

CHAPTER 15 JACKSONVILLE SUNSHINE LAW COMPLIANCE ACT

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Sec. 15.101. Statement of purpose.

The purpose of the Jacksonville Sunshine Law Compliance Act is to ensure compliance with the Sunshine Law, F.S. Ch. 286, and to create procedures, methods, best practices and education that will enhance compliance with open meeting laws, and enhance and maintain public confidence and transparency in the legislative practices of the City Council.

Sec. 15.102. Applicability; Public Meeting defined.

The Jacksonville Sunshine Law Compliance Act shall apply to the Jacksonville City Council and those public meetings of the Council that are contemplated by F.S. Ch. 286, including meetings of the Council and Council committees, and meetings between and amongst Council Members. These meetings shall hereinafter be identified in this Chapter as "Council Public Meetings".

Sec. 15.103. Notice of Council Public Meetings; Posting and Timing.

(a) All Council Public Meetings shall be publicly noticed in a timely manner. The notices required shall include at a minimum (i) the date and time of the meeting noticed, (ii) the date and time the notices are to be posted, (iii) the location of the meeting, and (iv) the general subject matter of the meeting, and (v) the Council Member calling the meeting and any other Council Members who, at the time of notice, are expected to be in attendance.

(b) Council Public Meeting notices shall be provided on the Council's internet website, which utilizes modern technology and provides swift public notice to all of Jacksonville. In addition to the internet, posting of notices shall be made at such locations at City Hall where public meetings are generally noticed, and by such other methods as may be appropriate or required by particular circumstances.

(c) Notice of Council Public Meetings shall be posted for at least twenty-four (24) hours prior to the meeting, not including weekends and holidays.

(d) Notwithstanding subsection (c) above, notice of Council Public Meetings may be posted for a period of less than twenty-four (24) hours, only in the event of an emergency, and when approved in writing by the Council President and the City's Ethics Officer.

(e) A copy of the notices of all Council Public Meetings shall be provided to and maintained in a retrievable format and filing system developed by the Legislative Services Division.

(f) The Director/ Council Secretary shall develop and implement standardized policy and procedures for City Council sunshine meeting notices and uniform calendaring practices.

Sec. 15.104. Public Meetings location.

(a) All Council Public Meetings shall be conducted in such places as will assure open, reasonable, and convenient access to the public.

(b) The locations for Council Public Meetings include the Council Chambers and public conference, meeting, or committee rooms. Public meetings shall not be held in the individual offices of Council Members, except in the event of exigent circumstances.

(c) Public locations shall be used for all Council Public Meetings, unless other locations are approved by the City Ethics officer in writing.

Sec. 15.105. Public Meeting; commencement and adjournment.

The business and conversations conducted during a noticed Council Public Meeting shall commence upon the chair's or Council Member's opening of the meeting, and shall conclude upon adjournment. The mere fact that a meeting has been noticed, does not authorize action or discussions prior to the opening of the meeting or following its adjournment.

Sec. 15.106. Public Meetings minutes.

(a) Each Council member is responsible for the taking and preparation (or delegation thereof) of the minutes of each Council Public Meeting noticed by that Council Member, in a manner as required by F.S. Ch. 286, and subsection (c) below.

(b) The Council Secretary shall be responsible for developing and implementing procedures for assuring:

- (1) Minutes are written for all noticed Council Public Meetings;
- (2) Minutes are filed; and
- (3) A system for the maintenance and retrieval of minutes is developed for all minutes of Council Public Meetings.

(c) The minutes of every Council Public Meeting conducted between two or more Council Members outside of the regular Council meeting or committee meeting structure shall reflect, at a minimum:

- (1) The location, date and time the meeting commenced and adjourned;
- (2) The members of the Council and other public officials and employees in attendance;
- (3) The substance of the discussions and positions presented by the persons in attendance.

(d) A copy of the minutes of all noticed Council Public Meetings shall be kept, with the notice to such meetings, by the Legislative Services Division. The Legislative Services Division shall develop such systems and policies as are necessary for the orderly filing, maintaining and retrieval of minutes.

(e) No less than once every 30 days, the Legislative Services Division shall review notices of all Council Public Meetings to ensure that copies of the minutes of all applicable public meetings have been placed on file in the Legislative Services Division.

Sec. 15.107. Annual review and report on council notices, meeting locations and minutes.

(a) The Council Auditor shall review information provided by the Legislative Services Division regarding:

- (1) The notices of Council Public Meetings;
- (2) The location of such public meetings; and
- (3) Written minutes of such public meetings, and prepare an annual report thereon.

The Auditor shall file such report with the Council committee to which audit matters are referred, the Council President, and the City Ethics Officer.

(b) The report, as required by subsection (a) above, shall include confirmation, through methods and means developed by the Council Auditor, that:

- (1) Notices were public and timely, and not less than 24 hours exclusive of weekends and holidays, and accessible to the public by internet;
- (2) That meetings were located in appropriate public rooms, with a list of all meetings held in Council Members' offices;
- (3) That minutes were written, maintained in the filing system, and available for retrieval; and
- (4) That all Council Members have received annual continuing education and training on the Sunshine Law; and shall provide recommendations to improve compliance, as authorized by Section 15.109 below. The report shall be based upon a review of that information collected and provided by the Council Secretary/designee, and any other information that is known to the Council Auditor.

(c) The Council Auditor's review shall commence annually on May 1st, 60 days prior to installation of a new Council President, and the report shall be provided no later than June 1.

Sec. 15.108. Annual continuing education and training on Sunshine Law requirements.

(a) Council Members shall receive, and the City's Ethics Office and the Office of the General Counsel, with the assistance of the Jacksonville Ethics Commission and other supporting agencies, shall provide annual training on Government in the Sunshine and open meetings laws.

(b) Executive Council Assistants, shall attend the training offered pursuant to Section 15.108 (a), and in addition thereto shall receive separate annual training on Government in the Sunshine and open meetings laws. The Director / Council Secretary shall be responsible for training the Executive Council Assistants.

(c) All annual training shall take place within 60 days of the Council President taking office. The Council President shall work with the Office of General Counsel and the City Ethics Officer to assure such continuing education.

(d) In addition to annual training, training on Government in the Sunshine and open meetings laws shall be provided upon special request. These presentations may be given at committee or Council meetings or at other times as may be directed by the Council President.

Sec. 15.109. Recommendations for improved compliance.

As part of the annual review, the Council Auditor's office shall make recommendations to the City Council to improve open meetings compliance. The Council Auditor's Office may solicit suggestions from Council Members, the Council Secretary, the Legislative Services Division, the City Ethics Officers, the office of General Counsel, or others, in support of these recommendations.