

**WILD SPACES & PUBLIC PLACES CITIZEN OVERSIGHT COMMITTEE
MEETING MINUTES**

**Alachua County Administration Building
12 SE 1st Street
Grace Knight Conference Room
Gainesville, FL 32601**

**Thursday December 8, 2011
5:30 P.M.**



WILD SPACES & PUBLIC PLACES CITIZEN OVERSIGHT COMMITTEE

**PAMELA HIGHTOWER
MICKEY T. THOMASON
JON REISKIND
JOHN MARTIN
THOMAS HAWKINS, SR.
BILL RICHARDS**

WILD SPACES & PUBLIC PLACES CITIZEN OVERSIGHT COMMITTEE MEETING

MEETING MINUTES

COMMITTEE MEMBERS PRESENT: BILL RICHARDS, JON REISKIND, THOMAS HAWKINS, SR., JOHN MARTIN

COMMITTEE MEMBERS ABSENT:

Staff Present:

John Brower, Alachua County Office of Management & Budget
Steve Phillips, City of Gainesville Parks, Recreation and Cultural Affairs
Sam Wynkoop, City of Hawthorne Planner

1. CALL TO ORDER

Chair Reiskind called the meeting to order at 5:35 PM

2. ADOPTION OF THE AGENDA

The Agenda, modified to remove Annual Report and amended to add a request from the City of Newberry was seconded and **approved**.

3. APPROVAL OF MINUTES FROM AUGUST 8, 2011 MEETING

Motion to approved the Minutes was seconded and **approved** with three typos corrected.

4. OLD BUSINESS

5. NEW BUSINESS

a. PRESENTATION ON REVENUES & EXPENDITURES FOR ALACHUA COUNTY AND MUNICIPALITIES:

Mr. Brower presented the quarterly report. He commented there were no significant changes to the total revenues collected as expected, since the revenues have all been received. Mr. Martin asked if other areas of the State sales tax receipts dropped as much as ours did (22%) from 2008. Mr. Brower did not have the data but said he would expect it to be comparable. Mr. Brower also noted that there were changes in the Life-to-Date actuals if it was determined that it should have been booked in a different place, and the amount moved.

Mr. Brower noted that the County transferred \$1.5 million to the City for the Senior Recreational Center.

◆ ALACHUA COUNTY.....	Alachua County Office of Management and Budget
◆ ALACHUA.....	TBA
◆ ARCHER.....	TBA
◆ GAINESVILLE.....	City of Gainesville
◆ HAWTHORNE.....	Sam Wynkoop

Mr. Wynkoop provided the update. The City has budgeted \$2,240 per month to repay a loan to repay the WSPP account. Not received the loan yet. As of this week, Mr. Wynkoop said the City has repaid about \$12,475. Mr. Wynkoop said the City is behind 3 months payment.

Mr. Wynkoop said the loan corrects the error but the City is asking if the stormwater facility is an appropriate expense for the WSPP Funds. Chair Reiskind asked if the request for the WSPP to approved funding the athletic field’s stormwater facility should wait till the City has received the loan and repaid all the outstanding balance. Mr. Martin said the Committee should focus only on the appropriateness of the projects, not on the City’s priorities. Mr. Richards said he would not support approving the request until the repayment is made. Dr. Hawkins reminded the Committee that previously the position of the Committee has been not to get into which projects on the list each city was to fund. Mr. Martin said the Committee should advise the County Commission about the situation in Hawthorne, let Hawthorne provide their plan to the Commission, and let the Commission provide some guidance on the stormwater request. Chair Reiskind pointed out there is not enough funds in the City’s account now without the loan to develop the stormwater facility. So no decision was immediately necessary.

Mr. Wynkoop asked if it was the Committee’s position that the City should not spend any of the WSPP funds of listed projects until it has all been repaid.

Mr. Brower read from the Committee enabling legislation out loud to remind the members of their mission and duties – to review expenditures for consistency with the approved list. He asked the Committee if it was appropriate for the Committee to restrict recipients use of funds on listed and legitimate projects.

Chair Reiskind suggested the Committee table this discussion until guidance was received from the County Commission. He suggested the consensus of the Committee was that such a facility was appropriate under the wording of the list for the City of Hawthorne.

Mr. Martin moved the Committee Chair report to the County Commission what they know about the situation in the City of Hawthorne, and provide the City an opportunity to detail their plans to the Commission repay the WSPP funds. **Motion** seconded and **approved**.

- ◆ **HIGH SPRINGS** TBA
- ◆ **LACROSSE**..... TBA
- ◆ **MICANOPY**..... TBA
- ◆ **NEWBERRY**..... TBA

Mr. Martin said he received a call from the City Mayor to attend an upcoming meeting. He said the Mayor asked if the City could relocate the proposed community center from MLK Park, since it was too small to accommodate the center and the parking, to another City-owned property. Mr. Martin said he told them he thought the Committee would agree, but would transmit the request, and return with the response to the City Commission.

Chair Reiskind said it was important to recall the reason for the original location and the center’s purpose. The Committee agreed that was between the City and its residents. Mr. Brower read the project description approved in the Ordinance, and it was “next to MLK Park”. He said it may be beyond the Committee’s authority to approve a different location; depends on the City’s rationale for locating it there originally.

Mr. Martin asked what is the process to change the list. Mr. Brower said he would ask the County Attorney and send the results to the Committee. Scrivener's note: Email transmitting County Attorney opinion sent to Committee on 1/3/2012 and attached to these minutes.

◆ **WALDO**..... TBA

6. NEXT MEETING

Not scheduled.

7. COMMENTS

8. ADJOURN

Meeting was adjourned at 7:20 PM

DRAFT

Ramesh Buch

From: Edward Brower
Sent: Friday, December 16, 2011 3:14 PM
To: Ramesh Buch
Cc: Suzanne Gable; David W. Wagner; Richard Drummond
Subject: RE: Wild Spaces Public Places (WSPP) Question

Ramesh:

I was able to discuss the Committee's question with the County Attorney this morning. He relayed there is basically a two tier issue related to their inquiry. The first tier entails the Florida Statute that allowed for the WSPP sales tax to be implemented. The referendum derived from following the statute generally referenced parks and recreational facilities as follows:

"...and to create, improve and maintain parks and recreational facilities in all cities and the County..."

The second tier implements a tighter restriction on revenue use. This tier was implemented by the Board of County Commissioners in the form of Ordinance 08-17 which includes the Parks and Recreation Facility Projects list often sited during the committee meetings. Because of this, the County Board has the authority to change their ordinance, including the listed projects as long as they fall under the italicized description above.

The process would include a specific request and proposal from the municipality to our Board for them to be able to consider the change. After consideration, if they decide to accept the change(s), they would move forward with amending the current County Ordinance. Assuming a change is made, the Committee would utilize the new projects list in the performance of its duties.

I trust this answers their question. Please feel free to contact me for further elaboration if necessary.

Thank you.

John

E. John Brower MBA, CPM
Management Analyst
Office of Management and Budget

*Service Above Self
Love, Truth, and Honor*

From: David W. Wagner
Sent: Wednesday, December 14, 2011 1:15 PM
To: Edward Brower
Cc: Suzanne Gable; Richard Drummond; Ramesh Buch
Subject: RE: Wild Spaces Public Places (WSPP) Question

John – pls call me to discuss

From: Edward Brower
Sent: Wednesday, December 14, 2011 12:18 PM
To: David W. Wagner
Cc: Suzanne Gable; Richard Drummond; Ramesh Buch
Subject: Wild Spaces Public Places (WSPP) Question

Dave:

There was an inquiry that came to the Oversight Committee from the City of Newberry (through committee member John Martin) asking if the committee would “approve” the use of WSPP revenue for their Community Center if they moved it to a different location than the one listed on the “approved project list.” The project is currently listed as “Construct small community center next to Martin Luther King Park.” I reviewed the committee’s charge with them so they did not go beyond their stated purpose. I also went over the exact naming of the project in question and I believe they came to the correct conclusion; namely, stating that the voters approved the project list as it is and moving the location would be against the spirit of the project as listed within the ordinance (08-17).

This discussion spawned a larger question; **what is the process, if any, to change the “approved project list” if a jurisdiction desires?**

After a short discussion, I offered to send this inquiry for your legal opinion.

Thank you for taking the time to look into this issue.

John

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