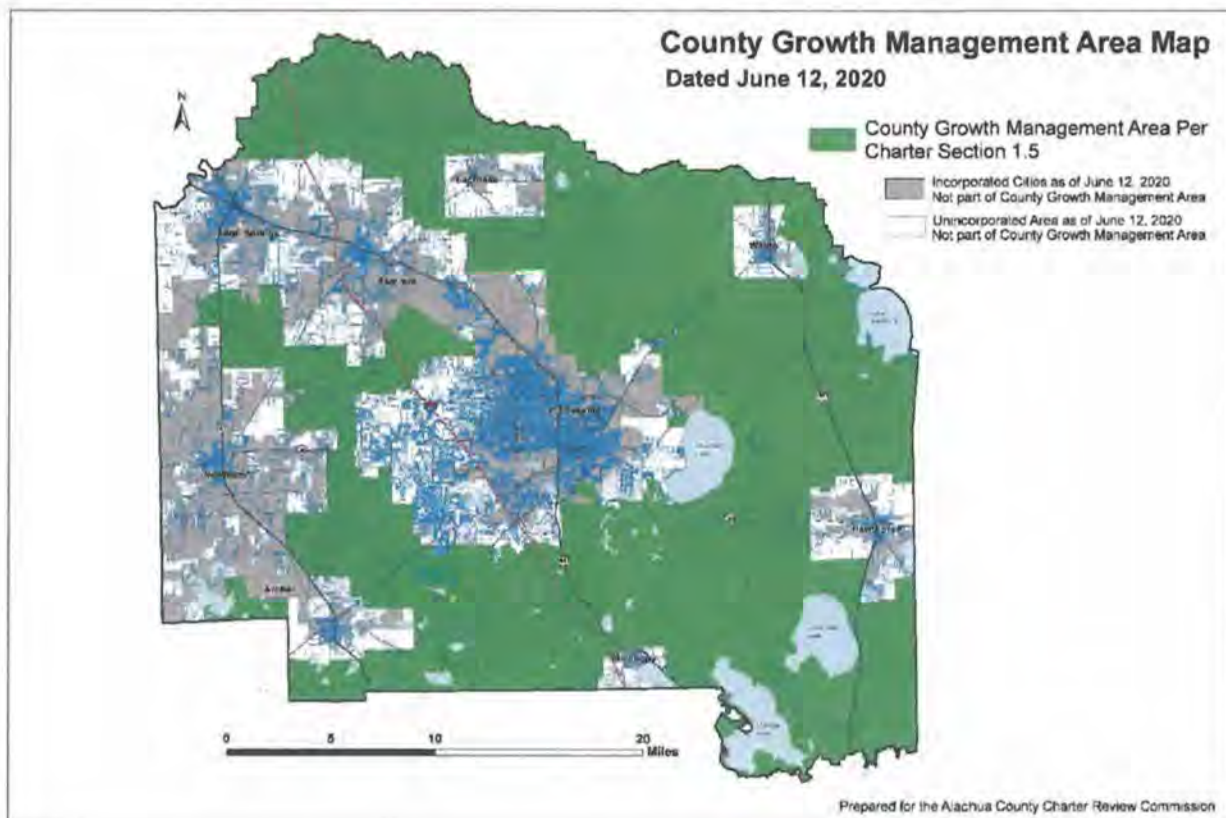
Alachua County Emergency Order; County Attorney Memo and Governor’s Executive Order

## Charter Amendments – November 3, 2020

At its June 10<sup>th</sup> meeting, the CRC voted to place on the November 3, 2020 general election ballot four County Charter amendments. The resolutions for each item, with ballot title, summary and text revisions, are translated into Spanish (as required by a Federal Court order) and included in **Appendix A**. The map (dated June 12, 2020) of the proposed County Growth Management Area is found at **Appendix B**.

### **The four charter amendments are:**

**County Growth Management Area.** This amendment would establish a “County Growth Management Area”. On land within the Area, the County’s comprehensive plan and land development regulations would exclusively govern land development, even if a parcel of land is later annexed into the boundaries of a city. A map of the proposed County Growth Management Area is shown below; the scalable (zoom in/out) version is available on the CRC website. The County Growth Management Area was designed as a compromise, providing areas outside existing city borders where cities could still exercise land use control after annexation. The amendment also allows the County Commission to remove property from the County Growth Management Area only by a supermajority vote.





**Affordable Housing Trust Fund.** This amendment would create an Affordable Housing Trust Fund used to create and sustain affordable housing. The County Commission can fund the Trust Fund from fees on new commercial and residential development and other sources, but the charter amendment does not itself create or authorize any new taxes or fees. The Trust Fund can also accept donations of any kind. If approved by voters, the County Commission would be required to administer the fund, obtain an annual audit, and spend any funds in the Trust Fund to support affordable housing.

**“Cleanup” Amendment Removing Unconstitutional Provisions** – This amendment would remove two unconstitutional and unenforceable provisions from the County Charter. First, the amendment would remove a provision that unconstitutionally prohibits protections based on sexual orientation, sexual preference, or similar characteristics. Second, the amendment removes a provision that imposes unconstitutional residency requirements for Alachua County Commission candidate qualifying. Even if this amendment is not approved, these provisions would remain unenforceable, but they would continue to clutter the County Charter.

**Candidate Treasurer Reports** – This amendment retains the existing requirement that candidates for county office file campaign treasurer reports electronically but removes the requirement that they also file the same campaign treasurer reports on paper. This amendment modernizes the campaign finance disclosure process in Alachua County, and was suggested by the Supervisor of Elections.

### **Charter Review Commission - History and Duties**

Approved by the electorate in November 1986, Alachua County’s Home Rule Charter became effective on January 1, 1987. The Charter provides for formation of a Charter Review Commission (CRC) every ten years beginning in 1990 and specifies that the Board of County Commissioners (County Commission) shall appoint the CRC. The CRC is charged with the responsibility to review the County Charter and propose any amendments or revisions which may be advisable for placement on the general election ballot. **Appendix C** provides a history of previous Alachua County CRCs.

There is a significant difference between a Charter Review Commission and County advisory boards and committees. County boards and committees are tasked with considering County Commission-referred items or developing recommendations which are provided to the County Commission. Because it reviews potential Charter changes for the voters to consider, the CRC is external to the County Commission.

The CRC requires dedicated staff support and legal services, which the Charter obligates the County to finance from the general fund. The 2020 CRC hired the Vose Law Firm (Winter Park, Florida) and selected a Staff Liaison through an existing Alachua County Temp Force purchase order. To ensure the CRC had staff support it might need from the final (June 10<sup>th</sup>) public

hearing until the November 3<sup>rd</sup> general election, the Alachua County Clerk of the Circuit Court issued a "Clerk CRC Memorandum" [Appendix D], in which he agreed to provide, at no charge, services to the CRC. Other services (Communications, Information and Telecommunications, etc.) were provided by the County Commission, also at no charge to the CRC.

### Member Appointments

On September 10, 2019, pursuant to 4.2B of the Home Rule Charter, the County Commission appointed members (12) to the Charter Review Commission. The organizational meeting was conducted on September 26, 2019 and a Chair (Penny Wheat) and Vice-Chair (Joe Little) were selected from among the membership. The following Alachua County residents were appointed:

**Douglas Bernal** is a U.S. Army Veteran and current Vice-president of Veterans for Peace, Chapter 14. Following the expiration of his military term of service, Douglas moved back to his home, Alachua County. Since his return, he has spent his free time serving our community by working for local nonprofits, volunteering with numerous local organizations, and serving on the Alachua County Charter Review Commission.

A native of Detroit, **Kali Blount** is a graduate of Wayne State University (Political Science and Urban Studies.) While working at Alabama A&M University, he was offered a fellowship by the Dean of Minority Graduate Programs at UF, where he became involved with the Black Student Union. Since 2009, he has served as a Board member of the Alachua County Housing Authority. A registered nurse, he is also a certified cardiopulmonary technician.

A 1973 graduate of the University of Florida, **Scott Camil** was a Sergeant in the Marine Corps and received two Purple Hearts during his 20 months in Vietnam. He is the Founder and President of the Gainesville Chapter of Veterans for Peace; Political Chair of the Suwannee-St. Johns Group/Sierra Club; and Founder and Coordinator of Stand by Our Plan.

**Eric Drummond** has lived in Alachua County his entire life. A Project Director for Charles Perry Partners Inc., he oversees commercial construction projects in the local area. He serves on the Board of the Builders Association of North Central Florida; the Southwest Advocacy Group CHILD Center; and previously served as Vice-Chair of the Alachua County Planning Commission.



*L to R: Douglas Bernal; Eric Drummond; James Thompson; James Ingle; Joe Little; Penny Wheat;*



*Scott Camil; Tamara Robbins; Pradeep Kumar; Stan Richardson; Kristin Young (absent, Kali Blount.)  
Standing, L to R: Wade Vose, Kurt Lannon. October, 2019*

**James Ingle** has lived in Alachua County since the late 1990's. He is an electrician, an electrical apprenticeship instructor, and President of the International Brotherhood of the Electrical Workers Local 1205. He is active in several organizations focused on workers' rights.

**Nicholas Klein** enlisted in the US Army following the 9/11 attacks and served as a paratrooper with the 82nd Airborne Division in Afghanistan and Iraq. He graduated from Saint Leo University in 2012 with a Bachelor of Arts degree in Political Science and International Studies. He is currently the Chair of the Alachua County Veterans Services Advisory Board and, with his wife and three children, owns a 5-acre homestead in High Springs.

A retired Physics Professor at the University of Florida, **Pradeep Kumar** has also served as a visiting Professor at several National and International education institutions. During 2014-2015, he served as Chair of the UF Faculty Senate, which simultaneously made him a member of the University of Florida Board of Trustees.

An emeritus Professor of Law at the University of Florida Levin College of Law, **Joe Little** has taught local government and Florida constitutional law since 1967. He is a former Mayor-Commissioner of the City of Gainesville and has been active in local and State matters, often representing clients in public interest lawsuits.

**Erroll "Stanley" Richardson** has been writing poetry since he was a child. A University of Florida Alum and Founder/Director of ARTSPEAKSgny, "Bringing Poetry and People Together", he was selected by the Alachua County Commission as the County's first (2020) Poet Laureate. A published author, he serves as Director of the North Central Florida/Alachua County Youth Poet Laureate Program and has received numerous poetry awards.

Public service introduced **Tamara Robbins** to many aspects of local government: in 2001, she was elected to the Alachua City Commission, where she chose to serve one term. The term "watchdog" would easily apply to her continued interest in holding government accountable. An Alachua County resident since 1994, she raised two children who are each graduates of the Florida public university system.

A painter and carpenter, **James Thompson** is a 25-year resident of unincorporated and urban Alachua County. He is active in renters' rights, living wage, and growth management issues, as well as reforming historical inequities in our policing, justice, and jail systems. James was raised in rural South Texas, where he learned the importance of water, agriculture, and land management.

Known for her support of neighborhoods, public health and natural resources, **Penny Wheat** is a citizen advocate who served 16 years as an Alachua County Commissioner. She worked with County functional groups and on a team that spearheaded energy reduction policies, and also



served on the Alachua County Energy Conservation Strategies Commission; Gainesville Police Department's District 3 Council; and the School Board sales tax oversight committee.

**Kristen Young** works as a grant researcher and community project coordinator in Gainesville, where she received her bachelor's and master's degrees from the University of Florida. She serves on county and local boards to advocate for better growth and development, multimodal transportation, environmental protection, and equitable access to services.

Note: **Eric Drummond** resigned on January 31, 2020. After original applicants were contacted to determine their desire to serve, the County Commission appointed (February 11, 2020)

**Nicholas Klein** to replace former Commissioner Drummond.

### Legal Counsel

At its meeting on September 26, 2019 the CRC reviewed written proposals and discussed qualifications of legal firms that had replied to a Request for Proposals, issued by the County Attorney's Office on September 5<sup>th</sup>. The CRC invited four firms to the October 30, 2019 meeting for an interview and presentations: Gray Robinson; Nabors, Giblin, and Nickerson; Vose Law Firm; and Alison Yurko Law Firm. At that meeting, the CRC selected the Vose Law Firm. The Alachua County Commission approved the contract with the Vose Law Firm on November 12, 2019.

**Wade Vose** is Board Certified by the Florida Bar in City, County and Local Government Law, and is the managing partner of the Vose Law Firm in Winter Park. In addition to serving as County Attorney or City Attorney for local governments throughout Florida, Mr. Vose previously served as General Counsel to the Orange County Charter Review Commission (twice), the Brevard County Charter Review Commission, the Clay County Charter Review Commission, and the Pinellas County Charter Review Commission. Mr. Vose is a proud double Gator and was thankful for the opportunity to regularly visit Alachua County during his work for the CRC.

### Staff Liaison and County Support

At the October 30, 2019 meeting the CRC heard brief presentations from four Staff Liaison candidates made available by the Temp Force Employment Agency through an existing Alachua County purchase order. The County Manager's Office provided a job description to the agency. The CRC selected Kurt Lannon as the Staff Liaison after the first selected candidate declined the position. The Staff Liaison was provided a desk, telephone, and computer, as well as other basic administrative support, on the second floor of the County Administration Building.

With extensive local government management experience in Alachua County, **Kurt Lannon** served as Clerk of the Commission for the City of Gainesville; Grants Coordinator for the Gainesville Police Department; City Clerk/Manager, City of Waldo; and Grants Coordinator for the Alachua County Housing Authority. Kurt received a Master's in Public Administration from the University of West Florida in 1985 and in 1982, a B.S. in Resource Management from the

State University of New York College of Environmental Science and Forestry at Syracuse University.

2020 CRC and Staff Liaison observations and recommendations about the administrative and staffing process are included in **Appendix E**. **Appendix F** includes articles which thoroughly explain responsibilities and duties of charter commissions.

The CRC believes that the process of deliberating local home rule authority is of great public importance, as is the availability of the information necessary for the public to fully participate. Thus, the CRC had to request [**Appendix G**] that the County Manager restore to the County website historical documents; videos; past CRC reports; and presentations to/minutes of relevant County Commission meetings. This, and a significant amount of other public information previously accessible to the public online was removed as part of the County's response to a 2019 lawsuit that alleged the documents posed a difficulty for those who are sight impaired.

The CRC formally requested of the County Commission support from the County Communications and Information/Telecommunications Offices. Their exceptional assistance and dedication to the CRC mission resulted in creation of a website with a plethora of information updated for each meeting; an online form for the public to submit amendment proposals; a robust public outreach program; and hosting virtual meetings necessitated by the Covid-19 global pandemic.

### Meetings

The CRC met a total of 16 times from September 26, 2019 through May 6, 2020. In addition, three required public hearings were held May 13, May 27 and June 10, 2020. A timeline of all meetings is found at **Appendix H**. All meetings were well attended by CRC members and had active citizen participation. Most meetings were broadcast live over Channel 12 government access television, as well as the Alachua County website media player and Facebook.

Initial CRC meetings dealt with adoption of basic administrative procedures necessary to create the organization: rules of procedure; meeting schedules; hiring of staff liaison and attorney, etc. This was complicated by a late CRC appointment date and approaching holidays. All meeting agendas, backup materials, meeting minutes, audio/video recordings and miscellaneous documents were available via the CRC website, which was found at:

<https://alachuacounty.us/charterreview/pages/default.aspx> The CRC website was featured and easily located on the Board of County Commissioners main page. CRC agendas were posted on both the main County page and the CRC page. For agendas and minutes, see **Appendix I and J**.





## Public Outreach – Initial Phase

On October 4, 2019, the Chair was authorized to send a letter about the CRC and to solicit proposals: this letter was sent to the County Commission; the Mayor and Commissioners of each municipality; the School Board; and County Constitutional Officers. As a result, the County Commission and Supervisor of Elections submitted proposals (#20,21; and #24, respectively), and individual elected members of some municipalities attended CRC meetings.

With the assistance of staff from the Alachua County Communications Office, the Chair and Vice-Chair separately filmed segments on *Alachua County Talks*, broadcast on Channel 12; the County's website; and prominently located on the CRC website. On December 11, 2019, the County Communications Director made a presentation on public outreach efforts.

From November through January, Commissioner Thompson attended municipal meetings in Alachua, Archer, Gainesville, LaCrosse and Micanopy. Commissioner Camil made a presentation to the National Association for the Advancement of Colored People (NAACP) on February 18, 2020. Numerous media articles and/or editorials were published concerning the Alachua County Charter Review Commission process. The County's Communications Office published a media release every Friday prior to a CRC meeting. The public outreach program, as well as some of these letters and other published items, are included in **Appendix K**.



**Alachua County 2020 Charter Review Commission**

**2020 Charter Review Commission Amendment Suggestions**

**March 31 - Last day for submittals**

The Alachua County 2020 Charter Review Commission welcomes your input and recommendations to be considered as part of the charter review process. Please share your comments on charter issues, including details regarding referendums for consideration by the commission.

Under Florida Law, Charter Review Commission Amendment Suggestions are Public Records. If you do not want your name, phone number or e-mail released, do not fill out this electronic form.

Proposed Charter Amendment Topic (required)

*This field is required*

Name (required)  Phone (required)

Email (required)

Summary of proposed charter amendment (required)

### **Submission/Consideration of Proposals**

The 2020 Charter Review Commission process featured an online submittal form for accepting Charter Amendment proposals. Any member of the public or CRC was able to submit one or more proposed Charter amendments, not expected to be in final form. Proposals, requested to address only one subject, were accepted via the online form on the CRC website, by postal mail, or email to the CRC at: [CharterReview@alachuacounty.us](mailto:CharterReview@alachuacounty.us) More proposals (80) were received in 2019-2020 than by any previous CRC.

The electronic process loaded Amendment proposals in real time so that all submittals became simultaneously available to the public, CRC members, staff, and the media. The online submittal form **[Appendix L]** was active from October 24, 2019 3:46PM to March 31, 2020 midnight. The March 31<sup>st</sup> final submittal date was recommended by Attorney Vose and approved by the CRC in order to begin to eliminate proposals from consideration.

The staff liaison compiled the list of submitted proposals and emailed the list to each member of the CRC and Attorney on a weekly basis utilizing a Weekly Proposal Update format. Twenty Proposal Updates were e-mailed to CRC members from November 15, 2019 until March 31, 2020. Weekly updates are attached in **Appendix M**.

To be considered, a submittal had to be placed before the CRC via a motion (sponsor) and a seconder. The Commission then utilized the following criteria to evaluate the proposals.

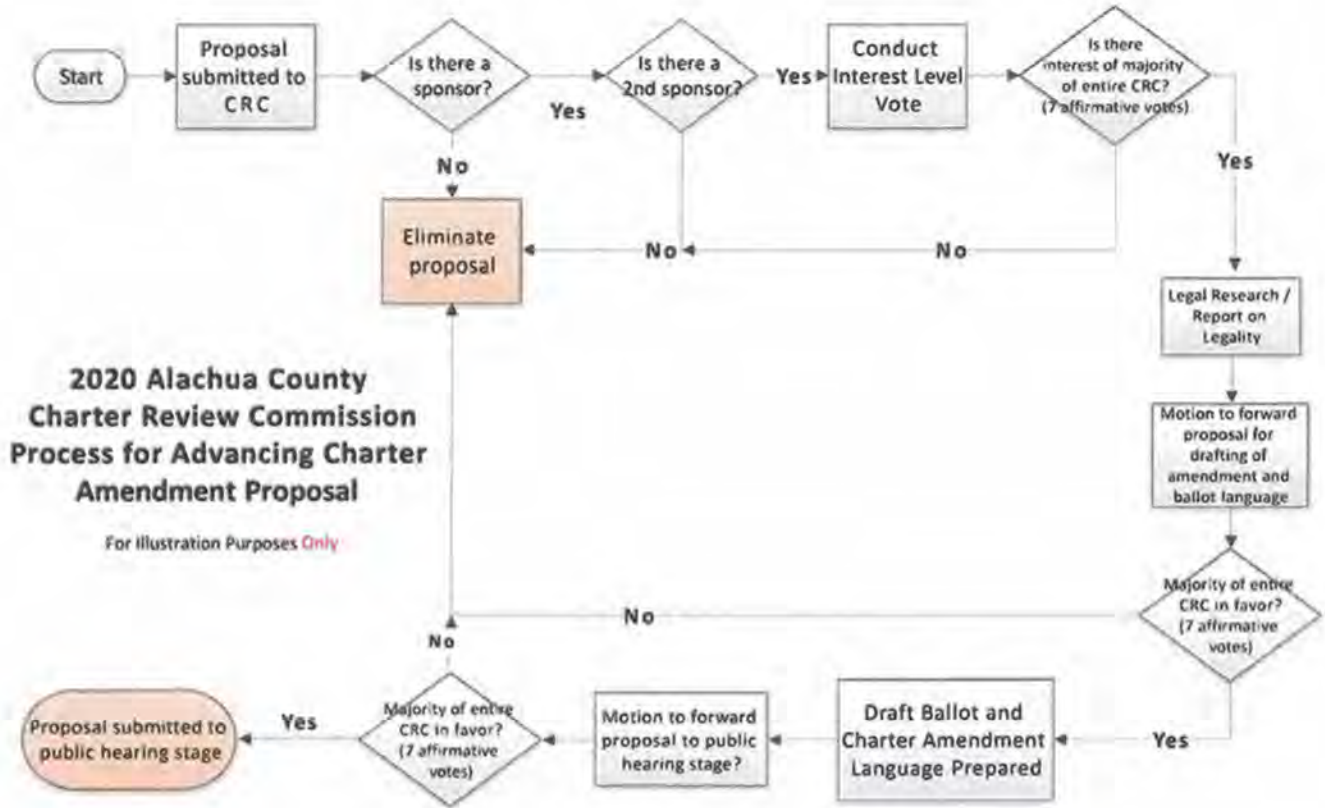
- should not be in conflict with the Constitution;
- cannot establish, amend or repeal the County budget, existing debt obligations, the comprehensive plan, or zoning or re-zoning of land.
- should avoid specific dollar amounts that can only be changed by charter amendment.
- should not reference actual statute numbers.
- should not duplicate statute provisions.
- should avoid usurping the authority of the Board of County Commissioners.
- should avoid matters that would be more appropriate as ordinances.
- should be clear, concise and understandable.
- should embrace only one subject matter.
- should be limited in number.

During this initial phase, if the proposal received an affirmative vote of a majority of the entire CRC, the proposal was advanced to the Attorney for legal review and research. An affirmative vote at this point did not necessarily imply that the proposal would receive a CRC majority vote to be advanced to public hearings and/or be submitted to the voters for their consideration. A chart of 2020 Submitted Charter Amendment Proposals by title and CRC disposition is included in **Appendix N**. All proposals as originally submitted are found in **Appendix O**.

### **Narrowing of Proposals**

The CRC adopted Rules of Procedure on November 13, 2019, which were subsequently amended on January 22 and 29, 2020. The CRC utilized the Standard Code of Parliamentary Procedure (Sturgis) - with no "friendly" amendments - to assist in facilitating the process. To ensure public awareness of CRC consideration of proposals and vetting of ideas, a Workplan and Timeline (based on requirements of the Supervisor of Elections and in the Charter) was adopted on January 8, 2020. A Lobbyist Disclosure policy was adopted on February 12, 2020. The amended CRC Rules of Procedure and Lobbyist Disclosure policy are found in **Appendix P** and **Q**.

In its adopted Rules of Procedure, the CRC required a vote of a majority (7) of total (12) CRC members to advance a proposal to the Attorney for legal review. **Appendix R** includes legal analysis of all CRC-advanced items.



Because of a late start date and the large number of proposals received, the CRC voted to consider them within topic areas, grouped by the CRC Chair. The following were topic areas and proposals included within each:

January 29, 2020

- Single Member District Representation-#3, #4, #5, #7, #8, #11, #15, #29, #42, #45 and #48
- County Commission Residency-#43
- Redistricting of County Commission Districts-#47
- Term Limits-#14, #34 and #35
- Voting/Elections Office-#2, #24, #26 and #44
- Bus Transit System/Routes-#6 and #22
- Unconstitutional provisions-#20, #21 and #50
- Electric System Rates/Utility Transfers-#9 and #38
- State Prison-#13
- US Supreme Court Decisions Binding on Alachua County-#19



#### February 12, 2020

- Land Use-Natural Environment-#1, #10, #16, #25, #31 and #32
- Land Use-Natural Environment-#37 and #41

#### February 26, 2020

- County Charter Officers -#12,17, 23,33, 46
- County Manager residency - #46
- Charter Review Commission -#28, #39
- False Claims/Whistleblower Law #18
- Require County Public Records online - #40
- Change County Name - #27
- Honesty in office #36
- Establish county bank - #49
- Marijuana policy #30
- Privacy #51

#### March 11, 2020

- Voting - Include Ranked Choice voting #52
- County Commission – increase number & single-member districts #53,62; decrease number #54; prohibit specified government employment of previous elected officials #56
- Prorate taxes based on cost #57

#### April 21 & 22, 2020

- Covid-19 Pandemic - #74
- Similar submittals previously considered by CRC for advancement or elimination -#60, #61, #63, #65,#66,#68,#72,#75
- Racial, ethnic and gender equity #58
- CRC Amendment procedures - #64; #67
- County Charter Officers - #59, #79
- County Manager – #77, #79, #80
- CRC Appointments #69
- Land Use - #70, #71, #72, #76, #78

After consultation with the CRC Attorney, May 6th was chosen as the date by which the CRC was to finalize items to advance to the Public Hearing agenda. During the first two public hearings, minor amendments in language were made to ballot proposals. **Appendix S** includes title summary and ballot question for each proposal advanced to public hearing (as amended May 13 and 27, 2020).

During its deliberations, the CRC considered data and maps: **Appendix T** includes some (though not all) of that data. Some of the data included:

- Presentation and timeline (Supervisor of Elections)
- Letter, Rural Concerns Advisory Committee
- County comparisons; and charter county comparisons (Florida Association of Counties)
- Alachua County Commissioners and terms of office (maintained by County Manager's office)
- Racial Equity Resource Guide (Government Alliance on Race and Equity, GARE)
- Presentation, Inclusive Housing (Alachua County Growth Management Department)
- Map, Climate Migrants (Alachua County Environmental Protection Department)
- Poster/Map, Alachua County Countywide Visioning and Planning Committee (2005)
- Estimated Acreage Change by Jurisdiction in Alachua County, as of February 18, 2020; Estimated Acreage Change by Jurisdiction in Alachua County, updated June 2, 2020; Population Density by Jurisdiction – June 2, 2020 (Alachua County Growth Management Department)

Some submittals eliminated by the CRC – deemed improper for inclusion in the Charter – were referred to local governments for community conversation and consideration by elected officials. Those referrals [**Appendix U**] were sent to each municipality; the County Commission; and the Metropolitan Transportation Planning Commission. For historical purposes, a State of Florida Executive Order and an Alachua County Declaration of Emergency [**Appendix V**] are included to demonstrate the extraordinary time in which we found ourselves in 2020.

## A. Steve Donahey

---

**From:** Tamara Robbins  
**Sent:** Friday, June 19, 2020 8:43 AM  
**To:** A. Steve Donahey  
**Subject:** Fwd: Final report edits

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Please include this email as back-up to the 6-24-2020 CRC meeting; discussion/adoption of Final Report. Also, Commissioner Klien submitted an email dated 6-11-2020 offering edits to the CRC Final Report. Please also include his email in the back up.

These emails should be posted on the webpage with other back up for the 6-24-2020 meeting.

Thank you,  
Tamara Robbins, CRC

Sent from my iPad

Begin forwarded message:

**From:** Tamara Robbins  
**Date:** June 11, 2020 at 8:59:02 AM EDT  
**To:** Charter Review <CharterReview@alachuacounty.us>  
**Cc:** wvose@voselaw.com  
**Subject:** Final report edits

After a review of the draft final CRC report, I offer the following edits:

Page 3: App. D, should be National Civic League, Guide for Charter Commissions, sixth edition.

Page 9: **Meetings**. The CRC had a high meeting attendance record of the members. Is it possible to include an attendance chart?

Page 9 **Public Outreach -Phase** "no responses were received"... This is incorrect. The CRC did receive a response from the Super of Elections, with the submittal of proposal #24. Also Alachua County BOCC submitted proposals #20 and #21.

Page 11: 1st paragraph. Substitute the word "selected" with the word *advised* by Attorney Vose. ..."in order to begin to eliminate proposals from consideration". The CRC began the elimination process by topic groups, (with as many as 11 proposals in a topic group), beginning January 29, 2020.

**For the record:**

I have objected to this process from the beginning of our review of proposals. I firmly believe each proposal should be reviewed by the CRC and given an opportunity for a fair airing in the



public, including notice to the author of the proposal for an opportunity to present their information. Also, the proposals must be listed on the agenda by title not just proposal number so the public has the clear understanding of what the CRC will be addressing. This was a point of contention of the public with the review process.

The adopted Rules of Procedure states “ Commission staff shall compile a **list** of submitted proposals. The **list** of proposals shall be emailed to each Commission member weekly and staff will provide each Commission member with the proposals **list** along with backup materials respectively as part of the agenda materials for each meeting.

**Narrowing of submitted proposals:** Only proposals on the above noted **list** shall be considered by the Commission for further consideration”. The grouping by topic rather than reviewing the emailed **list** individually did not serve the public as a transparent review of the proposals.

Page 11-12, **Narrowing of Proposals**. “The CRC utilized the Standard Code of Parliamentary Procedure (Sturgis), *with no friendly amendments*, to assist in facilitating the process”.

3rd paragraph: “Because of the large number of proposals, *and a late start date*, the CRC voted to consider the *proposals* within topic areas....”

Page 12: The illustration provided does not show a step in the process which includes legal research/report and proposed drafting of amendment and ballot language, as one step. Mr. Vose’s “memos” combined these steps due to time limits(?).

A suggestion to the BOCC relating to the appointment of the 2030 CRC: Much more public outreach needs take place. Utilizing digital media for the majority of informing the public of the CRC board formation, as well as the on-going notice of public meetings, hearings etc. does not reach a majority of the public. The BOCC had to delay the appointment of the CRC due to lack of applications received; more outreach.

With many public offices closed due to the virus, the public did not have access to information; no postings of public meetings in public places, online access etc. Requiring the public to search online for information is not sufficient.

Thank you,

Tamara Robbins, CRC 2020

Sent from my iPad

## A. Steve Donahey

---

**From:** Gina Peebles <gpeebles@alachuacounty.us>  
**Sent:** Friday, June 19, 2020 9:40 AM  
**To:** A. Steve Donahey  
**Subject:** FW: Final Draft Edits - Klein

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Per your request.



### Gina Peebles, CPRP

Assistant County Manager - Chief of Staff  
County Manager's Office  
12 SE 1st Street • Gainesville • FL • 32601  
352-337-6279 (office) • 352-538-8265 (mobile)



PLEASE NOTE: Florida has a very broad public records law (F.S.119). All e-mails to and from County Officials and County Staff are kept as public records. Your e-mail communications, including your e-mail address, may be disclosed to the public and media at any time.

**From:** Charter Review <CharterReview@alachuacounty.us>  
**Sent:** Thursday, June 11, 2020 8:16 AM  
**To:** 'Wade Vose' <wvose@voselaw.com>  
**Cc:** Gina Peebles <gpeebles@alachuacounty.us>  
**Subject:** FW: Final Draft Edits - Klein

Report Suggestions



### Kurt Lannon

Charter Review Commission Liaison  
12 SE 1st Street, Gainesville 32601  
352-337-6144



**From:** Nick Klein  
**Sent:** Thursday, June 11, 2020 6:52 AM  
**To:** Charter Review <CharterReview@alachuacounty.us>  
**Subject:** Final Draft Edits - Klein

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

### Introduction

1. I would retain paragraphs #2 and #7 as they both deal directly with the substance and procedures of the CRC in the final 3 months.

2. Eliminate any subjective language referring to the COVID-19 response.
3. Eliminate the unverified infection and mortality data that does not pertain to Alachua County or the State of Florida.
4. Include information regarding the creation of a webpage to increase public input of proposals.

I appreciate the hard work of Chair Wheat and the CRC staff in creating this very detailed and robust Final Report. I am concerned that the introduction itself does not accurately reflect the work of the CRC, but rather focuses on world and national events. This document will be reviewed by future Charter Review Commissions, historians and legal professionals. I would like to see the introduction reflect the ability of the Chair and Staff to adapt to unprecedented circumstances and provide

-Nick Klein  
Commissioner  
Alachua County Charter Review Commission, 2020



ITEM 5 – Public Information Program – (Backup document not available)



## ***CRC Ballot Proposals Public Information Plan***

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June 17, 2020

To: Penny Wheat, CRC Chair  
From: Mark Sexton, Communications Director  
Subject: **CRC Ballot Proposals Public Information Plan**

Between now and election day, November 3, 2020, the Communications Department will engage in a program of aggressively communicating the four proposals placed on the ballot by the Charter Review Commission. We will primarily be using our very effective existing communications resources to accomplish this task. The following steps will be taken:

- The CRC website is in the process of being revamped to prominently feature the four proposals.
- Social media will be heavily utilized to both feature the proposals and to drive traffic to the website.
- We are preparing a detailed press release to bring local media up to date. We will reach out to media contacts to encourage coverage.
- We will incorporate proposal education into Mark Sexton's Commission meeting announcements.
- We will create and distribute radio and television PSA's.
- The proposals will be prominently featured in our Community Update Newsletter.
- We will do another Alachua County Talks interview with the Chair or her designee to run extensively on channel 12, Facebook, and streaming video.
- We will utilize the Channel 12 Bulletin Board extensively.



ITEM 6 – CRC Guest Column – (Backup document available)



## **Alachua County Charter Review Commission – November 3<sup>rd</sup> ballot proposals**

On September 10, 2019, the Alachua County Commission appointed the 2019-20 Charter Review Commission (CRC). In the subsequent 9 months, the CRC held 16 meetings and 3 public hearings. Public outreach resulted in numerous published media reports, and on the CRC website, the online form received 80 submittals - more than any previous CRC.

After significant public debate and discussion, the County CRC voted to place 4 charter amendment proposals before voters on the November 3<sup>rd</sup> ballot. The County Charter requires that the County Commission hold a public hearing on CRC-transmitted proposals before voting to place them (as adopted by the CRC) on the ballot. Once voters approve language for the County Charter, only the voters – at a subsequent General Election – can vote to remove it. The 4 CRC-approved ballot items for voters to consider November 3<sup>rd</sup> are:

County Growth Management Area – This amendment would establish a “County Growth Management Area”. On land within the Area, the County’s comprehensive plan and land development regulations would exclusively govern land development, even if a parcel of land is later annexed into the boundaries of a city. A map of the proposed County Growth Management Area is available on the CRC website. The County Growth Management Area was designed as a compromise, providing areas outside existing city borders where cities could still exercise land use control after annexation. The amendment also allows the County Commission to remove property from the County Growth Management Area by a supermajority vote.

Affordable Housing Trust Fund – This amendment would create an Affordable Housing Trust Fund used to create and sustain affordable housing. The County Commission can fund the Trust Fund from fees on new commercial and residential development and other sources, but the charter amendment does not itself create or authorize any new taxes or fees. The Trust Fund can also accept donations of any kind. If approved by voters, the County Commission would be required to administer the fund, obtain an annual audit, and spend any funds in the Trust Fund to support affordable housing.

“Cleanup” Amendment Removing Unconstitutional Provisions – This amendment would remove two unconstitutional and unenforceable provisions from the County Charter. First, the amendment would remove a provision that unconstitutionally prohibits protections based on sexual orientation, sexual preference, or similar characteristics. Second, the amendment removes a provision that imposes unconstitutional residency requirements for Alachua County Commission candidate qualifying. Even if this amendment is not approved, these provisions would remain unenforceable, but they would continue to clutter the County Charter.

Candidate Treasurer Reports – This amendment retains the existing requirement that candidates for county office file campaign treasurer reports electronically but removes the requirement that they also file the same campaign treasurer reports on paper. This amendment modernizes the campaign finance disclosure process in Alachua County, and was suggested by the Supervisor of Elections.

These ballot proposals, a link to the County Charter, and other documents are available on the CRC website: <https://alachuacounty.us/charterreview/pages/default.aspx>

Over the next several months, CRC members will be available to speak with you and/or your organization about the County Charter amendment proposals. If you would like for one of us to attend a virtual meeting of your organization, please email [CharterReview@alachuacounty.us](mailto:CharterReview@alachuacounty.us)

2020 Alachua County Charter Review Commission

Doug Bernal, Kali Blount, Scott Camil, James Ingle, Nick Klein, Joe Little, Pradeep Kumar, Stan Richardson, Tamara Robbins, James Thompson, Kristin Young, Penny Wheat

ITEM 7 – Attorney Invoice – (Backup document not available)



ITEM 8 – Final Attorney Invoice – Authorize Chair to approve a final  
invoice



ITEM 9 – Public Comments – on any CRC related matter not on the  
Agenda (not to exceed 30 minutes)



ITEM 10 – Member Comments



ITEM 11 – Attorney and Staff Comments



ITEM 12 – Information Items