

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**October 15, 2015**

**1:00 PM**

**MODIFIED AGENDA**

**City Hall Auditorium**

## **City Commission**

*Mayor Ed Braddy (At Large)*  
*Commissioner Harvey Budd (At Large)*  
*Commissioner Helen Warren (At Large)*  
*Commissioner Charles Goston (District 1)*  
*Commissioner Todd Chase (District 2)*  
*Mayor-Commissioner Pro Tem 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.*

**CALL TO ORDER****AGENDA STATEMENT**

*"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."*

**ROLL CALL****INVOCATION****ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)****CITY MANAGER, CONSENT AGENDA ITEMS**

[140703.](#)

**Strategic Plan Quarterly Report - 4th Quarter of Fiscal Year 2015  
(B)**

**This item provides a report on the progress of the City Commission's Strategic Initiatives for the fourth quarter of fiscal year 2015**

*Explanation: As part of the strategic planning process, the City Manager prepares a quarterly report on accomplishments related to the City Commission's strategic initiatives.*

*This is the quarterly update presenting progress made and accomplishments achieved during the fourth quarter, or during the period of July 1st, 2015 to September 30th, 2015.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission receives a quarterly report from the City Manager on the fourth quarter progress of the FY2015 strategic initiatives.*

**Legislative History**

3/5/15	City Commission	Approved as Recommended
5/21/15	City Commission	Heard

6/2/15 City Commission Discussed  
 8/20/15 City Commission Approved as Recommended

[140703 Strategic Update Quarterly Report 1st Qtr of FY2015 20150305.pdf](#)

[140703A Strategic Plan 2nd Qtr Update 20150521.pdf](#)

[140703B FY15 Strategic Plan 20150521.pdf](#)

[140703C Strategic Plan Presentation 20150521.pdf](#)

[140703A Agenda 20150610.pdf](#)

[140703B FY15 Strategic Plan 20150610.pdf](#)

[140703C Strategic Plan Presentation 20150610.pdf](#)

[140703 Strategic Plan 3rd Qtr Update 20150820.pdf](#)

[140703 Strategic Plan 4th Qtr Update 20151015.pdf](#)

[140926.](#)

**Second Amendment to Interlocal Agreement for the Distribution of the Local Option Gas Tax (B)**

**This is a request for the City Commission approved the second amendment to Interlocal Agreement for the Distribution of the Local Option Gas Tax.**

*Explanation: Section 336.025, Florida Statutes permits the County the authority to levy local option gas tax upon every gallon of motor fuel and special fuel sold in the County and taxed under the provisions of Chapter 206, Fla. Stat. Alachua County levied the 4th, 5th, and 6th cents of the Gas Tax and distributed the proceeds in accordance with an Interlocal Agreement with the City Of Gainesville effective September 1, 1985.*

*The City Commission approved the First Amendment to Interlocal Agreement for the Distribution of the 4th, 5th and 6th cents of the Local Option Gas Tax at the May 7, 2015 meeting. The First Amendment extended the Interlocal Agreement to August 31, 2016. The Florida Department of Revenue has requested Alachua County set an expiration date of December 31, 2016 for the Ordinance authorizing the Local Option Gas Tax. This action requires a Second Amendment to Interlocal Agreement to extend the expiration date to December 31, 2016.*

*Fiscal Note: In FY14, the total revenue from the 4th, 5th, and 6th cents was \$3,262,088.18. The City received \$1,087,253.99.*

**RECOMMENDATION**

*The City Commission: 1) approve the Second Amendment to the Interlocal Agreement for the Distribution of the Local Option Gas Tax with an expiration date of December 31, 2016; and 2) authorize the Mayor to execute the Agreement, subject to approval by the City Attorney as to form and legality.*

Legislative History

5/7/15 City Commission Discussed

[140926A\\_DRAFT\\_Interlocal\\_Agreement\\_20150507.pdf](#)

[140926B\\_Letter\\_20150507.pdf](#)

[140926C\\_1987Interlocal\\_Agreement\\_20150507.pdf](#)

[140926D\\_1985Interlocal\\_Agreement\\_20150507.pdf](#)

[140926-MOD\\_Presentation\\_20150507.pdf](#)

[140926\\_Gas\\_Tax\\_Agreement\\_20150521.pdf](#)

[140926\\_Second\\_Amendment\\_20151015.pdf](#)

150365.**Purchase of a New Fleet of Golf Carts for Ironwood Golf Course (B)**

**This is a request for the City Commission to approve staff's ranking of proposals for the purchase of a new fleet of golf carts for Ironwood Golf Course, with the top-ranked proposal being submitted by E-Z-GO A Textron Company ("EZGO"), and authorization for Parks, Recreation and Cultural Affairs ("PRCA") to enter into a contract with EZGO for purchase of the items included in EZGO's proposal.**

*Explanation: On August 27, 2015, a Request for Proposal (RFP) was issued by the City's Purchasing Division for Purchase of a New Fleet of Golf Carts for Ironwood Golf Course. All proposals were due at 3:00 p.m. on September 16, 2015. The intent of the RFP is to purchase a new fleet of golf carts every 4 years so that there will be consistency in the condition of all carts versus the current method of purchasing ten (10) carts every year, which has resulted in a mix of used and new fleet.*

*A total of three (3) proposals were received by the deadline indicated. On September 17, 2015, an evaluation committee, consisting of two (2) members of PRCA staff and one (1) member from the Budget and Finance Department, met with staff from the City of Gainesville Purchasing Division and evaluated the submitted proposals. The top ranked proposal was submitted by EZGO, and includes the purchase of 66 TXT DC Electric Golf carts, 2 TXT gas Freedom Ranger Carts, 2 Cushman 1200 Beverage Carts and 1 Cushman X 800 Gas Range Picker carts with trade-in of the current fleet of carts at Ironwood Golf Course, consisting of 74 electric golf carts, 2 gas carts, 2 gas beverage carts, and a range picker purchased by the City from 2003 to 2014. PRCA desires to enter into a contract with EZGO for the purchase of these items.*

*Included in the EZGO bid is a 4-year warranty on the suspension, pedal group, seats, canopy system, powertrain, and 25,000 amp hours on the cart batteries. The intent of Ironwood Golf Course is to trade in the purchased fleet every 4 years (before the carts were to exceed the amp*

hours listed in the warranty) and purchase a new fleet by going through the RFP process.

*Fiscal Note: The award carries a total purchase amount of \$145,970. Currently cart purchases are staggered, with approximately 10 carts purchased per year from Ironwood capital surcharge monies, at a cost of approximately \$35,000 per year. Funds in the amount of \$145,970 for the purchase of a new fleet of golf carts for Ironwood Golf Course will be acquired through an internal loan from the General Fund. The funds will be repaid annually from the Ironwood Golf Course Surcharge Fund.*

*The project will cost an additional \$1,492/year over the current practice of Ironwood purchasing its cart fleet; however the amount saved by not having to repair and maintain an aging fleet of carts should more than make up that difference. By trading in the fleet after 4 years, additional batteries will also not need to be purchased, which is a significant cost savings to the golf course.*

**RECOMMENDATION**

*The City Commission: 1) approve staff's recommended ranking of the proposals; 2) authorize the City Manager or his designee to execute a contract, subject to approval by the City Attorney as to form and legality, with E-Z-GO A Textron Company in the amount of \$145,970, and 3) authorize the City Manager or designee to issue a purchase order in an amount not to exceed \$145,970.*

[150365A\\_Proposal\\_Evaluation\\_20151015.pdf](#)

[150365B\\_Bid\\_Document\\_Golf\\_Carts\\_20151015.pdf](#)

[150365C\\_Club\\_Car\\_Proposal\\_20151015.pdf](#)

[150365D\\_E-Z-GO\\_Proposal\\_20151015.pdf](#)

[150365E\\_Yamaha\\_Proposal\\_20151015.pdf](#)

[150365F\\_Signed\\_Bid\\_Tab\\_Sheet\\_20151015.pdf](#)

[150365G\\_Addendum\\_No.\\_1\\_-\\_FINAL\\_20151015.pdf](#)

[150365H\\_Addendum\\_No.\\_2\\_-\\_FINAL\\_20151015.pdf](#)

[150365I\\_Cost\\_Comparison\\_of\\_Submitted\\_Proposals\\_20151015.pdf](#)

[150365J\\_Evaluations-Club\\_Car\\_20151015.pdf](#)

[150365K\\_Evaluations-E-Z-GO\\_20151015.pdf](#)

[150365L\\_Evaluations-Yamaha\\_20151015.pdf](#)

[150365M\\_Summary\\_Evaluation\\_20151015.pdf](#)

[150365N\\_Award\\_Public\\_Notice\\_20151015.pdf](#)

[150382.](#)

**Approval to Transfer Funds to the Black On Black Crime Task Force Inc. for Youth and Job Skill Programs (NB)**

**This is a request for City Commission authorization for the transfer of \$25,000 of Federal Forfeiture funds to the Black On Black Crime Task Force.**

*Explanation:* This item requests that the City Commission appropriate and expend an amount not to exceed \$25,000 from the Federal Law Enforcement Contraband Forfeiture Fund for the Black On Black Crime Task Force, Inc. for youth and job skills programs. Black On Black Crime Task Force, Inc. is partnered with the Gainesville Police Department on a variety of projects from the Reichert House Youth Academy to the BOLD Program to the Domestic Violence Unit. Per Federal Forfeiture guidelines the transfers of shared funds from a local law enforcement agency to a community non-profit organization, an agency may, at its discretion, transfer up to a total of \$25,000 of its shared funds annually to community based programs whose missions are supportive of a consistent law enforcement effort, policy and/or initiative. The chief law enforcement officer must approve the transfer and must ensure the recipient is a qualified entity.

*Fiscal Note:* Funding in the amount of \$25,000 is available from the Federal Law Enforcement Contraband Forfeiture Trust Fund. Based on the Comparative Balance Sheet dated August 31, 2015, the available balance of this account is \$1,301.698.

**RECOMMENDATION**

The City Commission authorize the appropriation of an amount not to exceed \$25,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund to the Black On Black Crime Task Force, Inc.

[150384.](#)

**Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTE) Funding for the Gainesville -Alachua County Drug Task Force (DTF), GPD Special Investigation Division for Verizon Wireless for FY16 (NB)**

**This is a request for City Commission approval for the appropriation of funds for cellular phones service for the Special Investigations Division for fiscal year 2016.**

*Explanation:* On November 1, 2007, the Gainesville Police Department Special Investigations Division (GPD SID) combined with Alachua County Sheriff's Office Narcotics and Organized Crime Unit (ASO NOCU) and the University of Florida Police Department (UPD) to form the Gainesville-Alachua County Drug Task Force (DTF). The DTF is often involved in large scale operations with other federal, state and local organizations. The service that DTF used in the past is Verizon Wireless and this request is for continued funding for fiscal year 2016. It is important to keep this service active because in some cases this is the

only means of communications between task force members and other federal and state organizations.

*Fiscal Note:* Funds for this expenditure in the amount of \$11,000 are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) and are allowable per the U.S. Department of Justice "A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Enforcement Agencies". The unreserved balance is \$1,301,698 as of 8/31/15.

**RECOMMENDATION**

The City Commission approve the appropriation of \$11,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) to pay for the cellular services and any equipment needed to Verizon Wireless.

[150355.](#)

**Funding for Gainesville Police Department Television Show (B)**

**This is a funding request from Federal Forfeiture funds for FY2016 for the Gainesville Police Department's Television Show.**

*Explanation:* The Gainesville Police Department's (GPD) Television Show is part of the Department's Crime Prevention Program and is a vital communication tool between GPD and the public. The show is used to: 1) explain how GPD provides services to the community, 2) explain and demonstrate community-oriented policing initiatives, 3) showcase crime prevention activities, 4) inform Gainesville residents that certain quality of life concerns are being addressed; and 5) highlight the many community programs that GPD participates in that works towards the Commission's Strategic Objectives. GPD has been producing the show for over ten years and the episodes air on CBS4, Channel 12, and on YouTube. In the past year, the show featured a group of prior gang members and showed how they participated in a Summer Enrichment Program; explained the dangers of distracted driving and texting while driving; highlighted the extremely successful Police / Youth Dialogue program; and had officers engage citizens in honest on-camera conversations to measure how GPD is providing services. In today's culture, it is imperative that the City use a show such as this to demonstrate how GPD is above the curve in protecting the public with compassion. The show was previously named "Police Beat" but is undergoing a re-branding for the next year. The requested funds will cover the production and airing of 12 new thirty-minute shows to air.

*Fiscal Note:* Funds for this one year agreement, covering the period October 1, 2015 through September 30, 2016, totaling \$49,500 are available in the Federal Law Enforcement Contraband Forfeiture Trust Fund. The balance in Federal Forfeiture account is 1,301,698 as of 8/31/15.

**RECOMMENDATION**

The City Commission approve the expenditure, the extension to the contract and issuance of a purchase order to Studio 601, Inc., in the amount of \$49,500 for the continuation of funding for the



*Police Beat Television show, subject to approval of the City Attorney as to form and legality.*

[150355 STUDIO 601 3RD EXT 20151015](#)

## GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

## CITY ATTORNEY, CONSENT AGENDA ITEMS

[150385.](#)

**WILLIAM THOMAS VS. CITY OF GAINESVILLE, A MUNICIPAL CORPORATION FOR THE STATE OF FLORIDA, EDWARD CHARLES KERSEY, JOANN CATHCART, AND JOHNNY BROWN; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-2663 (B)**

*Explanation: On September 24, 2015, Joann Cathcart and Johnny Brown were served with a Summons and Complaint filed by William Thomas. The City has not yet been served but anticipates service of process at any time. The Complaint attempts to state a cause of action for malicious prosecution against the City and three individuals who were employed by the City. William Thomas is also a former employee of the City of Gainesville. In 2012, Mr. Thomas' employment was terminated for misconduct, including theft of City property. Mr. Thomas grieved the termination in accordance with the Collective Bargaining Agreement, and an independent Arbitrator upheld the disciplinary action. Simultaneously, Mr. Thomas was investigated by GPD and prosecuted by the State Attorney's Office. Ms. Cathcart, Mr. Brown, and others were witnesses in the criminal investigation and prosecution. Ultimately, the State Attorney's Office determined that the administrative action of losing his employment was sufficient punishment, and declined to pursue criminal prosecution. William Thomas claims to have suffered grievously, has been brought into public scandal, and great humiliation, mental suffering, and damage to reputation. Mr. Thomas seeks money damages in excess of \$15,000.00.*

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City, Joann Cathcart and Johnny Brown in the case styled William Thomas vs. City of Gainesville, a Municipal Corporation for the State of Florida, Edward Charles Kersey, Joann Cathcart, and Johnny Brown; Eighth Judicial Circuit, Case No. 2015-CA-2663.*

[150385\\_William Thomas\\_20151015.pdf](#)

[150402.](#)

**FCHR CHARGE - TREVOR BROWN; FCHR CHARGE No. 201501742 AND EEOC No. 15D2015007635 (NB)**



*Explanation:* On October 5, 2015, the City of Gainesville received a Notice of Charge of Discrimination from the Florida Commission on Human Relations. Mr. Brown, a current City employee, alleges he was discriminated against because of his race, in violation of Title VII of the Civil Rights Act.

**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Trevor Brown v. City of Gainesville; FCHR CHARGE No. 201501742 AND EEOC No. 15D2015007635.

[150403.](#)

**FCHR CHARGE - KELVIN WALKER; FCHR CHARGE No. 201501312 AND EEOC No. 15D2015500732 (NB)**

*Explanation:* On September 29, 2015, the City of Gainesville received a Notice of Charge of Discrimination from the Florida Commission on Human Relations. Mr. Walker, a current City employee, alleges retaliation and discrimination because of his race, in violation of Title VII of the Civil Rights Act.

**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Kelvin Walker v. City of Gainesville; FCHR CHARGE No. 201501312 AND EEOC No. 15D2015500732.

[150404.](#)

**FCHR CHARGE - REGIONAL WILSON; FCHR CHARGE No. 201501429 AND EEOC No. 15D201500731 (NB)**

*Explanation:* On September 28, 2015, the City of Gainesville received a Notice of Charge of Discrimination from the Florida Commission on Human Relations. Mr. Wilson, a current City employee, alleges he was retaliated against in violation of Title VII of the Civil Rights Act.

**RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Regional Wilson v. City of Gainesville; FCHR CHARGE No. 201501429 AND EEOC No. 15D201500731.

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

[150390.](#)

**Joint City/County Commission Special Meetings (NB)**

**RECOMMENDATION**

The City Commission approve the dates of March 31, August 22 and December 12, 2016 for Joint City/County Commission Special Meetings.

[150408.](#)

**City Commission Minutes (B)**

**RECOMMENDATION**

*The City Commission approves minutes of September 10, 17, 30 and October 1, 2015.*

[150408\\_Minutes\\_20151015.pdf](#)

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**LEGISLATIVE AND ORGANIZATIONAL POLICY COMMITTEE COMMITTEE, CONSENT**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,  
CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any,  
each item added or modified)**

**GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30  
minutes in length)**

**CLERK OF THE COMMISSION**

**CITY MANAGER**

[150380.](#)

**The FY2015-2016 City of Gainesville Strategic Plan (B)**

**This item seeks approval of the amendment to the City of Gainesville Strategic Plan for fiscal years 2015-2016. \*\*ESTIMATED STAFF PRESENTATION 20 MINUTES\*\***

*Explanation: The annual City Commission Strategic Planning Retreat was held on June 10th, 2015 in the Gainesville Police Department's Hall of Heroes community room. The Mayor and Commissioners discussed key City issues and evaluated the current FY2015-2016 strategic planning goals*

and initiatives.

*The Commission then collaboratively sunset 11 initiatives, established 15 new initiatives, and prioritized 29 initiatives into three priorities: highest, higher, and high. Each Commissioner also identified one top priority initiative for which significant progress should be made during the upcoming 12 months.*

*On August 19th, the City Manager's Leadership Team, department directors, and staff champions participated in an all-day workshop to identify action plans and critical success measures for the Commission's new strategic initiatives for the amended FY2015-2016 plan. Staff also used this workshop to discuss potential improvements to the strategic planning process and oversight model.*

*Recently, the Commission selected initiatives to sponsor through a balloting process. From the ranked selections, each participating member has been assigned a few initiatives to sponsor.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation regarding the strategic plan; 2) accept the strategic initiative sponsor assignments; 3) remove existing referrals of strategic initiatives from respective Committees; 4) direct the Clerk to schedule quarterly General Policy Committee meetings for ongoing strategic plan updates beginning in February 2016; and 5) adopt the amendment of the FY2015-2016 City of Gainesville Strategic Plan.*

[150380A FY15-16 Amended Strategic Plan 20151015.pdf](#)

[150380B FY16 Strategic Initiatives - Sponsors 20151015.pdf](#)

[150380C FY16 Strategic Plan Presentation 20151015.pdf](#)

[150108.](#)

**Forensic Capacity Hiring Program for Wounded Veterans (B)**

**This is a request for City Commission approval to accept for funding under the Office of Juvenile Justice and Delinquency Prevention (OJJDP) FY 15 Internet Crimes Against Children Task Forces.**

**\*\*ESTIMATED STAFF PRESENTATION 10 MINUTES\*\***

**MODIFICATION - ADDED POWERPOINT PRESENTATION**

*Explanation: The Human Exploitation Rescue Operative (HERO) Child Rescue Corps is a program developed by the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), U.S. Special Operations Command (SOCOM), Oak Ridge National Laboratory and the National Center to Protect Children.*

*The program provides training in high-tech computer forensics and law enforcement skills to wounded, injured and ill Special Operations veterans for the purpose of combatting online child exploitation.*

*GPD was notified we have been awarded the grant and now we would proceed to select an applicant from an available pool, or seek to select our own through specific criteria outlined in the award packet. The HERO employee would be a full time resource for Gainesville PD cases as well as Task Force Affiliate cases.*

*Fiscal Note: OJJDP made four awards of \$150,000 each for an estimated total of \$600,000 for a project period of up to 36 months, beginning October 1, 2015. This is a non-matching funding opportunity. Agencies will be required to fund the Digital Forensic Analyst position for a minimum of 24 months.*

*An amount of \$150,000 will suffice to support the equipment, training, and salary/benefits, of a civilian employee with the City of Gainesville for 24 months. Given the number of available awards, it is deemed unlikely that additional funding will be available to original recipients upon expiration of this award.*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from staff; 2) authorize the City Manager to accept these funds; and 3) execute any additional documents that may be required, pending review of the City Attorney as to form and legality.*

[150108a ICAC Forensic Capacity Hiring Letter of Invitation 20151015](#)

[150108b ICAC Forensic Hiring Program 20151015](#)

[150108c HERO Budget Detail Worksheet 20151015](#)

[150108-MOD PPT 20151015.pdf](#)

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)**

**LEGISLATIVE and ORGANIZATIONAL POLICY COMMITTEE**

[140700.](#)

**Purchasing Process for Professional Services (B)**

**This is a request for the City Commission to discuss the local vendor preference policy. \*\*ESTIMATED STAFF PRESENTATION 10 MINUTES\*\***

*Explanation: During the January 15, 2015 City Commission meeting, the Commission referred a discussion of the Purchasing Process for professional services to the Legislative and Organizational Policy Committee.*

*On March 3, 2015 staff presented the process for procuring professional services to include the evaluation of qualifications, written proposals, the oral presentations, and price. They will also discuss the Consultant's Competitive Negotiation Act (CCNA), when it applies, as well as when and how the Local Preference Policy enters into the process.*

*The Committee asked staff to contact peer cities for comparisons related to the makeup of selection committees, and weights for scoring criteria. Committee member Carter also agreed to work with a representative from CPPI to develop ideas about how policies might be improved, specifically local preference.*

*On May 4, 2015, staff presented the results from peer cities regarding the make-up of the evaluation/selection committees and criteria weights. The Committee recommended for contracts in excess of \$2 million that selection committees have a minimum of five members, with the user department representing less than the majority vote. This action requires a procedural change only to be implemented by the City Manager and General Manager. No action was taken with respect to weights as it should be determined based on each project.*

*On September 9, 2015, the committee continued discussions with regard to the Local Vendor Preference ordinance. This discussion considered the length of time required for a vendor to hold a business tax license and how many full time employees are employed at the local office and the percentage applied. The current ordinance requires the vendor to hold a valid business tax license issued by the City at least six months prior to the bid or proposal opening date to be considered "local". A proposal submitted by a representative of a local contractor suggests a two year requirement prior to bid/proposal opening date or the origination of the business in Gainesville. It also suggests that the vendor have a minimum of two full-time equivalent employees working in the established office for a three year period. With respect to the current five percent, the representative also suggests extending a three percent preference for businesses located in Alachua County. An outline of the ordinance and a comparison of local preference policies adopted by peer cities are included in the backup.*

*Fiscal Note: None*

**RECOMMENDATION**

*The Commission: 1) discuss the local vendor preference policy; 2) take any action deemed appropriate; and 3) remove from this item from the Legislative and Organizational Policy Committee referral list.*

**Legislative History**

1/15/15	City Commission	Referred to the Legislative and Organizational Policy Committee
5/4/15	Legislative and Organizational Policy Committee	Retained in Committee
9/9/15	Legislative and Organizational Policy Committee	Discussed

[140700 Procurement Presentation 20150303.pdf](#)

[140700A Evaluation Team Comp 20150504.pdf](#)

[140700B Evaluation Criteria 20150504.pdf](#)

[140700C Local Vendor Pref 20150504.pdf](#)

[140700D Prof Selections 20150504.pdf](#)

[140700A Local Vendor Pref Proposed Modifications 20150909.pdf](#)

[140700B Local Vendor Preference 20150909.pdf](#)

[140700A Local Vendor Pref Proposed Modifications 20151015.pdf](#)

[140700B Local Vendor Preference 20151015.pdf](#)

## RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

[150250.](#)

### Neighborhood Master Plans (B)

**This is a request for the City Commission to hear a proposal from Professor Kim Tanzer and residents of the Golfview neighborhood to explore Integrated 21st Century Infrastructure. \*\* Estimated Presentation 10 Minutes\*\***

*Explanation: Residents of the Golfview neighborhood have developed a proposal to become a pilot neighborhood to explore Integrated 21st Century Infrastructure. Residents of the neighborhood including Professor Tanzer will be in attendance to share their proposal and answer questions.*

*Professor Tanzer met with City staff, per the Recreation, Cultural Affairs and Public Works Committee's recommendation, to develop a proposal for her Spring Studio at UF to collaborate with the City and the Golfview neighborhood to create a case study on aging infrastructure and new technology. City staff from the City Manager's Office, Public Works, and GRU suggested effective ways City staff could participate.*

*On September 10, 2015, the Committee heard Professor Tanzer's proposal and invited her to bring it to the full City Commission to determine whether it is something the Commission can support. Professor Tanzer has indicated that she expects the outcome of the Spring Studio to be a report sharing a model and recommendations for modernizing neighborhood infrastructure Citywide.*

*Fiscal Note: The fiscal impact of participating in the proposed Spring Studio is expected to be the staff necessary to meet with UF students and professors by phone and in person.*

**RECOMMENDATION**

*The RCAPW Committee recommends that the City Commission hear a proposal from Professor Kim Tanzer and residents of the Golfview neighborhood on the proposed case study for Integrated 21st Century Infrastructure and provide direction to City staff as appropriate.*

**Legislative History**

8/13/15	Recreation, Cultural Affairs and Public Works Committee	Discussed
9/10/15	Recreation, Cultural Affairs and Public Works Committee	Discussed

[150250 Golf View Text 20150813.docx](#)

[150250 21st century infrastructure syllabus 20150910.pdf](#)

[150250A 21st Century Infrastructure syllabus 20151015.pdf](#)

[150250B Rethinking Infrastructure Report 20151015.pdf](#)

**GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS. Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.**

**GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES. Must be submitted by a Charter Officer. Update limited to ten (10) minutes.**

**GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION**

[150378.](#)

Mayor Ed Braddy - Proposed referendum ballot language regarding funding for land conservation and recreational improvements (B)

**RECOMMENDATION**

*The City Commission take appropriate action.*

[150378 BOCC Letter 20151015.pdf](#)

[150378 Memo 20151015.pdf](#)

[150417.](#)

**Mayor Ed Braddy - Cycle Pub (NB)**

**RECOMMENDATION**

*The City Commission refer Cycle Pub to the Community Development Committee.*



**GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)**

**GAINESVILLE REGIONAL UTILITIES** items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled by the Mayor, a City Commissioner or a Charter Officer.

**5:30 P.M.**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**Mr. Bob Gasche**

**PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer**

[150386.](#)

**National Red Ribbon Week - October 23-31, 2015 (B)****RECOMMENDATION**

*Gator Detachment of the Marine Corp League Bob Gasche to accept the proclamation.*

[150386\\_RebRibbon\\_20151015.pdf](#)

[150387.](#)

**United Nations Day - October 22, 2015 (B)****RECOMMENDATION**

*Brian Mitchell to accept the proclamation.*

[150387\\_UnitedNations\\_20151015.pdf](#)

[150391.](#)

**Manufacturing Month - October 2015 (B)****RECOMMENDATION**

*Advanced Manufacturing Council Chair Kathy Hellriegel to accept the proclamation.*

[150391\\_Manufacturing\\_20151015.pdf](#)

[150392.](#)

**Family Promise Week - October 18-25, 2015 (B)****RECOMMENDATION**

*Family Promise of Gainesville Executive Director Jayne Moraski, Director Jeanna Mastrodicasa and Board President Adam Gursket to accept the proclamation.*

[150392\\_FamilyPromise\\_20151015.pdf](#)

[150394.](#)**Dance Alive National Ballet Year - 2015 (B)****RECOMMENDATION**

*Dance Alive National Ballet Judy Skinner to accept the proclamation.*

[150394\\_DanceAlive\\_20151015.pdf](#)

[150409.](#)**Reverend Karl V. Smith, Sr. Day - October 16, 2015 (B)****RECOMMENDATION**

*Greater Bethel AME Church Pastor Reverend Karl Smith to accept the proclamation.*

[150409\\_RevSmith\\_20151015.pdf](#)

**6:00 P.M.**

**CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)**

**PUBLIC HEARINGS**[150379.](#)**Public Hearing to Approve the Campus Development Agreement for the University of Florida Campus Master Plan, 2015 - 2025 (B)**

**In accordance with Subsection 1013.30, Florida Statutes, the University of Florida must enter into an Agreement with their host local government(s) that addresses level-of-service requirements, deficiencies and campus impacts on public services and facilities. The host local government must adopt the Agreement in a manner consistent with the requirements of Chapter 163.3225. \*Estimated Staff Presentation 5 Minutes\***

*Explanation: The University Comprehensive Master Plan process established in Subsection 1013.30 of the Florida Statutes is intended to facilitate coordination between universities and their host local governments. Subsection (1) states "This section contains provisions for campus planning and concurrency management that supersede the requirements of part II of chapter 163, except when stated otherwise in this section. These special growth management provisions are adopted in recognition of the unique relationship between university campuses and the local governments in which they are located. While the campuses provide research and educational benefits of statewide and national importance, and further provide substantial educational, economic, and cultural benefits to their host local governments, they may also have an adverse impact on the public facilities, services and*

natural resources of host governments. On balance, however, universities should be considered as vital public facilities of the state and local governments. The intent of this section is to address this unique relationship by providing for the preparation of campus master plans and associated campus development agreements." The University of Florida Board of Trustees (UFBOT) adopted the final campus master plan on June 4, 2015 and the Plan became effective on July 19, 2015. At the same June meeting, the UFBOT approved the draft Campus Development Agreement (CDA) for final negotiations and execution with the City of Gainesville and Alachua County.

At this time, formal adoption of the CDA by the City must be executed in a manner consistent with Chapter 163.3225 Florida Statutes, which requires two public hearings. The current DCA expires in December 2015 and established development thresholds and provided funding to the City and the County to mitigate the impacts of development authorized by the CDA. The University of Florida has not exceeded this gross square footage(GSF), and Exhibit "A" of the proposed 2015-2025 CDA lists 2,021,975 GSF as the remaining amount of net new building area, and 1,715 net new parking spaces as the new maximum thresholds for net new development. Given that UF has development which has provided mitigation, no additional funds for mitigation are proposed.

*Fiscal Note: None*

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) review the proposed Campus Development Agreement; and 2) hold a public hearing; and 3) announce 2nd public hearing for November 5, 2015.*

*Alternative Recommendation A: The City Commission takes no action.*

[150379A\\_Campus Development Agreement 2015-2015 Final\\_20151015.pdf](#)

## RESOLUTIONS- ROLL CALL REQUIRED

[150367.](#)

### **Resolution and Perpetual Easement Request from Florida Department of Transportation (B)**

**This item involves the request from Florida Department of Transportation (FDOT) for adoption of a Resolution and grant of a Perpetual Easement, located on Southwest 16th Street, south of Southwest 16th Avenue.**

*Explanation: FDOT is requesting a perpetual easement at the intersection of Southwest 16th Street, just south of Southwest 16th Avenue to allow renovations to the mast arm and signal light. FDOT also requires the*

*adoption of a resolution, associated with the easement.*

*Fiscal Note: There is no cost associated with this request.*

**RECOMMENDATION**

*The City Commission 1) adopt the Resolution approving a Perpetual Easement; and 2) authorize the Mayor to execute and the Clerk to attest the Perpetual Easement subject to approval by the City Attorney as form and legality.*

[150367A\\_P804owner map\\_20151015.pdf](#)

[150367B\\_P804.1 City of Gainesville\\_20151015.pdf](#)

[150367C\\_Resolution 804\\_20151015.pdf](#)

[150368.](#)

**Resolution and Subordination Agreement Request from Florida Department of Transportation (B)**

**This item involves the request from Florida Department of Transportation (FDOT) for adoption of a Resolution and grant of a Subordination Agreement, located on Southwest 16th Street, north of Southwest 16th Avenue.**

*Explanation: FDOT is requesting a Subordination Agreement at the intersection of Southwest 16th Street, just north of Southwest 16th Avenue for the purpose of construction and maintaining a traffic signal mast are, curb ramp and pedestrian signal. FDOT also requires the adoption of a resolution, associated with the easement.*

*Fiscal Note: There is no cost associated with this request.*

**RECOMMENDATION**

*The City Commission 1) adopt the Resolution approving a Subordination Agreement; and 2) authorize the Mayor to execute and the Clerk to attest the Subordination Agreement subject to approval by the City Attorney as form and legality.*

[150368A\\_Book 247, page 184\\_20151015.pdf](#)

[150368B\\_P801 owner map\\_20151015.pdf](#)

[150368C\\_Resolution 801\\_20151015.pdf](#)

[150368D\\_Subordination Agreement.801\\_20151015.pdf](#)

[150370.](#)

**CITY COMMISSION RULES (B)**

Resolution No. 150370

A RESOLUTION AMENDING AND RESTATING IN ITS ENTIRETY THE RULES OF THE CITY COMMISSION BY REVISING THE AGENDA DEADLINES FOR THE REGULAR CITY COMMISSION

MEETINGS; PROVIDING A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE.

*Explanation: The City Commission at its meeting of October 5, 2015, approved moving the agenda review meetings from Tuesday to Wednesday and likewise amending the Rules of the City Commission to revise the agenda deadlines for the regular City Commission meetings. The revised language is on page 8, line 8 of the Resolution.*

**RECOMMENDATION**            *The City Commission adopt the proposed Resolution.*

**Legislative History**

10/1/15            City Commission            Approved, as shown above

[150370\\_draft\\_resolution\\_20151015.pdf](#)

[150405.](#)

**FINAL PLAT - FLETCHER OAKS A PLANNED DEVELOPMENT (B)**

Resolution No. 150405

A Resolution of the City of Gainesville, Florida, approving the final plat of "Fletcher Oaks A Planned Development", located in the vicinity of NW 31st Avenue and NW 26th Street and to the south of the 2500 block of NW 39th Avenue, as more specifically described in this resolution; accepting the dedication of the public rights-of-way, easements and other dedicated portions as shown on the plat; authorizing the City Manager to execute a Security Agreement to secure the construction of improvements; providing directions to the Clerk of the Commission; and providing an immediate effective date.

**MODIFICATION - ADDED ITEM. CITY COMMISSION WILL NEED TO WAIVE THE RULES TO HEAR THIS ITEM.**

*Explanation: On October 6, 2011, the City Commission adopted Resolution No. 110339 approving the conditional final plat for "Walnut Creek Phase II A Planned Development", which was the former name of what is now called "Fletcher Oaks A Planned Development", and which included 55 residential lots together with associated public rights-of-way and easements. As a conditional final plat, Resolution No. 110339 required that all subdivision improvements required per the ordinances of the City of Gainesville shall be completed within two years of the effective date of the Resolution. In addition, the conditional final plat may not be recorded in the Public Records of Alachua County, and no building permits may be issued on the property, until the subdivision improvements have been completed and approved by the City and the conditional final plat has been converted to a final plat by the City Commission. Subsequent to adoption of said conditional final plat, the owner of the plat experienced unforeseen delays in the completion of*

*the subdivision improvements and the conditional final plat has not been converted to a final plat.*

*Resolution No. 110339 and Section 30-186 of the Land Development Code allow the owner, upon the posting of a bond or other such security for the cost of the uncompleted improvements, to have the conditional final plat converted to final plat, provided that all requirements and conditions of the Land Development Code applicable to final plat acceptance have been met. Conversion from conditional final plat to final plat by the City Commission allows the plat to be recorded in the Public Records of Alachua County and building permits to be issued, and the security provided by the owner with such conversion secures the construction and completion of the subdivision improvements within 12 months from the date of final plat approval.*

*The owner of "Fletcher Oaks A Planned Development" has submitted a final plat that substantially conforms to the conditional final plat that was approved by the City Commission on October 6, 2011, and has submitted an irrevocable letter of credit to secure the cost of the uncompleted subdivision improvements, and the owner thereby requests the City Commission to accept and approve the final plat in accordance with Chapter 177 of the Florida Statutes and Chapter 30 of the Code of Ordinances of the City of Gainesville, Florida.*

**RECOMMENDATION**

*The City Commission: 1) waive the City Commission rules to hear this item; and 2) adopt the proposed Resolution.*

[150405 draft resolution 20151015.pdf](#)

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

[150352.](#)

**SETTING 2016 ELECTION DATES AND QUALIFYING DATES  
(B)**

**ORDINANCE NO. 150352**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, SETTING MARCH 15, 2016 AS THE DATE FOR THE 2016 REGULAR CITY ELECTION AND APRIL 12, 2016 AS THE DATE FOR THE 2016 RUN-OFF ELECTION, IF NECESSARY; SETTING THE DATES FOR QUALIFYING FOR THE 2016 REGULAR ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; REPLACING AND SUPERSEDING ORDINANCE NO. 140911; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Explanation: The City Commission, at its meeting of June 18, 2015, adopted*

Ordinance No. 140911 setting the dates for the 2016 regular city election, run-off election and qualifying periods. The 2016 regular election will be held in conjunction with the Presidential Preference Primary. The City Attorney's Office was notified by the Supervisor of Elections that the qualifying dates for the City regular election need to be moved to accommodate the mailing of the overseas ballots for the Presidential Preference Primary. The qualifying dates in this ordinance will accommodate that requirement. The period to qualify as a candidate for the office of Mayor or City Commissioner will be between the 92nd and 88th day prior to the date of the election. This ordinance sets forth the actual calendar dates for 2016 as follows:

Regular election - Tuesday, March 15, 2016

Run-off election (if necessary) - Tuesday, April 12, 2016

Qualifying Period - From noon on Monday, December 14, 2015 to noon on Friday, December 18, 2015.

**RECOMMENDATION**            The City Commission adopt the proposed ordinance.

**Legislative History**

10/1/15            City Commission            Adopted on First Reading (Ordinance)

[150352 draft ordinance 20151001.pdf](#)

## PLAN BOARD PETITIONS

## DEVELOPMENT REVIEW BOARD PETITIONS

## SCHEDULED EVENING AGENDA ITEMS

[150407.](#)

### Tree Planting Project at Depot Park (B)

**This item is a request for approval of a tree planting project at Depot Park, to be paid from Tree Mitigation Funds, and authorization of a change order in an amount that requires City Commission approval.**

*Explanation: The CRA has been working closely with the Parks, Recreation, and Cultural Affairs department to develop a strategy for leveraging tree mitigation funds at Depot Park. Tree mitigation funds are acquired through private development that occurs throughout the City of Gainesville. In August 2015, CRA staff worked closely with the current Depot Park Phase II construction team to develop a scope of work to upsize all of the trees to be installed at Depot Park. The current plans for Depot Park Phase II identify 247 trees, with an average caliper of 2", to be installed on site. CRA staff requested a proposal from Oelrich Construction, Inc., the construction management firm for the Depot Park Phase II project, for upsizing all of the trees to be installed on site and for the addition of some trees that were omitted from the plans during*



negotiations of the Guaranteed Maximum Price (GMP) for construction.

In September 2015, the CRA received the proposal from Oelrich Construction, Inc. which identifies 289 trees, significantly larger in size, to be installed on the Depot Park Phase II site. The CRA presented this proposal to the Parks, Recreation, and Cultural Affairs department for the amount of \$734,693.36. The following is included in the scope of work outlined in the proposal (the full proposal is included as backup to this item):

- Upsizing 247 trees currently identified in the Depot Park Phase II plans
- Addition of 42 trees previously omitted from the Depot Park Phase II plans
- Upsizing the 42 additional trees to match the remaining 247 upsized trees
- Installation costs (transport, root ball prepping, mobilization and tree protection)
- Additional irrigation costs for larger tree specimens
- Disposal of contaminated soils from tree holes (on an as-needed basis)
- Mulch around tree base
- Tree bracing (on an as-needed basis)
- 1 year warranty with an option for 2 additional years (contingent on a 2-year tree maintenance agreement)
- Construction Management fee
- Bond fee

Section 30-254(b)(2), Gainesville Land Development Code, provides that Tree Mitigation Funds may be used for new tree plantings associated with public improvement projects or for the preservation of trees through the purchase of conservation lands, but not for tree maintenance or toward the installation of new trees that would already be required for a development. All of the work conducted within the scope identified in the proposal qualifies for use of Tree Mitigation Funds in accordance with the ordinance, and will be tracked and documented throughout project construction. Any unused funds would be reimbursed to the Parks, Recreation, and Cultural Affairs department. The Depot Park Phase II project is currently under construction with completion expected in Fall 2016. City Commission approval is required for this item in that the contract change order will exceed 10% of the total contract price.

*Fiscal Note:* The construction of Depot Park Phase II is fully funded. Funding for upsizing all of the trees currently identified in the plans, and for the addition of trees not identified in the current plan set, is available through the Tree Mitigation Funds obtained by the Parks, Recreation, and Cultural Affairs department through private development.

**RECOMMENDATION**

City Manager to City Commission: 1) Approve the proposal submitted by Oelrich Construction, Inc. for the amount of \$734,693.36, to be paid from Tree Mitigation Funds; and (2) authorize the CRA

*Executive Director to execute the contract change order documents, subject to approval by the City Attorney as to form and legality.*

[150407 PROPOSAL 20151015.pdf](#)

[120125.](#)

### **Overall Charter Review Process Referral (B)**

*Explanation: On June 7, 2012, the City Commission discussed a referral returning from the Audit, Finance and Legislative Committee (AFLC), entitled City of Gainesville Elections - Expanded Examination of Several Issues. As part of that discussion, a motion was approved to refer an overall Charter review process to the AFLC for further discussion.*

*At the January 29, 2013 AFLC meeting, the Committee discussed the item and requested the City Auditor prepare a plan identifying the timing of a general process for the City Commission to review and discuss possible changes to the City Charter, with a goal for completion by the Spring 2013 election. Included as backup to this item is a draft process and a copy of the City's current Charter Laws.*

*At the March 14, 2013 AFLC meeting, Committee Chair Craig Lowe, Committee Member Lauren Poe and City Commissioner Thomas Hawkins discussed the item and agreed the proposed City Commission meeting schedule presented should be used as a general timeline for the Charter review process. The Committee also recommended the Clerk of the Commission schedule necessary meetings and the City Attorney provide informational presentations at introductory Charter review meetings.*

*At the April 18, 2013 City Commission meeting, the City Commission approved as a general timeline the City Auditor's draft overview of the Charter review process, directed the Clerk of the Commission to schedule a series of special City Commission meetings and a minimum of 3 public forums to provide opportunities to review and discuss the City's Charter and evaluate possible changes and directed the City Attorney to provide presentations on the City's Charter for the City Commission and the public at the introductory special meetings and public forums.*

*On July 29, 2013, the City Commission received an overview of the City's Charter from the City Attorney's Office and asked for future presentations on the following issues:*

- 1. Background information regarding the Hogtown Greenway Charter language (Legistar item #130209);*
- 2. Background information regarding the proposed March 2013 Charter amendment on City elections (Legistar item #130251);*
- 3. Information regarding 4/5th's vote requirements or any possible scrivener's errors in the Charter (Legistar item #130248);*

4. *Charter Officer roles and responsibilities established in the Charter (Legistar item #130227); and*
5. *Information on forms of municipal government (Legistar item #130250).*

*On August 20 and August 27, 2013, the City Commission received presentations from appropriate staff regarding each of the five issues (Legistar item #'s listed above) but took no action in anticipation of two public forums on the Charter Review Process scheduled for September 24 and November 4, 2013.*

*On September 24, 2013, the City Commission held its first public forum on this issue. and discussed multiple issues including charter officer responsibilities, City elections and 4/5th's vote requirements.*

*On November 4, 2013, the City Commission held its second public forum to discuss the issue. The City Commission directed staff to prepare draft ordinance to place before voters charter amendment to move city elections to coincide with regular elections for federal, state, and county officials; provide for a preceding primary election to avoid run-off; and propose a transition schedule to four year terms that would not extend or shorten any incumbent City Commissioner's term. The Commission also directed staff to prepare a draft ordinance to place before voters a charter amendment to require a 5/7ths vote by the City Commission to place a charter amendment on the ballot.*

*On July 17, 2014 , the City Attorney brought this item back to the City Commission to get further direction and clarification. While working on this referral, staff discovered some legal issues, practical difficulties, and possible unintended consequences. Because the drafting of a proposed charter amendment ordinance requires considerable staff effort and the expense of advertisement, further commission direction would be helpful at this point. The proposed charter amendments would make considerable changes to the City's elections. In addition to lengthening the terms of office and reducing elections from every year to every other year, the amendments-- by requiring a preceding primary election and a general election -would appear to institute partisan elections (as Florida is a closed primary state) and would allow the election to be decided by a mere plurality of votes cast in the general election.*

*Staff is not certain that the Commission intended to create partisan elections or a plurality voting system. Holding a preceding primary election will winnow away the candidates who declare a party affiliation on the ballot, but it does not appear that it will avoid a runoff. Rather, the general election will serve as the runoff; however, since all candidates who seek to qualify without party affiliation or as a member of a party without opposition could proceed directly to the general election, the election is likely to be decided by a plurality, rather than majority, of votes cast. If the Commission intends this result, it would be more cost effective to simply hold one plurality election.*

*In researching these issues and looking for a municipal election model that Gainesville could follow, staff found no other municipalities in the State of Florida with partisan municipal elections. Staff's research was confirmed by an official from the State of Florida Division of Elections. In sum, the issues presented by this referral are complex, appear to result in unintended consequences, and may benefit from more discussion and direction before a charter amendment ordinance is drafted by the Office of the City Attorney.*

*The City Commission approved referring this matter to the Audit, Finance and Legislative Committee for further discussion and direction. The referral was later transferred to the newly formed Legislative and Organizational Policy Committee.*

*On August 12, 2015, the Legislative and Organizational Policy Committee discussed the item and those concerns identified by the City Attorney's office. Commissioner Warren attended the meeting and expressed an interest in moving elections to the fall to coincide with state elections.. Committee members discussed the benefits and drawbacks of combining City elections with the general elections in the fall. The committee members prefer a spring election with well-informed voters focusing on City issues.*

*Fiscal Note: None*

**RECOMMENDATION**

*The City Commission take no action; and remove this item from the Legislative and Organizational Policy Committee referral list.*

**Legislative History**

6/7/12	City Commission	Referred to the Audit, Finance and Legislative Committee
1/29/13	Audit, Finance and Legislative Committee	Retained in Committee
3/14/13	Audit, Finance and Legislative Committee	Approved as Recommended, as Modified
4/18/13	City Commission	Approved as Recommended
7/29/13	City Commission	Approved, as shown above
9/24/13	City Commission	Discussed
11/4/13	City Commission	Approved, as shown above - See Motion(s)
7/17/14	City Commission	Approved as Recommended
8/12/15	Legislative and Organizational Policy Committee	No Action Taken

[Draft Charter Review Process Overview.pdf](#)

[Current Charter Laws.pdf](#)

[120125\\_CHARTER LAWS\\_20130729.pdf](#)

[120125A\\_Charter overviewpowerpoint\\_20131104.pdf](#)

[120125\\_EO-HR Discussion\\_20131104.pdf](#)

[120125A\\_Charter Laws\\_20150812.pdf](#)

[120125B\\_Charter Overview Ppt\\_20150812.pdf](#)

[120125A\\_Charter Laws\\_20151015.pdf](#)

[120125B\\_Charter Overview\\_20151015.pdf](#)

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time permits)**

**ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)**