

City of St. Petersburg

Council Procedures Committee Report

Thursday April 30, 2009

Call to Order Chair Jeff Danner

Approval of Agenda

Update from previous meeting Chair Jeff Danner

Presentation: Budget Reporting Policy for Certain Quarterly Financial Reports

Action: Approved forwarding resolution to Council for action, see attached.

Presentation: Legal John Wolfe, City Attorney
Parliamentary Procedures
Council Meetings (questions, responses and timing)
Quasi-Judicial (questions of staff, applicants and speakers)
Council Committees (meeting objectives, public input)

Action: City Attorney Wolfe reviewed Parliamentary Procedures and will draft, for the Committee's review, parliamentary rules based on how Council conducts their meetings and input received from the Committee. Legal reviewed the Quasi-Judicial process and the need to provide a fair hearing.

Public Records
Sunshine Law
Website Policy
New Business Items Process
Political Campaign Rules
Compiling Council Resolutions and Policies
Other Legal Issues

Action: City Attorney Wolfe reviewed the Public Records and Sunshine Laws. Legal to draft a resolution establishing procedure(s) to ensure all e-mails are sent to Council Members' GroupWise Accounts. Mr. Wolfe reviewed the Website Policy which is posted on the City's website. Mr. Wolfe stated municipal candidates are prohibited from using City staff, resources or discussing/engaging in campaign activities during the work day, see attached. Council staff will compile a book/file of Council Policies.

Meeting Adjourn

Next Meeting Date May 21, 2009 – 10:00 a.m.

H-4

A RESOLUTION OF CITY COUNCIL
ESTABLISHING A REPORTING POLICY FOR
CERTAIN QUARTERLY FINANCIAL
REPORTS; AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, it is important that City Council be kept aware of the various City financial reports and the financial status contained therein; and

WHEREAS, this resolution is intended to establish a policy for providing that information to City Council on a regular basis.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida that, within forty five (45) days after the end of the first three quarters and within sixty (60) days after the end of the fourth quarter, the Administration shall provide to the Budget, Finance and Taxation Committee a copy of the following reports.

1. the Quarterly Investment Report;
2. the Quarterly Pension Investment Report;
3. the Quarterly Outstanding Debt Report;
4. the Quarterly Budget to Actual Report for all Operating Fund Activities; and
5. the Budget Department's Quarterly Report.

Copies of these reports will be provided to all Council Members and the reports shall be discussed at a Budget, Finance and Taxation Committee meeting which follows their distribution. The Budget, Finance and Taxation Committee shall then provide a report of that discussion to the City Council at a regular Council meeting.

This resolution shall become effective immediately upon its adoption.

Approved as to form and content:

City Attorney (designee)

2.5 Prohibited Acts for All Candidates (Sections 104.271, 106.08, 106.15, and 106.19,F.S.)

Using services of State, County, Municipal, or District Officers or Employees (Section 106.15(3), F.S.) - A candidate may not, in the furtherance of his or her candidacy for nomination or election to public office in any election, use the services of any state, county, municipal, or district officer or employee of the state, country, or municipality during working hours.

Speaking at Political Meetings (Section 106.15(1),F.S.) - A candidate may not pay money or give anything of value for the privilege of speaking at a political meeting in the furtherance of his candidacy, nor may anyone speaking for such a person pay money or give anything of value for such privilege.

Giving Contributions in Name of Another (Section 106.08(5) F.S.) - A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

Solicitation from Religious/Charitable/Civic Organizations (Section 106.08(5), F.S.)

Candidates may not:

1. Solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.
2. Make contributions, in exchange for political support, to any religious, charitable, civic, or other cause or organizations established primary for the public good.

Accepting Contributions in a Government-Owned Building (Section 106.15(4)F.S.) - A candidate may not make, solicit or accept any political contribution in a building owned by a governmental entity. "Accept" means to receive a contribution by personal hand delivery from a contributor or the contributor's agent. This prohibition does not apply when a government-owned building or any portion thereof is rented for the specific purpose of holding a campaign fund raiser.

Making Malicious Statements (Section 104.271, F.S.) - A candidate may not willfully make a false and malicious statement about an opposing candidate.

Certifying a False Report (Sections 106.07(5) and 106.19, F.S.) - Any candidate, campaign treasurer, or deputy treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree.

It is not a violation:

1. To make gifts of money in lieu of flowers in memory of a deceased person.
2. To continue membership in, or make regular donations from personal or business funds to, religious, political party, civic, or charitable groups of which the candidate is a member or to which the candidate has been a regular donor for more than six months.
3. To purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, or charitable groups.

approved in advance by the concerned department management. Employees are to follow the direction provided in Administrative Policy #070500, Use of E-Mail, regarding the use of any City e-mail system or email addresses for receipt or sending of personal mail.

Any and all City equipment, including electronic communications systems such as e-mail and voice mail, is the property of the City and is subject to monitoring at any time, with or without notice, at the sole discretion of management. (See paragraph 5-20, Searches on City Property.)

5-9 Address and Telephone Number

Each employee shall provide his department with his current street address where he resides and contact information phone number. This information shall be kept current by the employee in the employee's personnel record and/or database on the appropriate form or information system. The employee shall also maintain on a current basis the name, address and telephone number of the person(s) to contact in case of emergency.

5-10 Political Activity

No City employee shall take any active part in political campaigns or other political activities during duty hours. In accordance with Florida Statutes, as amended, employees are prohibited from engaging in certain types of political activities while either on or off duty. Employees, in their private capacities, may express their opinions on any political candidate or issue and/or participate in campaigns during their off-duty hours; however, they are prohibited from using their official authority or influence from their City position for the purpose of aiding or interfering with an election or nomination, or coercing or influencing another person's vote or affecting the result thereof. Employees or managers having questions concerning political activities should consult the City Legal Department.

Nothing herein shall be construed to prohibit an employee's right to file a complaint of workplace discrimination or harassment, to raise a concern regarding workplace safety, to report to appropriate authorities the misuse or theft of City assets, or to engage in casual workplace discussions on social or political topics, so long as such discussions do not, in the judgment of management, interfere with the orderly, peaceful, and efficient performance of assigned duties or with the valid exercise of authority of management.

5-11 Solicitation of Contributions, Memberships, or Business

- A. The solicitation of contributions, memberships, or business among employees of the City shall not be permitted on City property during the employee's working time except for those charity drives, U.S. Savings Bond drives, and promotions specifically authorized by the Mayor.
- B. Employee organizations, their members, agents, representatives, or persons acting on their behalf are prohibited from soliciting employees during working hours. This section shall not be construed to prohibit solicitation by employee organizations during the employee's lunch period or in such areas not specifically devoted to the performance of the employee's official duties.