

# **City of Gainesville**

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Meeting Minutes**

**Monday, September 10, 2012**

**6:00 PM**

**City Commission Special Meeting**

**City Hall Auditorium**

## **City Commission**

*Mayor Craig Lowe (At Large)  
Mayor-Commissioner Pro-Tem 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)  
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 - 6:04 PM

## ROLL CALL

Present: Craig Lowe, Lauren Poe, Thomas Hawkins, Randy Wells, Todd Chase, Susan Bottcher and Yvonne Hinson-Rawls

**NOTE: The Rules of the City Commission may need to be waived to hear in this order.**

## ADOPTION OF THE AGENDA

*FIRST MOTION: A motion was made by Commissioner Chase, seconded by Commissioner Hinson-Rawls to refer File # 120335 to the Regional Utilities Committee and to hear it before the September 20, 2012, City Commission Meeting. (VOTE: 1-6, Commissioner Chase - Yes; Commissioner Bottcher, Commissioner Hawkins, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Poe, Commissioner Wells and Mayor Lowe - No, MOTION FAILED)*

*Mayor Lowe recognized Diane Deevey, Mac McEachern, Rob Brinkman, Don Glendening and Mario Perez who spoke to the matter.*

*SECOND MOTION (MAIN MOTION): A motion was made by Commissioner Bottcher, seconded by Commissioner Hawkins to waive the rules and adopt the agenda in the order, as presented. (VOTE: 6-1, Commissioner Chase - No, MOTION CARRIED)*

## PUBLIC HEARING

### 120197. TENTATIVE MILLAGE RATE - FISCAL YEAR 2012 - 2013 (B)

#### **Resolution Number 120197**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; ESTABLISHING A TENTATIVE MILLAGE RATE; SETTING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Administrative Services Director Becky Rountree gave a presentation.*

*Mayor Lowe recognized Armando Grundy, Walter Willard, Rob Brinkman and Anne Orlando who spoke to the matter.*

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

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this matter be Adopted (Resolution). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe  
Nay: Todd Chase

**120198. TENTATIVE GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2012 - 2013 (B)**

**Resolution Number 120198**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; ADOPTING THE TENTATIVE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this matter be Adopted (Resolution). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe  
Nay: Todd Chase

**120268. TENTATIVE GAINESVILLE REGIONAL UTILITIES BUDGET - FISCAL YEAR 2012-2013 (B)**

**RESOLUTION NO. 120268**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE TENTATIVE BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR 2012-2013 BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; PROJECTING REVENUES AND ESTABLISHING A TENTATIVE BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES FOR CAPITAL OUTLAY AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this matter be Adopted (Resolution). The motion carried by the following vote:**

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and  
Craig Lowe  
Nay: Todd Chase

**120228. 2012 FIRE SERVICES SPECIAL ASSESSMENT ANNUAL RATE  
RESOLUTION (B)**

**Resolution No. 120228**

**A resolution of the City of Gainesville, Florida, relating to the provision of fire services, facilities and programs in the City of Gainesville, Florida; imposing Fire Services Special Assessments against assessed properties located within the City for the fiscal year that begins October 1, 2012; providing for exemptions; approving the assessment roll; providing for the estimated fire services assessed cost; approving the rate of assessment; providing for severability; and providing an immediate effective date.**

**RECOMMENDATION**

*The City Commission: 1) receive any written objections filed; 2) hear testimony from all interested persons; 3) approve the assessment roll; 4) establish the annual rate for the Fire Services Special Assessment; and 5) adopt the proposed Annual Assessment Resolution.*

**A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:**

Votes: Aye: Lauren Poe, Randy Wells, Susan Bottcher, Yvonne Hinson-Rawls, Thomas Hawkins and  
Craig Lowe  
Nay: Todd Chase

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

**120167. NATURAL GAS RATES (B)**

**Ordinance No. 120167**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING RESIDENTIAL SERVICE RATES; DELETING INTERRUPTIBLE SERVICE RATES; AMENDING LARGE VOLUME INTERRUPTIBLE SERVICE RATES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

*Mayor Lowe recognized Dian Deevey, John Davies, Rob Brinkman, Ernesto Martinez, Debbie Martinez, Anne Orlando, Mac McEachern, Paula Stahmer, Wilbur Holloway and Walter Willard who spoke to the matter.*

*GRU Managing Utility Analyst Diane Wilson made comments.*

**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:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

**120168.                    WATER SERVICE FEES AND CHARGES (B)**

**Ordinance No. 120168**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (3) WATER, OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING INSPECTION SERVICE FEES; INCREASING WATER MAIN TAPPING CHARGES; INCREASING METER INSTALLATION CHARGES; INCREASING BASE RATES FOR SERVICE; INCREASING WATER TRANSMISSION, DISTRIBUTION AND WATER TREATMENT PLANT CONNECTION CHARGES; INCREASING STANDBY FIRE LINE CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

*Assistant General Manager for Water/Wastewater Administration David Richardson and Managing Utility Analyst Diane Wilson gave presentations.*

*Mayor Lowe recognized Rob Brinkman, Armando Grundy, Dian Deevey and Ernesto Martinez who spoke to the matter.*

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

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Thomas Hawkins and Craig Lowe  
Absent: Yvonne Hinson-Rawls

**120169.                    WASTEWATER BASE RATES AND CHARGES (B)**

**Ordinance No. 120169**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING WASTEWATER BASE RATES; INCREASING CONNECTION AND INSPECTION CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING**

**AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

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

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Thomas Hawkins and Craig Lowe  
Absent: Yvonne Hinson-Rawls

**120170.                    INTERRUPTIBLE SERVICE DEFINITION (B)**

**Ordinance No. 120170**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING CHAPTER 27, SECTION 27-271, OF THE GAINESVILLE CODE OF ORDINANCES BY DELETING INTERRUPTIBLE SERVICE DEFINITION; AMENDING LARGE VOLUME INTERRUPTIBLE SERVICE DEFINITION; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN**

*Mayor Lowe recognized Paula Stahmer, Diane Deevey, Pat Fitzpatrick and Armando Grundy who spoke to the matter.*

*Managing Utility Analyst Diane Wilson made comments.*

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

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

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

**120218.                    GENERAL EMPLOYEE'S PENSION PLAN ORDINANCE AMENDMENTS (B)**

**Ordinance No. 120218**

**An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 5 (Employees Pension Plan) of the Code of Ordinances of the City of Gainesville; amending Section 2-521, Definitions; amending the definition of credited service related to sick leave and personal critical leave bank; amending the definition of earnings related to overtime pay and termination vacation pay;**

amending the definition of final average earnings related to the computation of such earnings; amending the definition of service credit rules to conform and clarify the Plan with regard to a member's death while performing qualified military service; amending Section 2-523, Membership and service, related to the computation of final average earnings for participants in the Gainesville Gas Group Pension Plan; amending Section 2-524, Contributions and funding, related to member contributions, by changing the term gross pay to earnings; amending Section 2-526, Benefits, related to years of service and age required for normal retirement and early retirement, payment of accrued benefit with an actuarial present value of \$5,000.00 or less, the timing of termination benefits, and the amount of monthly pension benefit; amending Section 2-534, Deferred Retirement Option Program (DROP), related to eligibility, sick leave and personal critical leave bank, and interest rate; amending Section 2-535, Cost of living adjustment of benefits; non-eligibility during DROP participation, related to age and years of service; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Risk Management Director Steve Varvel gave a presentation.*

*Mayor Lowe recognized Mark Venske who spoke to the matter.*

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

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

## **CITY ATTORNEY**

### **120224.                    RATIFICATION OF CWA LOCAL 3170 AGREEMENTS (B)**

**Ratification of the Agreement between the City of Gainesville and Communications Workers of America, Local No. 3170, Non-Supervisory Unit (January 1, 2010 - December 31, 2012), and the Agreement between the City of Gainesville and Communications Workers of America, Local No. 3170, Supervisory Unit (January 1, 2010 - December 31, 2012).**

**RECOMMENDATION**      *The City Commission (1) ratify the Agreement Between the City of Gainesville and Communications Workers of America, Local No. 3170, Non-Supervisory Unit (January 1, 2010 - December 31, 2012); and (2) ratify the Agreement between the City of Gainesville and Communications Workers of America, Local No. 3170, Supervisory Unit (January 1, 2010 - December 31, 2012)*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

## **CITY MANAGER**

### **120312. Human Resources Policies L-3, Paid Time Off System, and L-4, Designated Leave System (B)**

**RECOMMENDATION**      *The City Commission: approve revision to Human Resources Policies L-3, Paid Time Off, and L-4, Designated Leave.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

## **GENERAL MANAGER FOR UTILITIES**

### **120335. Engagement of investment banking firms to advise GRU Staff in connection with future financial transactions which may include the negotiation of a prepayment transaction with respect to the GREC biomass generating plant (NB)**

*GRU Chief Financial Officer Jennifer Hunt gave a presentation.*

*Chair Lowe recognized Jim Konish, Mark Goldstein, Armando Grundy, Don Glendening, John Davies, Paula Stahmer, Walter Willard, Debbie Martinez, Anne Orlando, Laura Newsome, Juanita Miles Hamilton, Mac McEachern, Rob Gonzales, Dian Deevey, Ernesto Martinez, Mark Venske, Wilbur Holloway, Jo Beaty, George Garing and Rob Brinkman who spoke to the matter.*

**RECOMMENDATION**      *The City Commission (a) authorize the General Manager, or his designee, to negotiate and execute up to a fifteen (15) month agreement with one or more of the following firms: Goldman, Sachs & Co., Bank of America Merrill Lynch and J.P. Morgan Securities LLC. Such firms would advise GRU staff in connection with future financial transactions which may include the negotiation of a prepaid PPA with GREC, and the structuring of a financing transaction to provide funds for such financial transactions, subject to approval of the Office of the City Attorney as to form and legality; and (b) approve the payment to any of such firms a combined monthly retainer not to exceed \$40,000.*

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

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Thomas Hawkins and Craig Lowe  
Nay: Todd Chase and Yvonne Hinson-Rawls

## RESOLUTION

**120321. A RESOLUTION INCORPORATING BY REFERENCE AND ADOPTING, AND AUTHORIZING THE EXECUTION AND DELIVERY OF, AN AMENDMENT TO TWENTY-FIFTH SUPPLEMENTAL UTILITIES SYSTEM REVENUE BOND RESOLUTION, AMENDING THE CITY OF GAINESVILLE, FLORIDA'S TWENTY-FIFTH SUPPLEMENTAL UTILITIES SYSTEM REVENUE BOND RESOLUTION IN ORDER TO MAKE CERTAIN TECHNICAL CHANGES THERETO REQUESTED BY FITCH RATINGS; PROVIDING AN EFFECTIVE DATE.**

**RECOMMENDATION**

*The City Commission adopt the attached resolution (Authorizing Resolution), which incorporates by reference and adopts, and authorizes the execution and delivery of, a resolution (Amending Resolution) amending the Twenty-Fifth Supplemental Utilities System Revenue Bond Resolution adopted by the City on June 21, 2012 (Twenty-Fifth Supplemental Resolution) authorizing the issuance of the City's tax-exempt Variable Rate Utilities System Revenue Bonds, 2012 Series B (2012 Series B Bonds).*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Wells, that this matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:**

**Votes:** Aye: Lauren Poe, Randy Wells, Susan Bottcher, Todd Chase, Yvonne Hinson-Rawls, Thomas Hawkins and Craig Lowe

## ADJOURNMENT - 10:32 PM

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Kurt M. Lannon, Clerk of the Commission