



CITY OF CLERMONT COUNCIL WORKSHOP AGENDA
6:30 PM, Tuesday, November 15, 2016

City Council Workshop meetings are for information gathering and discussion purposes. The City Council will not vote on any issues at Workshop meetings. The Council reserves the right to discuss additional items or delete items from the tentative agenda.

- 1 Kehler Building
- 2 Sponsorship Fee Waivers
- 3 Existing Police Station Uses
- 4 Council Rules
- 5 Council Salary

Adjourn

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk, 352-241-7330.



Community Event Grant Application Process

Some organizations have the opportunity to apply for a grant to waive certain fees for free, open to the public community events. Grant funds are intended to supplement the costs of the event and are not intended to cover the total cost of the event. The timeframe for the application period is:

APPLICATION PERIOD **Events held between October 1st and September 30th**

First Monday in April	Application Period Opens
Last Friday in May	Application Period Closed
First two weeks in June	Application Review and Ranking Process
The end of June	Final approval by City Manager
First two weeks in July	Notification is sent to Applicants

The submission of a Community Event Grant Application does not guarantee award of the grant or approval of an event. All organizations, whether applying for a grant or not, must complete a Special Event Application, pursuant to Ordinance 2015-74 and any applicable payments. Organizations that do not receive a grant will be charged accordingly. Should an organization going through the fee waiver grant process wish to cancel their event for any reason, written notification must be provided 5 working days after notification to the applicants is supplied. If written notification is not received by that deadline, the event will be cancelled.

Ranking Criteria:

All Community Event Grant Applications will be ranked by a committee designated by the City Manager based upon 4 criterions shown below. Point values will be assigned to each ranking criterion in the amounts shown below. Applications must be submitted with all documentation addressing each listed item. The highest score is 100.

1. Organization and Experience

25 Points

- a) Is the sponsoring organization a Non-profit organization with a current 501(C)3 certificate?
- b) If the event open to the general public or is this a private event?
- c) How does the proposed event align itself with the City of Clermont's mission?
- d) What is the uniqueness of the proposed event?
- e) What is the total projected attendance? What is the estimated percentage of non-Clermont resident visitors?
- f) How long has the sponsoring organization been in operation?
- g) Has the sponsoring organization previously produced an event(s) in Clermont?
If so, please identify those events.
- h) Does the sponsoring organization have staff or volunteers to facilitate this event?

2. Budget and Economic Impact

25 Points

- a) What is the amount that sponsoring organization is requesting?
- b) Are there fees charged to participants for this event?
- c) Provide and itemized budget for the proposed event.
- d) Identify the amount of money the sponsoring organization will commit to the event.
- e) Identify all funding partners and the amount of funds pledged by the partners.
- f) Provide the percentage of funds you expect to receive from the grant in comparison to the funds the sponsoring organization will provide. I.E. Grant X% Sponsoring Organization X%.
- g) Will the proposed event impact local business and if so, please describe that impact in detail?

3. Marketing

25 Points

- a) How will the sponsoring organization market the event in detail?
- b) Identify all forms of advertisements to be used.
- c) Provide a timeline for all promotions and advertising.
- d) How much money will the sponsoring organization commit towards advertising?
- e) Will the requesting organization list the City of Clermont as a sponsor?
If so, explain in detail the sponsorship benefits that the City will receive along with an estimated dollar value of the sponsorship.

4. Collaboration

25 Points

- a) Is the sponsoring organization collaborating with any other non-profit group?
If so, please state the commitments of all other groups.
- b) Will the sponsoring agency use collaborative advertising and promotions?
If so, please state the commitments of all other groups.
- c) Will the sponsoring agency use collaborative advertising and promotions?
If so, provide details including all groups involved and all forms of media to be used.

- d) Has the sponsoring organization solicited local vendors to support the event?
If so, please identify all vendors that have committed to the event.

Important Notice: If you have previously received a fee waiver grant and did not complete all commitments or failed to perform in any way, points may be deducted from your current Community Grant Application ranking or your submittal may be eliminated altogether from the Community Grant Application process. That determination will be made by the individuals ranking this application.

Funding Cap: There is a funding cap of \$10,000 annually. This is not a cash grant. Funds awarded may only be used for fees associated with the event. Events must be held on City owned property.

Grant Final Report: After approval, the sponsoring organization are obligated to report to the City how grant funds were used. The sponsoring organization shall provide the following information no later than thirty (30) days after the event:

1. Actual event budget including profit and loss statement and revenue report.
2. Complete list of all vendors associated with the event including their contact information.
3. A copy of all marketing material used to market, promote and advertise the event.

Event Approval: The City of Clermont Parks and Recreation Department will provide written notification of the approval or denial of Community Grant Application to each organization. ***All applicants that receive a grant in any amount must utilize the City seal/logo on all marketing, promotional and advertising materials including but not limited to print media, radio, television, website and social media.***

A. General

All members of the City Council, including the Mayor and Mayor Pro Tem, have equal votes. No Council member has more power than any other Council member, and all should be treated with equal respect. All Council members should:

- a. Fully participate in City Council meetings and other duly advertised public meetings while demonstrating dignity, respect, kindness, consideration, and courtesy to all.
- b. Prepare in advance of meetings and be familiar with issues on the agenda. Address clarifications prior to meeting with applicable staff.
- c. Be respectful of other people's time. Stay focused and act efficiently during Council meetings or other City related meetings.
- d. Serve as a model of leadership and civility to the community.
- e. Inspire public confidence in Clermont's city government and its employees.
- f. Provide contact information with the City Clerk in case of an emergency or an urgent situation arises while the Council member is otherwise not available.
- g. Demonstrate honesty and integrity in every action and statement.
- h. Follow Federal, State and Municipal Laws guiding public officials, including, but not limited to, Honest Services Act, State Ethics, Sunshine and Public Records Law, Administrative Code for City Council meetings, Communications Policy, etc.

B. Policies and Protocol Related to Conduct

1. Ceremonial Events – City Charter designates the Mayor to represent the City at all official functions and events. If the Mayor is unavailable, then City staff will determine if the event organizers would like another representative from the Council.

2. Correspondence Signatures – Council members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings (exception: zoning ex parte contact). City staff will prepare official letters, as may be appropriate, in response to public inquiries and concerns. These letters will carry the signature of the Mayor or the appropriate City staff.

3. Endorsements of Candidates - Councilmembers have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings or functions.

4. Intergovernmental Relations – Generally, City Charter §6 designates the Mayor to represent the City in intergovernmental relationships (the exception are designated liaisons). The Council values intergovernmental relations with neighboring communities and other entities. As a result,

Councilmembers should make a concerted effort to attend scheduled meetings with other entities to further promote intergovernmental relations.

5. Legislative Process - The City generally follows Roberts Rule of Order for meeting management, provided, however, that Roberts Rule of Order shall not be used to prevent the full and complete discussion or consideration of any final action item by the City Council.

6. Public Meeting Hearing Protocol - The Mayor has the responsibility to open and run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. With the exception of asking relevant questions, Council members should withhold comment during the public hearing portion of the meeting until the conclusion of the public's portion of the hearing. Councilmembers should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

7. Travel Expenses Council members may receive reimbursement of actual expenses while performing their official duties. All travel shall be approved by the City Council and may include attendance at conferences, seminars, and training sessions on behalf of the City. The City shall pay reasonable expenses for registration fees, lodging, meals, transportation, and allowable miscellaneous expenses for the Council member only. (City Council are responsible for spouse or others travelling with the Council member). All travel expenses will be handled in the same manner and consistent with the provisions of state law and the City's adopted travel policies.

C. Council Conduct with One Another

The City Council is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve, protect and enhance the present and the future of the City of Clermont community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

1. In Public Meetings:

a. Practice civility, professionalism and decorum in discussions and debate - Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Councilmembers should conduct themselves in a professional manner at all times, including physical appearance.

b. Honor the role of the Mayor in maintaining order - It is the responsibility of the Mayor to keep the comments of all persons, including but not limited to, the Council members on track during public meetings. Council members should honor efforts by the Mayor to focus discussions on current agenda items. If there is disagreement about the agenda or the Mayor's

actions in refraining staff, public or Council members from speaking, those objections should be voiced politely and with reason.

c. Avoid personal comments that could offend other Council members - If a Council member is personally offended by the remarks of another Council member, the offended Council member should make notes of the actual words used and call for a “point of personal privilege” that challenges the other Council member to justify or apologize for the language used. The Mayor will maintain order of this discussion.

d. Demonstrate effective problem-solving approaches - Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

e. Be punctual and keep comments relative to topics discussed - Councilmembers have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Councilmembers be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues. If a Councilmember has an item requested to be on the agenda, it is important they set the example by providing timely written materials.

2. In Private Encounters

a. Continue respectful behavior in private - The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

b. Be aware of the insecurity of written notes, voice and text messages, and e-mail - Technology allows words written or said without much forethought to be distributed wide and far. The Public Records Law mandates that any material made or received by an agency in connection with official business be used to perpetuate, communicate or formalize knowledge is a public record, and unless exempt, must be turned over to someone requesting to see that material. Before you create a document, ask yourself: Would you feel comfortable to have this note faxed or PDF'd to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this email message was forwarded to others? Written notes, voicemail messages and email related to City business are public communication subject to disclosure.

c. Even private conversations can have a public presence – Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

D. Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff members, who implement and administer the Council policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

1. Treat all staff as professionals - Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
2. Limit contact to specific City staff - Questions of, or directions to, City staff and/or requests for information should be directed to the City Manager or City Attorney. When in doubt about what staff contact is appropriate, Council members should ask the City Manager for direction. Materials supplied to a Council member in response to a request will be made available to all members of the Council so that all have equal access to information.
3. Do not disrupt City staff from their jobs – Staff wants to be accessible for City Council, but Councilmembers should avoid disrupting City staff while they are in meetings, on the phone, or engrossed in performing their job functions.
4. Never publicly criticize an individual employee - Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager.
5. Do not get involved in administrative functions – Council members must not attempt to influence City Staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. The City Charter, Section 10 also contains information about the prohibition of Council interference in administrative functions.
6. Check with City staff on correspondence before taking action - Before sending correspondence, Councilmembers should check with City staff to see if an official City response has already been sent or is in progress.
7. Do not attend staff meetings (with or without public) unless requested by staff or City Council - Even if the Council member does not say anything, the Council member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.
8. Limit requests for staff support - Even in high priority or emergency situations, requests for additional staff support should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government and following City Council direction.
9. Do not solicit political support from staff – Council members should not solicit any type of political support (financial contributions, display of poster or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

E. Council Conduct with the Public

1. In Public Meetings. Making the public feel welcome is an important part of the local governing process. No signs of partiality prejudice or disrespect should be evident on the part of individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public comment.

a. Be welcoming to speakers - Speaking in front of Council can be a difficult experience for some people. Some issues the Council undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

b. Be fair and equitable in allocating public hearing time to individual speakers - The Mayor will determine and announce limits on speakers at the start of the public hearing process. Generally, for non-agenda items speakers will be allotted three (3) minutes to address the Council. For agenda items speaker will be allotted five minutes (5) with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public comment unless the Council requests additional clarification. After the close of any public comment portion, no more public testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.

c. Avoid appearing as if you are not listening - It is disconcerting to speakers to have Council members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time, gazing around the room or getting up from your seat gives the appearance of disinterest. Be aware of facial expressions and body language (e.g., head and arm movements), especially those that could be interpreted as "smirking", disbelief, anger or boredom.

d. Ask for clarification, but avoid debate and argument with the public - Only the Mayor – not individual Council members – can interrupt a speaker during a presentation. However, a Council member can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Council member finds disturbing. If speakers become flustered or defensive, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.

e. No personal attacks of any kind, under any circumstance.

f. Follow parliamentary procedure in conducting public meetings – The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret

situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the immediate appeal to the full Council.

2. In Unofficial Settings

a. Make no promise on behalf of the Council – Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

b. Make no personal comments about other Council members - It is acceptable to disagree publicly about an issue, but it is unacceptable to make derogatory comments about other Councilmembers, their opinions and actions.

c. Remember Clermont is a small community at heart – Council members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Clermont. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council members, 24 hours a day, seven days a week. It is an important and continuous responsibility.

F. Council Conduct with Other Public Agencies

1. Be clear about representing the City or personal interests - If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state:

a. If his or her statement reflects personal opinion or is the official stance of the City. Even if the Council member is representing his or her own personal opinions, remember that this still may reflect upon the City as an organization.

b. Whether this is the majority or minority opinion of the Council. (iii) If the Council member is representing the City, the Council member must support and advocate the official City position on an issue, not a personal viewpoint.

c. Correspondence also should be equally clear about representation - City letterhead may be used when the Council member is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed as part of the permanent public record. To avoid confusion regarding City Council's position, City letterhead should not be used for correspondence of Council members representing a personal point of view, or a dissenting point of view from an official Council position.

G. Council Conduct with Advisory Boards

The City has established several advisory boards as a means of gathering more community input. Citizens who serve on advisory boards become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

1. If attending an advisory board meeting, and you are not an appointed the liaison, be careful to only express personal opinions – Council members may attend any advisory board meeting, which are always open to any member of the public. However, if the advisory board is conducting a quasi-judicial public hearing, the Council member should refrain from attending. Councilmembers should be sensitive to the way their participation could be viewed as unfairly affecting the process. Any public comments by a Council member at an advisory board meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council. Also be cognizant of the Sunshine Law, precluding discussion (outside of meeting advertised for City Council) by two or more members of City Council on any item that may take action upon. A council member's presence may affect the conduct of the advisory boards and limit their role and function.

2.. Limit contact with advisory boards members - It is inappropriate for a Council member to contact an advisory board member to lobby on behalf of an individual, business, or developer. Councilmembers should contact staff in order to clarify a position taken by the advisory boards.

3. Advisory boards serve the City Council, not individual Council members - City Council appoints individuals to serve on Advisory boards, and it is the responsibility of advisory boards to follow applicable law and policy established by the Council. But advisory board members do not report to individual Council members, nor should Council members feel they have the power or right to threaten advisory board members with removal if they disagree about an issue. Appointment and re-appointment to an advisory boards should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. An advisory board's appointment should not be used as a political "reward".

4. Be respectful of diverse opinions - A primary role of advisory boards is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers must be fair and respectful of any citizens serving on advisory boards.

5. Keep election issues away from public forums and advisory board meetings – While Council members are free to participate in politics when not conducting official business, they should refrain from campaigning for office or providing political support or non-support for those who are running for any elected office (national, state or local) while conducting official duties or when attending advisory meetings.

H. Council Conduct with the Media

Council members may be contacted by the media for background and quotes.

1. The best advice for dealing with the media is to avoid going “off the record” - Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

2. Choose words carefully and cautiously - Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

I. Sanctions

The Council is the judge of its own qualifications (City Charter §13) and Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of this Code of Conduct could lead to other sanctions as deemed appropriate by Council, including forfeiture of office. It is the responsibility of City Council to initiate action if a Council member’s behavior may warrant sanction due to a breach of these written standards of conduct. Any action taken on the alleged violation(s) must be brought up with the City Council in a public meeting.

DE BEAUBIEN, KNIGHT, SIMMONS, MANTZARIS & NEAL, LLP

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MEMORANDUM

TO : Darren Gray, City Manager

FROM : Daniel F. Mantzaris, City Attorney

DATE : October 6, 2016

RE : Mayor and Councilmember Compensation

As requested, we have reviewed the issue as to a possible amendment of the City Code related to compensation for the mayor and council. As you are aware, Section 2-33 of the code provides that the mayor shall receive compensation of \$400 per month and councilmembers shall receive \$300 per month. Since this section is in the code, a change requires a code amendment adopted by ordinance.

The consideration of an ordinance which increases the Council's compensation raises three significant issues. First, to avoid alleged and actual conflicts of interest and appearances of self-dealing, the ordinance must be adopted so as to ensure that each sitting member of the council who votes for or against the ordinance is required to go through at least one general election before receiving the additional compensation. The second issue is related to whether the Council deems it appropriate to establish a compensation formula that will establish a reasonable compensation for future councils. The current code provision was adopted in 1990 and established a maximum compensation. The Council, we suggest, may wish to consider a compensation package that provides for a formula that would automatically adjust, thus creating a permanent solution. The final significant issue for the Council is to determine the amount of the increase, if any. We have reviewed other similarly-situated cities to determine the compensation being paid to their councils and commissions. As a comment, due to the fact that the current compensation has not changed in over 20 years, any significant increase may appear unreasonable to the public.

As indicated, we have reviewed several council compensation formulas used by Florida Cities. There seem to be three more commonly used structures:

1. A straight monthly amount or annual amount without any provision for an increase unless approved by further action of the council. This is the structure that is in the current City Code.
2. A monthly amount or annual amount that is based on population growth and whereby the annual amount is increased as certain population milestones are met, i.e.: upon interval increases of 10,000 residents the set amount is increased.
3. A per capita amount applied to the city's population is used annually to calculate the base compensation.

(Note in almost all of the structures we reviewed, the mayor is provided an additional amount or stipend, as is the case in Clermont's current structure.)

After review of the various options and assuming the Council may wish to establish a structure that can be used for decades and more accurately reflect the qualifications and time obligations for council positions, we suggest that the straight per capita structure, with an additional stipend for the mayor position, be used. This structure allows for the council to establish an amount that it determines is reasonable and also provides for a simple and accurate calculation and adjustment on an annual basis. Finally, in event that the city's population would decrease, it provides for a corresponding reduction in compensation.

As a result of the foregoing, we have drafted the attached ordinance that amends Section 2-33 of the code and provides for a per capita compensation formula. To address the conflict issue described above and to ensure that any current councilmember who may vote on this ordinance will have to be re-elected before he or she receives the additional compensation, the ordinance has an effective date of January 1, 2019. On that date and every January 1 thereafter, the council and mayor salaries will be adjusted based on population. Additionally, the proposed ordinance includes an additional \$1,000 annually for the mayor position.

We understand that your intention is to present this issue to the Council for discussion and a determination on how they wish to proceed. If the Council is inclined to adopt a structure as set out in the attached proposed ordinance, then the final issue to be decided is the per capita amount. Our initial research of other cities reveals that area cities such as the City of Tavares and the City of Kissimmee have adopted a \$.40 per capita amount.

If you have any questions, please do not hesitate to contact me.

cc: Tracy Ackroyd