

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, June 4, 2015

1:00 PM

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 - 1:07

AGENDA STATEMENT

ROLL CALL

Present 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

INVOCATION

Prophet George Young

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

CITY MANAGER, CONSENT AGENDA ITEMS

[140943.](#) 2015 Kiwanis Foundation Grant Application (NB)

This item requests approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept a grant, if awarded, from the Kiwanis Foundation that will enable PRCA to offer the “Every Child is a Swimmer” Program.

RECOMMENDATION

The City Commission: 1) approve the request for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept a grant if awarded, from the Kiwanis Foundation that will enable PRCA to offer the “Every Child is a Swimmer” Program, and 2) authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[140945.](#) 2015 Pop Warner Little Scholars Equipment Grant (NB)

This item requests approval by the City Commission for the

Department of Parks, Recreation and Cultural Affairs (PRCA) to accept a grant voucher in the amount of \$500, if awarded, from the Pop Warner Little Scholars, Inc. grant program for uniforms and equipment.

RECOMMENDATION

The City Commission: 1) approve the request for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept a grant voucher in the amount of \$500, if awarded, from Pop Warner Little Scholars, Inc., and 2) 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

[140946.](#)

2015 USA Football Equipment Grant (NB)

This item requests approval for the Department of Parks, Recreational and Cultural Affairs (PRCA) to accept, if awarded, a grant voucher for \$1,000 from the USA Football Equipment Grant program for football equipment.

RECOMMENDATION

The City Commission: 1) approve the request to accept a grant voucher, if awarded, from the USA Football Equipment Grant for the use of purchasing equipment for the youth football participants; and 2) if the grant 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

[140952.](#)

Florida Division of Cultural Affairs General Program Support, Local Arts Agency Grant (NB)

This item requests approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to accept, if awarded, a Local Arts Agency grant from the Florida Division of Cultural Affairs.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to accept, if awarded, a Local Arts Agency grant from the Florida Division of Cultural Affairs, and 2) authorize the City Manager or designee to execute any grant related documents subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[140957.](#)

Bulletproof Vests Replacement Grant (NB)

This is a request for the City Commission to approve funding in the amount of \$10,451.48 from the Federal Forfeiture funds for \$10,451.48

for bulletproof vest replacements.

RECOMMENDATION

The City Commission authorize the City Manager to: 1) accept the grant if it is awarded; and 2) approve the expenditure from Federal Forfeiture funds in the amount of \$10,451.48 for the matching funds for bulletproof vests.

Approved as Recommended

[150006.](#)

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program
FY2014 Formula Program: Local Solicitation (B)**

**This is a request for City Commission approval to accept and execute a
Edward Byrne Memorial Justice Assistance Grant.**

RECOMMENDATION

The City Commission: 1) authorize the City Manager to accept and execute the grant award and any other necessary documents, subject to review by the City Attorney as to form and legality; 2) approve the expenditures as outlined in the approved grant award; and 3) authorize the execution of the MOU between the City and the County.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

[150016.](#)

**ALLISON SLEISTER-HAMILTON VS. THE CITY OF GAINESVILLE, A
MUNICIPAL CORPORATION; EIGHTH JUDICIAL CIRCUIT, CASE NO.
2015-CA-1746 (B)**

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Allison Sleister-Hamilton vs. The City of Gainesville, a municipal corporation; Eighth Judicial Circuit, Case No. 2015-CA-1746.

Approved as Recommended

[150024.](#)

**EEOC CHARGE - REGIONAL WILSON; EEOC CHARGE NO.
846-2015-11396 (NB)**

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Regional Wilson v. City of Gainesville; EEOC Charge No. 846-2015-11396.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

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

A motion was made by Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

GENERAL MANAGER FOR UTILITIES

150014. Gainesville Regional Utilities Internally Prepared Financial Statements and Supplementary Data for the Period Ended March 31, 2015 (B)

David Richardson and John Stanton made presentations.

Jim Konish, Ray Washington and Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission receive and approve the financial statements and supplementary data.*

A motion was made by Commissioner Budd, seconded by Commissioner Wells, that this Matter be Referred to the Audit and Finance Committee, due back on 12/4/2015. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

Shayla McNeill made a presentation.

Jim Konish spoke to the matter.

150013. 2015 GRU Business Plan Second Quarter Update (B)

Lewis Walton and Cheryl McBride made presentations.

Jim Konish, Ray Washington and Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission hear an update from staff on the 2015 Business Plan's second quarter results.*

Heard

130957. **Power Supply Planning (Power 2020) (B)**

This item is informational only.

Estimated Presentation Time 20 minutes

John Stanton made a presentation.

Jim Konish, Ray Washington, Nancy Daren and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission receive a presentation on GRU's plan to meet customers' future energy demands.*

Heard

GENERAL GOVERNMENT items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

150025. **Support for Alachua County TIGER Grant Application for Tower Road (B)**

This item is a request for the City Commission to submit a letter of support to the U.S. Department of Transportation in support of Alachua County's grant application.

Jeff Hayes made a presentation.

Motion by: Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules to hear this item next. Motion carried 7-0.

Amendment: Include in the letter that the support is for 2015 timeline.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission authorize the Mayor to submit a letter in support of Alachua County's application.*

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren, that this Matter be Approved as Amended. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

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

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

UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

UTILITY-RELATED COMMISSION COMMENTS (if time permits)

*Commissioner Warren
- Hippodrome and Cade Letter
- Active Streets*

Motion: City Manager prepare an increment for up to \$15,000. Motion by Commissioner Warren, seconded by Commissioner Wells. Motion carried 6-0. Mayor-Commissioner Pro tem Carter absent.

Commissioner Chase - Loan Program

Commissioner Goston - Andrew Mickle Swim Program- \$5,000 request

RECESS - 4:33 PM

RECONVENE - 5:34 PM

PLEDGE OF ALLEGIANCE (5:30pm)

Mr. Bob Gasche

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

150015. Gainesville International Day of Yoga - June 21, 2015 (B)

RECOMMENDATION *Yoga Teacher Manisha Randade and Nuriya Bechtel, Acupuncturist Bethany Bechtel and Wellness Director Alisha Mishell to accept the proclamation.*

Heard

150035. Certificate of Merit Recipients (B)

RECOMMENDATION *The City Commission hear the Special Recognition of Talbot Elementary School Students Lucas Dai, Devika Kumar, Janani Kumaran and Aruna Thomas - Dupont Challenge Grand Prize Winners
Casey Smith - Alachua County Habitat for Humanity
Gustavo "Gus" Viera - Phoenix Apartment Complex Owner & Maintenance Manager
Carl & Brenda Krames - Pastors of Victory Church & Gator*

Greenbacks Owners.

Heard

[150047.](#) **Flag Day - June 14, 2015 (B)**

RECOMMENDATION

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

Heard

[150048.](#) **Tim Giuliani Day - June 4, 2015 (B)**

RECOMMENDATION

Gainesville Area Chamber of Commerce President/CEO Tim Giuliani to accept the proclamation.

Heard

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

*Jim Konish
John Davies
Kali Blount
Don Glendening
Eugene Bradley
Nancy Daren
Paula Stahmer
Jo Beaty
Donald Shepherd
Wilbur Holloway*

SCHEDULED EVENING AGENDA ITEMS

[150031.](#) **Pilot Program to Fund On-demand Transportation for Low Income Senior Citizens in Partnership with Elder Care and UBER (NB)**

Anthony Clarizio and Jesus Gomez made presentations.

Jo Beaty, Donald Shepherd, Paula Stahmer, Don Glendening, and Wilbur Holloway spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to enter into a 6 month pilot agreement with ElderCare to provide on demand transportation to senior citizens in the 400 Building and Turkey Creek Forest using UBER as a transportation provider; 2) appropriate \$15,000 from fund balance for the pilot; and 3) authorize the City Manager to sign the agreement for the pilot program with ElderCare subject to review by City Attorney as to form and legality.

Alternative Recommendation

The City Commission direct that the City Manager include an increment for consideration of funding the senior citizen transportation pilot in the FY 16 budget.

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

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

110541. INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER (B)

Ordinance No. 110541

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to utilities, by amending Chapter 27 to provide for the creation and designation of infrastructure improvement areas for water and wastewater gravity collection improvements and to designate the Innovation District Infrastructure Improvement Area; by amending Appendix A, Schedule of Fees, Rates and Charges, to add infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

RECOMMENDATION

The City Commission remove the proposed ordinance from the agenda.

A motion was made by Commissioner Budd, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Striken From the Agenda (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

140571 CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS RETIREMENT PLAN ORDINANCE AMENDMENTS (B)

Ordinance No. 140571

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement

Plan) of the Code of Ordinances of the City of Gainesville; amending Section 2-600(k), Deferred Retirement Option Program, to increase the time period for DROP eligibility for members with vested service in the City of Gainesville Employees Pension Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

[140800.](#)

QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 712 NE 3rd AVENUE (B)

Ordinance No. 140800

An ordinance of the City of Gainesville, Florida, finding that property located at 712 NE 3rd Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2016, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Onelia Lazzari made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

[140576.](#)

QUASI-JUDICIAL - PLANNED DEVELOPMENT AMENDMENT - OAK HAMMOCK (B)

Ordinance No. 140576; Petition No. PB-14-132 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning to Planned Development District (PD) approximately 136 acres of property known as "Oak Hammock at the University of Florida" that is generally located south of SW Williston Road at 5100 SW 25th Boulevard, as more specifically described in this ordinance; adopting development conditions and a PD report with PD maps; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.

Onelia Lazzari made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

[140911.](#)

ORDINANCE SETTING 2016 ELECTION DATES AND QUALIFYING DATES (B)

ORDINANCE NO. 140911

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; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Goston, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

ORDINANCES, ADOPTION READING/2ND READING- ROLL CALL REQUIRED

[140472.](#)**QUASI-JUDICIAL - REZONING - PAYNES PRAIRIE SWEETWATER PRESERVE, WILLISTON ROAD AND SE 16TH AVENUE (B)**

Ordinance No. 140472, Petition No. PB-14-121 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 4.4 acres of property generally located northeast of the intersection of Williston Road and SE 16th Avenue, as more specifically described in this ordinance, from Multiple-Family Medium-Density Residential District (RMF-6) to Conservation District (CON); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Wells

[140917.](#)**Options/Strategies for Returning to Competitive Electric Rates (B)**

****Estimated Presentation Time 30 minutes****

David Richardson made a presentation.

Don Glendening, Donald Shepherd, Paula Stahmer and Nancy Daren spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a presentation from staff regarding a proposed timeline to achieve the Commission directed electric rate goal, the estimated gap that will need to be closed to achieve the goal and potential options for closing the gap; 2) provide direction to staff as appropriate.*

Heard

[120521.](#)**Ranking for Construction Management at Risk Services for the NW 8th Avenue Resurface Reconstruction Project (B)**

This item is a request for the City Commission to approve the ranking of Construction Management Firms and authorizing a contract for Construction Management services for the NW 8th Avenue Resurface/Reconstruction Project that includes NW 8th Avenue from NW 40th Drive to NW 6th Street.

Stefan Broadus made a presentation.

Recommendations 1, 2, & 3 passed 7-0 after motion was split for voting.

Amendment: Develop a plan for section of grass on south side (possibly include north-side grass and come back to the City Commission after culvert study). Motion carried: 5-2. Commissioner Budd and Commissioner Wells voting no.

Donald Shepherd, Sheila Payne, Paul Ortiz, Mary Barr, Doug Burnell, Bob Karp, Nancy Daren, Pierce Butler, Susan Bottcher, Kathleen Pagan and Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission: 1) accept the selection of the two most qualified firms in the order of ranking; 2) authorize the City Manager or designee to initiate contract negotiations and execute a contract for Construction Management services in accordance with Consultants Competitive Negotiation Act (CCNA); and 3) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality; 4) provide guidance on schedule/phasing approach.

Approved as shown above.

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Chase - Congratulations to his children on finishing school

Mayor - Congratulations on daughter graduating PKY and Gator Women's Softball Team

Commissioner Wells - Mentoring Program

150065.

Enterprize Zone Policies

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Goston, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Referred to the Economic Development/University Community Com, due back on 12/4/2015. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

CITIZEN COMMENT (If time permits)

Donald Shepherd
Jo Beaty

ADJOURNMENT - 10:44 PM

Kurt Lannon, Clerk of the Commission