



GENERAL STAFF MEMO

TO: Honorable Mayor and City Council Members
FROM: Sara Leaders, PE, Public Works Director
DATE: Submitted on November 12, 2024, for the November 18, 2024, Regular City Council Meeting

DocuSigned by:

Sara Leaders

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AGENDA ITEM: Consideration of an Ordinance Dissolving the Milton Greenspace Advisory Committee (MGAC)

Executive Summary:

When voters overwhelmingly approved \$25 million in bonds to acquire land for greenspaces in fall 2016, they trusted the City to use that funding responsibly, efficiently, and to the greatest benefit to our community. In turn, City leaders put their trust in the dedicated, intelligent, caring volunteers on the Milton Greenspace Advisory Committee to provide invaluable insights, research, and guidance.

With many of its objectives having been met, and the acquisition of 8 unique properties and over 400 acres of passive land – staff recommends the retirement and disbandment of the Milton Greenspace Advisory Committee.

Legal Review:

Ken Jarrard – Jarrard & Davis, November 6, 2024

Concurrent Review:

Steven Krokoff, City Manager

DocuSigned by:

Steven Krokoff

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Attachment(s):

Ordinance Dissolving the Milton Greenspace Advisory Committee
Exhibit A – Proposed Ordinance Amendment Regarding Chapter 2, Article V, Division 7

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**AN ORDINANCE DISSOLVING THE
MILTON GREENSPACE ADVISORY COMMITTEE (MGAC)**

WHEREAS, on April 10, 2017, the City of Milton adopted Ordinance No. 17-04-307 creating the Milton Greenspace Advisory Committee (“MGAC”); and

WHEREAS, the City of Milton believes that the MGAC has fulfilled its obligations such that operation of the MGAC is no longer required; and

WHEREAS, the City of Milton is appreciative of the services of those that have served on the MGAC; and

WHEREAS, the City has determined that it would be in the best interests of the citizens of the City of Milton to dissolve the MGAC.

NOW THEREFORE THE MILTON CITY COUNCIL HEREBY ORDAINS that the Milton Greenspace Advisory Committee is hereby dissolved and references to it in the City Code shall be removed..

The public health, safety, and welfare demanding it.

SO ORDAINED, this ____ day of _____, 2024.

Peyton Jamison, Mayor

Attest:

[SEAL]

City Clerk

EXHIBIT A

[The following text of the Milton Code is to be amended by removing the ~~strikethrough~~ language.]

MILTON CODE

CHAPTER 2 – ADMINISTRATION

ARTICLE V. – BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES

~~DIVISION 7. GREENSPACE ADVISORY COMMITTEE~~

Sec. 2-284. Creation.

~~There is hereby created the Milton Greenspace Advisory Committee ("MGAC") whose mission and purpose shall be to, "participate in the greenspace land selection and acquisition process in conjunction with city council and staff, to facilitate achievement of the objectives of the Greenspace Bond goals, to establish policies and procedures to govern the committee, and to assist city council and staff, on an as needed basis, with the financial oversight of the Greenspace Bond funds in relation to the land acquisition program" In addition, the MGAC shall use and consider certain criteria and factors in land acquisition decisions as resolved by the city council Resolution No. 16-08-379, dated August 15, 2016 and pursuant to the Greenspace Bond referendum ballot language approved by the majority of Milton voters voting in the November 8, 2016 election. MGAC is created via ordinance, and is therefore not subject to certain of the requirements of Section 4.11 of the Milton Charter (see, city Charter, section 4.11(b)), to specifically include the size limitations and appointment process requirements.~~

Sec. 2-285. Membership.

~~MGAC shall consist of the following:~~

- ~~(1) Seven members appointed by the mayor and city council;~~
- ~~(2) A quorum for the conduct of business shall be (1) if membership is an odd number, a number that is one half of the appointed membership rounded to the next whole number (i.e., if a seven-member committee, a quorum shall be four);~~
- ~~(3) Recommendations as to MGAC members shall be received based upon an open nomination process by Milton citizens;~~
- ~~(4) City staff shall review the pool of citizen applicants and shall undertake a culling process with due consideration given to the public policy objectives and considerations of the green space bond and as otherwise referenced in this ordinance; and, following that culling process city staff shall submit to the council a recommended list of qualified citizens. The city council shall take that list of qualified citizens under advisement and from that list formulate a proposed MGAC membership panel. The city council shall then make a motion to approve the entire membership panel in a single vote during an open meeting of the council. Because formulation of the~~

~~proposed MGAC membership panel entails deliberations and discussions on the appointment of prospective city officials and officers, discussions as to those MGAC members to be appointed may occur in closed session. No vote of any kind regarding appointment will occur in closed session;~~

- ~~(5) The slate of MGAC members must be approved by a majority vote of the council before commencing service;~~
- ~~(6) Each MGAC member must swear an oath prior to commencement of service;~~
- ~~(7) MGAC members must be at least 21 years old;~~
- ~~(8) MGAC members are not required to reside in any specific council district, but must be residents of Milton, Georgia with at least one member from each district and all geographic areas of the City represented as best as possible;~~
- ~~(9) MGAC members, following appointment and swearing, shall be subject to the City of Milton Ethics Code, and shall be considered "city officials" or "city officers" under section 2-798 of the Milton Code (defining a city officer as "any member of a board, commission, or authority appointed by the council, the city manager, and any other appointed officer of the City of Milton");~~
- ~~(10) The city council may consider appointments to MGAC in executive session, as MGAC members are declared city officials or city officers. Any vote regarding appointment shall occur in open session;~~
- ~~(11) The city council may remove a MGAC member, for convenience, upon majority vote of the council;~~
- ~~(12) MGAC shall be subject to the State of Georgia Open Meetings Act, O.C.G.A. 50-14-1 et seq., which necessarily includes the right to enter into closed or executive session to discuss the potential acquisition of land;~~
- ~~(13) No city council member shall enter into any closed or executive session of MGAC unless the executive session is a duly called joint executive session of MGAC and the city council. MGAC shall determine who is needed in executive session to properly conduct such meeting in a matter that is both effective and otherwise in conformance with the Open Meetings Act;~~
- ~~(14) A MGAC member that misses more than three consecutive MGAC meetings, absent extenuating circumstances, shall be deemed automatically removed from MGAC and the city council shall forthwith nominate and approve a replacement member. Any such replacement member shall fulfill the remainder of the term of the member so removed and shall be entitled to all rights and privileges of any other MGAC member. Section 2-157(c) of the Milton City Code shall also be binding on MGAC; and~~
- ~~(15) The city council shall retain the discretion, but not obligation, to authorize a per diem payment to MGAC for meeting attendance. Any such authorization must be approved by resolution approved by the city council. This authorization for compensation, set forth during the creation of the MGAC, is intended to fulfill the mandate of section 2-160 of the Milton City Code.~~

Sec. 2-286. Governance.

MGAC members shall select officers and may draft and adopt bylaws. In the event that no MGAC-specific bylaws or internal rules of procedure are adopted, MGAC shall be subject to the city council's adopted internal rules of procedure. Members may be required to sign confidentiality agreements relating to proposed land transactions that are to be considered for acquisition by the city. Members must also be able to fulfill the time commitment required to serve on the MGAC. Members must be willing to agree with the goals of the Milton Greenspace Bond program and work towards achieving those goals for the best interests of the Milton community as a whole. Members of the MGAC shall undertake their respective duties in a volunteer capacity and shall not be compensated for any time or expenses associated with any assignment or function with respect to the MGAC, except for a potential per diem as set forth in section 2-285(15).

Sec. 2-287. Term.

The initial term for MGAC members shall be randomly assigned by city staff, with one-half of the members having four-year terms, and the remaining members having three-year terms. Initial members shall be advised of their term. Following the initial term, upon reappointment or selection of a new member to fill an expired term, each member of MGAC shall thereafter have a four-year term. Upon the expiration of a MGAC member's term, members shall continue to serve until a replacement is chosen. Replacement shall be undertaken using the same methodology identified in section 2-285(4) and (5). Members may be appointed to serve an unlimited number of terms. Should any member of MGAC be unable to fulfill their duties for any reason, and following removal by the city council, a mid-term replacement shall be appointed using the same methodology identified in section 2-285(4) and (5).

Sec. 2-288. Conduct of business.

MGAC shall meet at regular intervals as necessary to perform the tasks and duties associated with MGAC's mission, including recommending actions to the city staff or mayor and city council. MGAC may establish and appoint representatives to as many committees and sub-committees as are determined to be necessary for the accomplishment of MGAC's mission.

Sec. 2-289. Volunteer members.

MGAC shall be authorized to utilize community volunteers to assist in accomplishing MGAC's mission. Such volunteers shall not be considered MGAC members, but will function as liaisons to receive, disseminate, and provide information by and between the community and MGAC regarding the strategy, plans, and progress of implementing the Milton Greenspace bond program.

Sec. 2-290. Staff.

Staff of the City of Milton may attend the meetings of the MGAC but shall serve in no official capacity. City staff may assist the MGAC members in the fulfillment of the committee's work.

Sec. 2-291. Logo.

MGAC may adopt an official logo for the MGAC.