

**CITY COMMISSION WORK SESSION**  
**June 13, 2011**

The work session was called to order by Mayor Bradley at 2:15 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

Members present:

Mayor Kenneth Bradley (arrived at 2:15)  
Commissioner Steven Leary  
Commissioner Sarah Sprinkel

Also present:

City Manager Randy Knight  
City Clerk Cynthia Bonham  
Assistant City Attorney Bill Reischmann

Members absent:

Commissioner Tom McMacken  
Commissioner Carolyn Cooper

This meeting was a work session with no public input.

Communication with Constituents

It was reported that Commissioner Sprinkel requested this work session so they could discuss and establish common ground for moving forward on how Commissioners communicate with constituents.

Commissioner Sprinkel stated that one of her goals would be for the Commissioners to present themselves as a united team with a unified and accurate message. She mentioned that once again she received numerous phone calls from distressed constituents regarding misinformation in a publication email distributed by Commissioner Cooper. She explained that this is causing her much distress because she is being put in an awkward situation with having to try and explain to residents that she knows nothing about the email since she was not the creator. She stated that she prefers not having to start a separate communication dialogue but this is making it seem like she has to do that. She expressed her preference to work together and come to a mutual agreement on how they should move forward with the goal of creating a common and accurate message.

Mayor Bradley suggested that staff provide an inventory on everything the City Commission sends out including Facebook, Twitter, Park Press, etc. He said this information will help them evaluate the numerous ways that the City communicates and to whom they communicate with.

Communications Director Clarissa Howard acknowledged the request. She explained that the information written on Facebook, Twitter, Parks Press, etc. is based on what the City Commission decides as a whole and that all communication reflects where the City as a body stands and not an individual Commissioner's perspective because not every issue has a majority vote. Ms. Howard advised that the day after a Commission meeting the Communications Department submits an agenda summary to the Winter Park Observer to be published on Thursday which illustrates whether an item was approved or denied. She explained that the summary does not go into detail as far as who said what, nor does it list the specific roll call vote.

Commissioner Leary agreed that the information needs to go out from the Commission as a whole and since the Communications Department does a great job doing just that he does not see the need for the City to create additional communication outlets. He said the issue at hand relates to specific emails being distributed by Commissioner Cooper and that he appreciates her attempt at providing her opinion on certain issues to certain constituents. He then shared his concerns and explained that he hates to stifle a person's opinion but at the same time when it leads to questions of accuracy and panicked questions from residents on certain issues it could possibly lead to future liability issues for all of them and creates an extra burden on everyone involved. He also mentioned that if someone is providing their position on quasi-judicial matters prior to a Commission meeting that could also lead to certain legal liabilities. He mentioned that he was sorry that Commissioner Cooper was not able to attend the work session because he was looking forward to hearing her feedback. He advised that at this time he does not have a solution for the situation at hand.

Commissioner Sprinkel suggested that if an individual Commissioner would like to send out a newsletter perspective they should start out with using the summary provided by the City and then lead into their own perspective.

Mayor Bradley agreed with Commissioner Sprinkel's suggestion and said that is a great idea because the citizens need to clearly see the line between what their role is as a Commissioner and what their role is as a politician. He was also hoping to hear Commissioner Cooper's insight and find out what her motivation is with the need to distribute this information.

Mayor Bradley said he is really interested in citizen feedback and that he appreciates the citizens who share their views at Commission meetings but he would like to obtain more input from residents on issues outside of having them attend a Commission meeting. One of his goals would be that staff research and find other creative ways that would allow for more two way communication. Commissioner Leary said he is in favor of citizen feedback but asked if they creating a situation that is necessary. Mayor Bradley said that is a great question.

Commissioner Sprinkel said she would never take away someone's rights and responsibilities because everyone should be allowed to let people know what they think and to share their opinions. She explained that it is very confusing to the citizens when they receive an email that says how a person is going to vote prior to a Commission meeting and this is what greatly concerns her.

Commissioner Leary mentioned the conversation that took place a few weeks ago with advisory board members sending out letters with their opinions. He explained that there was a specific issue in this last newsletter email pertaining to removal of board members that upset some citizens and because of the way it was phrased it led some individuals to believe that they were changing the rules. Even though the City Attorney opined that they could always remove advisory board members with or without cause and said it has always been that way, it was not presented that way in the last email newsletter. He explained that because of the misinformation he had to explain to numerous citizens that the Commission is not making this drastic change and that it has always been this way and to please review the opinion from the City Attorney. Commissioner Leary stated he is concerned with this because misinformation is being sent out to the public from a member of the Commission and it creates additional stress on all of the team members which is a major concern. He said he does not want to stifle

someone with sharing their opinion, but if it is presented as fact by one of them, it should be a fact so this is a big issue for him and he does not know how to deal with it.

Attorney Reischmann addressed quasi-judicial proceedings and the rules for communicating on these issues. He spoke regarding the emails sent out by Commissioner Cooper regarding her perspective of what has transpired or how she felt about certain issues at the Commission meetings. He stated that an individual has the right to state their position on what they think should be done on a particular policy issue, but this should not be done on a quasi-judicial matter. He advised that it is very helpful if a disclaimer is included in this type of email communication indicating that it is their own opinion so it is clear and avoids misunderstandings.

For discussion purposes, Attorney Reischmann provided a copy of a document adopted by the City of Casselberry titled Exhibit "A", Code of Boardmanship (attached) and asked the Commission for their feedback. He explained that this sort of document is not required by state statutes but a local government agency can choose to adopt it on their own. He offered it as a suggestion in creating a similar document for the City to use.

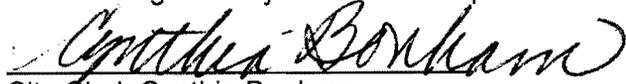
Commissioner Sprinkel asked if the City has ever looked at creating a similar document. City Manager Knight said not to his recollection and clarified that the City has various policies on the conduct of meetings but said this sort of document goes beyond that.

Commissioner Sprinkel said her major goal was for the Commission to come to some common ground and this is a good way to start. She stated that she would like for the Communications Department to continue with the meeting summary as opposed to one person's summary. She clarified that the issue Commissioner Cooper's email was that when she wrote about what happened in her view, it did not happen. Mayor Bradley stated the issue is with the inaccuracy of factual information provided by Commissioner Cooper and that the ordinance has the accurate information.

Attorney Reischmann commented and said sometimes it can be tricky to determine when someone is misstating the facts or being an advocate of using the facts in a certain way to support their position and that is the dangerous slippery slope they are facing. He thinks it is a matter of perspective and it is very difficult from a local government standpoint to determine what kind of limitations to place on these basic concepts and ideals. He provided legal counsel regarding the difference between political communication and elected official communication. He mentioned that one has to be very cognizant of the state laws pertaining to what you can and cannot do when one is running an election and to also be careful when reproducing or using photographs and the potential of infringing upon copyrights in violation of the federal laws that pertain to that.

Commissioner Sprinkel said that she would like for the Commission to consider adopting a similar Code of Boardmanship. Mayor Bradley said they recently took action on how advisory board members are to communicate and suggested adding that information for consideration. There was consensus to do so.

The meeting was adjourned at 3:08 p.m.

  
City Clerk Cynthia Bonham