

# 140065

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, May 15, 2014

1:00 PM

**MODIFIED AGENDA**

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**

#140065

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

Thursday, May 22, 2014

12:00 PM

Thelma Boltin Center, 516 NE 2nd Avenue, Gainesville, FL

City Commission Swearing In Ceremony

## City Commission

*Mayor Ed Braddy (At Large)*  
*Commissioner Lauren Poe (At Large)*  
*Commissioner Helen Warren (At Large)*  
*Commissioner Yvonne Hinson-Rawls (District 1)*  
*Mayor-Commissioner Pro Tem Todd Chase (District 2)*  
*Commissioner Craig Carter (District 3)*  
*Commissioner 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.*

**ADOPTION OF THE AGENDA**

*The agenda was adopted 7-0 by consensus after the meeting was called to order at 12:02PM.*

Adopted

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

Oath of Office - Craig Carter

Oath of Office - Todd Chase

Oath of Office - Helen K. Warren

Comments from Commissioner Craig Carter

Comments from Commissioner Todd Chase

Comments from Commissioner Helen Warren

**ELECTION OF MAYOR-COMMISSIONER PRO TEM**

**140000. Election of Mayor-Commissioner Pro Tem (NB)**

*Comm Carter nominated Comm Chase as Mayor Pro-Tem. Comm Poe seconded the motion which carried 7-0.*

**RECOMMENDATION**

*The City Commission appoint a City Commissioner as Mayor-Commissioner Pro Tem for 2014-2015 term.*

Approved, as shown above

**ADJOURNMENT-12:59PM**