

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, May 15, 2014

1:00 PM

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Lauren Poe (At Large)
Commissioner Thomas Hawkins (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Commissioner Todd Chase (District 2)
Commissioner Susan Bottcher (District 3)
Mayor-Commissioner Pro Tem Randy Wells (District 4)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER-1:05PM**AGENDA STATEMENT****ROLL CALL****INVOCATION****CONSENT AGENDA**

A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

CITY MANAGER, CONSENT AGENDA ITEMS**[130861.](#) Appraisal of Glen Springs Property (NB)**

This is a request for the City Commission to authorize staff to order an appraisal of the Glen Springs property.

RECOMMENDATION *The City Commission authorize staff to proceed with an appraisal of the Glen Springs property.*

Approved as Recommended

[130918.](#) 2014 Pop Warner Team Cheer Uniform and Apparel Grant (NB)

This item requests approval from the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept, if awarded, a grant voucher in an amount of \$500 from the Pop Warner Little Scholars, Inc. grant program.

RECOMMENDATION *The City Commission: 1) approve the request to accept a grant voucher in the amount of \$500, if awarded, from the Pop Warner Little Scholars, Inc. for the use of purchasing uniforms for the Cheer Team participants, and 2) if the grant voucher is awarded, authorize the City Manager or his designee to execute the grant voucher agreement and other related grant documents, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

[130930.](#)**Human Resources Policy L-8, Military Leave (B)**

This item is to amend HR Policy L-8, to renew Military Leave benefits through March 2015.

RECOMMENDATION *City Commission approve the revision to Human Resources Policy L-8, Military Leave.*

Approved as Recommended

[130933.](#)**U.S. Department of Justice Bulletproof Vest Partnership Program Funding (NB)**

This is a request for City Commission approval for the Gainesville Police Department to apply for funding through the Bulletproof Vest Partnership Program.

RECOMMENDATION *The City Commission authorize the City Manager to: 1) accept the grant funds if awarded; 2) execute any other necessary documents, subject to review by the City Attorney as to form and legality; and 3) approve the expenditure from Federal Forfeiture funds in the amount of \$55,917.*

*Alternative Recommendation
The City Commission decline the grant funds if awarded and come up with an alternative source of funding to replace the vests.*

Approved as Recommended

[130934.](#)**Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods) (NB)**

This is a request for City Commission approval for the Gainesville Police Department to accept a grant award from the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance in implementing gang and gun crime enforcement, intervention, and prevention initiatives within the community.

RECOMMENDATION *The City Commission authorize the City Manager to: 1) accept the grant if awarded, by the U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance; and 2) if awarded, execute any grant documents, subject to approval as to form and legality by the City Attorney.*

Approved as Recommended

[130935.](#)**Budget Calendar Amendment (NB)**

This is a request to adjust the start time and add an additional half-day to the City Commission Strategic Planning Retreat in June 2014 to discuss the City Commission FY2015/2016 biennial strategic plan.

RECOMMENDATION

The City Commission adjust the start time to 8:00AM on June 11, 2014 and schedule an additional half-day on June 12, 2014 from 1:00PM - 6:00PM to the City Commission Strategic Planning Retreat.

Approved as Recommended

[130944.](#)

University of Florida Surplus Warehouse Program (B)

This item requests that the City Commission authorize the City Manager to sign as Authorized Representative for the University of Florida Surplus Warehouse Program Application for Eligibility to Receive University of Florida Surplus Property.

RECOMMENDATION

The City Commission authorizes the City Manager to sign and submit a letter of authorization to the University of Florida Surplus Warehouse program, as approved by the City Attorney as to form and legality.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[130965.](#)

Strategic Planning Session (NB)**RECOMMENDATION**

The City Commission participate in the strategic planning session.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[130931.](#)

CHERON HAMPTON-BATES, PERSONALLY AND AS NATURAL GUARDIAN OF BRYCE BATES, A MINOR V. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND CPL. TIMOTHY DURST, IN HIS INDIVIDUAL CAPACITY, COURT CASE NO. 1:12-CV-00174-MP-GRJ**RECOMMENDATION**

The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claims of Cheron Hampton-Bates and Bryce Bates resulting from an incident that occurred on June 16, 2010.

Approved as Recommended

[130936.](#)

MICHELLE PISANO VS. GAINESVILLE REGIONAL UTILITIES; FCHR NO.: 201400690 (NB)**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Michelle Pisano vs. Gainesville Regional Utilities; FCHR No.: 201400690.

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

130963. **City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of April 17, 23, and May 1, 2014.*

Approved as Recommended

130953. **Appointments to the City Commission Advisory Boards and Committees (NB)**

RECOMMENDATION *The City Commission appoint:
Rebecca J. Hightower to the Gainesville Housing Authority for a term to expire 8/1/18
Nora Kilroy and Thomas Rider for reappointment to the Student Community Relations Advisory Board for a term to expire 9/30/16
Isabella Newan to the Student Community Relations Advisory Board for a term to expire 9/30/15
John Snyder to the Public Recreation and Parks Board for a term to expire 6/1/17
Katherine Kinsley-Momberger to the Art in Public Places for a term to expire 9/30/17
Nicholas Stamper to the Gainesville Energy Advisory Committee for a term to expire 9/30/17
Racheal Johnson to the Citizens Advisory Committee for Community Development for a term to expire 11/1/17
Byron Harper to the Gainesville Enterprise Zone Development Agency for a term to expire 3/31/18
Penny Weber for reappointment to the Nature Centers Commission for a term to expire 11/1/17
Elizabeth Stacey to the Historic Preservation Board for a term to expire 6/1/17.*

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

[130924.](#) **Selection of External Auditors for the Annual Financial Statements Audit
- Gainesville Regional Utilities Segment (B)**

RECOMMENDATION

The Audit, Finance and Legislative Committee recommends that the City Commission:

- 1) *Approve the ranking of the proposals received for external auditing services for the annual financial statements audit - Gainesville Regional Utilities (GRU) segment, and*

- 2) *Authorize the City Auditor to execute a professional services contract with the top ranked firm for a period of three years beginning with the Fiscal Year 2014 financial statements audit, with an option to renew for one additional three year term, subject to approval of the City Attorney as to form and legality.*

Approved as Recommended

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

GENERAL MANAGER FOR UTILITIES

[130955.](#) **General Contractor for Water Reclamation Facilities Dewatering Project
(B)**

*Tony Cunningham made a presentation.
Donald Shepherd and Rebecca Hightower spoke to the matter.*

RECOMMENDATION

The City Commission: 1) authorize the Interim General Manager, or her designee, to execute a contract with Ortega Industrial Contractor, Inc. for construction services as the General Contractor for the GRU dewatering project and 2) approve the issuance of a purchase order to Ortega Industrial Contractor, Inc. for these services in the amount of \$13,230,556, subject to approval of the City Attorney as to form and legality, subject to the final appropriation of funds.

A motion was made by Commissioner Hawkins, seconded by Commissioner Bottcher, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

[130946.](#)

Reimbursement for Reclaimed Water Distribution System in The Estates of Wilds Plantation (B)

Donald Shepherd and Jo Beaty spoke the matter.

Comm Poe moved and Comm Bottcher seconded and the motion carried 7-0.

RECOMMENDATION

The City Commission authorize the General Manager or her designee to negotiate and execute an agreement for reimbursement to The Estates of Wilds Plantation, Inc. for the construction of the reclaimed water distribution system in an amount not to exceed \$293,411.00 subject to approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended

CITY ATTORNEY

[130954.](#)

RETENTION OF OUTSIDE LEGAL COUNSEL FOR UTILITIES BOND, BOND DISCLOSURE AND FINANCIAL TRANSACTIONS (NB)

Shayla McNeill made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission authorize Broad and Cassel, Holland & Knight, and Orrick, Herrington & Sutcliffe, LLP, to represent the City in bond, bond disclosure and other financial transactions for the Gainesville Regional Utilities System as specified in retention letters issued by the Office of the City Attorney.

A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

CITY AUDITOR

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

Mayor Ed Braddy: Cultural Roadmap Board

Donald Shepherd spoke to the matter.

Comm YHR moved and Comm RW seconded to appoint Comm Poe. Motion carried 7-0.

Comm YHR-Additional Citizen Budget Participation

-Economic Development Director

Comm TC-Budget Issues

-Form based Code

Comm SB-Gang Activity

RECESS-3:21PM

RECONVENE-5:38PM

PLEDGE OF ALLEGIANCE (5:30pm)

Bob Gasche

PROCLAMATIONS/SPECIAL RECOGNITIONS[130961.](#)**Buchholz High School Math Team (NB)**RECOMMENDATION

The City Commission recognize the Buchholz High School Math Team.

Heard

[130962.](#)**Amaleah Mirti, Eastside High School Senior (NB)**RECOMMENDATION

The City Commission recognize Amaleah Mirti, Eastside High School Senior, World Food 2014 International Intern.

[130948.](#)**Memorial Day - May 26, 2014 (B)**RECOMMENDATION

Gator Detachment of the Marine Corp League Bob Gasche and Purple Heart Veteran Steve Dodd to accept the proclamation.

Heard

[130949.](#)**Emergency Medical Services Week - May 18-24, 2014 (B)**RECOMMENDATION

Gainesville Fire Rescue Fire Chief Gene Prince, Deputy Fire Chief Jeff Lane and Special Operations Chief Don Sessions to accept the proclamation.

Heard

[130950.](#)**Internal Audit Awareness Month - May, 2014 (B)**RECOMMENDATION

North Central Florida Chapter of the Institute of Internal Auditors President John Byrd to accept the proclamation.

Heard

[130951.](#)**Gainesville Police Department Volunteer Appreciation Day - May 28, 2014 (B)**RECOMMENDATION

GPD Police Officer/Volunteer Coordinator Officer Ryan McCazzio to accept the proclamation.

Heard

[130952.](#)**Older Americans Month - May, 2014 (B)**RECOMMENDATION

JoAnna Emerson to accept the proclamation.

Heard

[130979.](#)**National Community Action Month May 2014 (B)**

RECOMMENDATION

Central Florida Community Action Agency Inc. Chief Executive Director Charles Harris to accept the proclamation.

Heard

CITIZEN COMMENT (6:00pm)

*Craig Carter-Thank-you to Comm Bottcher
Jim Konish-City Election
John Davies-Faith
Kali Blount-Community Garden
Donald Shepherd-County Commission
Pat Fitzpatrick-Hunger
Duane Gildea-Campaigns*

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED****ORDINANCES, 1ST READING- ROLL CALL REQUIRED**[130633.](#)**MORATORIUM ON INTERNET GAMING/GAMBLING BUSINESSES
(B)**

Ordinance No. 130633

An ordinance of the City of Gainesville, Florida, enacting a temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction or operation of any internet gaming/gambling business within the city limits, providing a severability clause; providing repealing clauses; and providing an effective date.

Mark Venske, Jo Beaty and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

[130846.](#)**VACATION OF RIGHT-OF-WAY - UNIVERSITY PLACE BLOCK 6
(B)**

Ordinance No. 130846; Petition No. PB-14-39 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close unimproved right-of-way located in the vicinity of Block 6 of the University Place subdivision, between SW 1st Avenue and SW 2nd Avenue and running east for approximately 210 feet from SW 10th Street, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Scott Wright made a presentation.

RECOMMENDATION *The City Commission (1) approve Petition PB-14-39 SVA and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Hawkins, seconded by Commissioner Hinson-Rawls, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

130967. City Commissioner Ceremony - Commissioner Susan Bottcher (NB)

Jon Reiskind, Donald Shepherd, Ben Meyers, Linda Basham, Flo Turcotte, Thomas Logan, Duane Gildea and Helen Warren spoke to the matter.

RECOMMENDATION *The City Commission hear comments from City Commissioners, the public and Commissioner Susan Bottcher.*

Heard

130966. City Commissioner Ceremony - Commissioner Thomas Hawkins (NB)

Donald Shepherd, Dottie Faisbusy, Ken Cornell, Flo Turcotte, Helen Warren, Rob Brinkman and Harvey Ward spoke to the matter.

RECOMMENDATION *The City Commission hear comments from City Commissioners, the public and Commissioner Thomas Hawkins.*

Heard

UNFINISHED BUSINESS

COMMISSION COMMENT

[140027.](#)

Police Dogs

Donald Shepherd and Rebecca Hightower spoke the matter.

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Poe, that this Matter be Referred to the Public Safety Committee, due back on 11/15/2014. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

CITIZEN COMMENT (If time available)

ADJOURNMENT-9:07PM

Kurt Lannon, Clerk of the Commission