

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, March 20, 2014

1:00 PM

City Hall Auditorium

## City Commission

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

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

**CALL TO ORDER-1:08PM**

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

**CONSENT AGENDA**

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

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

**CITY MANAGER, CONSENT AGENDA ITEMS**

**[130731.](#)**

**Legal Office Expenses from Federal Law Enforcement Contraband Forfeiture Trust Fund for FY 2014 (NB)**

**This is a request for City Commission approval to appropriate funds from the Federal Law Enforcement Contraband Forfeiture Trust Fund**

**RECOMMENDATION**

*The City Commission authorize the Gainesville Police Department to appropriate \$15,000 from the Federal Forfeiture Fund. The unreserved fund balance is \$663,331 as of November 20, 2013.*

*Alternative Recommendation*

*The City Commission appropriate \$15,000 from the General Fund for these expenses.*

**Approved as Recommended**

**[130752.](#)**

**Fire Prevention and Safety (FP&S) 2013 Grant Application for Enhanced Safety through integration of Community Risk Reduction and Fire Response Data (NB)**

**This item requests that the Commission authorize the City Manager to execute a grant award, if awarded, for the 2013 FEMA Fire Prevention and Safety (FP&S) Grant for the purchase of hardware and software to integrate the fire department's information management system.**

RECOMMENDATION

*The City Commission authorize the City Manager to execute the grant, if awarded, and other necessary documents, pending approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[130772.](#)

**Strategic Plan Quarterly Report - 1st Quarter of Fiscal Year 2014 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 1st quarter of Fiscal Year 2014.**

RECOMMENDATION

*The City Commission receive a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 1st quarter of FY 2014.*

**Approved as Recommended**

[130777.](#)

**Approval and Authorization to Execute a Lease Agreement (B)**

**This item is a request to Approve and Authorize the Execution of a Lease Agreement with KJB Investment Corporation, a Florida S Corporation.**

RECOMMENDATION

*The City Commission: 1) approve the Lease Agreement with KJB Investment Corporation for the space available at 60 Southwest 2nd Street, and 2) authorize the City Manager to execute the Lease Agreement with KJB Investment Corporation and any extensions, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS****CITY ATTORNEY, CONSENT AGENDA ITEMS**

[130751.](#)

**JANICE DEBOSE-WYRICK AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ARTRELL DEBOSE VS. CITY OF GAINESVILLE, A POLITICAL SUBDIVISION OF FLORIDA, COURT CASE NO. 2013-CA-4698 (B)**RECOMMENDATION

*The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City of Gainesville in the case styled Janice Debose-Wyrick as Personal Representative of the Estate of Artrell Debose vs. City of Gainesville, a Political Subdivision of Florida, Court Case No. 2013-CA-4698.*

**Approved as Recommended**

[130756.](#)

**STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AS SUBROGEE OF KAREN A. DANIEL VS. CITY OF GAINESVILLE, A**

**MUNICIPAL CORPORATION, COURT CASE NO. 2014-CC-427 (B)****RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City of Gainesville in the case styled State Farm Mutual Automobile Insurance Company as Subrogee of Karen A. Daniel vs. City of Gainesville, a Municipal Corporation, Court Case No. 2014-CC-427.*

**Approved as Recommended**

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

**130797.**

**Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

*The City Commission appoint:*  
*Belinda M. Smith to the Citizens Advisory Committee for Community Development for a term to expire 11/1/17.*  
*Ethan J. Hudgins to the Development Review Board for a term to expire 11/1/17.*  
*Carl Ramey to the Gainesville Human Rights Board for a term to expire 2/22/17.*  
*Michelle A. Hazen to the Historic Preservation Board for a term to expire 6/1/17.*  
*Rosa B. Williams to the Public Recreation and Parks Board for a term to expire 6/1/17.*  
*E.J. Bolduc to the Tree Advisory Board for a term to expire 1/1/17.*

**Approved as Recommended**

**130801.**

**City Commission Minutes (B)****RECOMMENDATION**

*The City Commission approve the minutes of February 4, 6, 10, 11 and 20, 2014..*

**Approved as Recommended**

**130803.**

**July 3rd Meeting (NB)****RECOMMENDATION**

*The City Commission cancel the July 3, 2014 meeting.*

**Approved as Recommended**

**130810.**

**Resignation of Jason S. Gonos from the City Beautification Board (B)****RECOMMENDATION**

*The City Commission accepts the resignation of Jason S. Gonos from the City Beautification Board, effective immediately.*

**Approved as Recommended**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,  
CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT****130740.**

Proposed Three Year Extension of Agreement for Professional Auditing Services for the Annual Financial Statements Audit - General Government Segment (B)

**RECOMMENDATION**

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

- 1) *Approve the proposed three year extension of the agreement for professional auditing services - General Government segment with Carr, Riggs and Ingram, LLC; and*
- 2) *Authorize the City Auditor to execute the extension subject to the review of the City Attorney as to form and legality.*

**Approved as Recommended**

**EQUAL OPPORTUNITY COMMITTEE, CONSENT****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

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

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

**CHARTER OFFICER UPDATES****CLERK OF THE COMMISSION**

**CITY MANAGER**[130778.](#)**Bus Rapid Transit (BRT) Alternative Analysis Final Report (B)**

**This item is a request to hear a presentation and receive the Bus Rapid Transit (BRT) Alternative Analysis final report from Parsons-Brinkerhoff, Inc. \*ESTIMATED STAFF PRESENTATION 60 MINUTES\***

*Jesus Gomez and Alan Danahar made presentations.*

*Motion: Use TSM-A model and have staff provide costs and expenses for the project option list to be provided to the County and discussed in April*

*Mac McEachern, Donald Shepherd, Ernesto Martinez, Mark Venske, Debbie Martinez and Armando Grundy spoke to the matter.*

**RECOMMENDATION**                      *The City Commission hear the presentation from Parsons-Brinkerhoff, Inc.*

**A motion was made by Commissioner Chase, seconded by Commissioner Bottcher, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 6 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Hawkins

**GENERAL MANAGER FOR UTILITIES**[130812.](#)**GRU Electric Wholesale Sales Strategy (B)**

*John Stanton made a presentation.*

*Comm TH moved to waive rules with Comm TC seconding to continue this item after public hearing in the evening. Motion carried 7-0.*

*Refer to RUC: Processing of wholesale contracts and City Commission approvals*

*Jim Konish, Barbara Sharpe, Armando Grundy, Sandra Watts Kennedy, John Davies, Nathan Skop, Don Glendening, Paula Stahmer, Debbie Martinez, Rob Brinkman, Jo Beaty, Mac McEachern, Ernesto Martinez, John Davies and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**                      *The City Commission hear a presentation on wholesale electric sales strategy including the recent agreement with Winter Park, Florida.*

**A motion was made by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Wells, that this Matter be Referred to the Regional Utilities Committee, due back on 9/20/2014. The motion carried by the following vote:**

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

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

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

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

[130547.](#)

Issuance of Request for Proposals for an External Investigative Review of Gainesville Regional Utilities (B)

RECOMMENDATION

*The Audit, Finance and Legislative Committee recommends the City Commission authorize the issuance of a Request for Proposals (RFP) for an external investigative review of Gainesville Regional Utilities (GRU) utilizing the proposed methodology and selection factors.*

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

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

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**RECESS**

**RECONVENE**

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

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**130795. American Red Cross Month - March 2014 (B)**

RECOMMENDATION            *North Central Florida Chapter American Red Cross  
Executive Director Melanie Saxon to accept the  
proclamation.*

**Heard**

**130796. National Farm Worker Awareness Week - March 24-31, 2014 (B)**

RECOMMENDATION            *National Farm Worker Ministry Professor Samuel B. Trickey,  
Rural Women's Health Project Co-Director Fran Ricardo,  
Gainesville Interfaith Alliance for Immigrant Justice Organizer  
Sheila Payne and Westminster Presbyterian Church Pastor  
Reverend Larry Green to accept the proclamation.*

**Heard**

**CITIZEN COMMENT (6:00pm)**

- Jim Konish-GRU*
- Debbie Martinez-City election*
- Dekova Batey-Bike Rodeo File #130856*
- Kali Blount-Petition*
- John Davies-Alachua DEC*
- Rosemary Christey-NAACP GRU rate complaints*
- Ester Wallace-Petition*
- Armando Grundy-GRU rates*
- Mark Venske-GRU issues File #130856*
- Nathan Skop-GRU*
- Paul Johnson-Homeless Issues*
- Jo Beaty-GRU/City rules*
- Donald Shepherd-City issues*
- Pat Fitzpatrick-Bees*
- Wilbur Holloway-City election*
- Susan Fairforest-Koppers*
- Ms. Alanso-Koppers*
- Maria Parsons-Koppers*

*Fred Murry made a presentation.*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**



[130813.](#)**RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS  
- ELECTIONS 2014 (B)**

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 11, 2014; and providing an immediate effective date.

RECOMMENDATION                    *The City Commission adopt the proposed resolution.*

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

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

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**[120991.](#)**PROHIBITING MINORS IN ALCOHOLIC BEVERAGE  
ESTABLISHMENTS (B)**

Ordinance No. 120991

An ordinance of the City of Gainesville, Florida, amending Chapter 4, Article I, of the Code of Ordinances of the City of Gainesville related to alcoholic beverages; adding a new Section 4-5.2, Minors Prohibited in Alcoholic Beverage Establishments; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Mark Venske spoke to the matter.*

RECOMMENDATION                    *The City Commission adopt the proposed ordinance.*

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

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

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**[130058.](#)**TEXT CHANGE - TEMPORARY OUTDOOR ALCOHOLIC  
BEVERAGE SALES AND SPECIAL EVENT PERMITS FOR THE  
UNIVERSITY CONTEXT AREA (B)**

Ordinance No. 130058, Petition No. PB-13-49 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code related to temporary outdoor alcoholic beverage sales and event permits; by deleting portions of Section 30-67(g); 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 Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

## **PLAN BOARD PETITIONS**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

### **130482.            GRU Governance (NB)**

*Comm LP moved with Comm RW seconded to hear this item next. Motion carried 7-0.*

*Jim Konish, Mark Venske, Mac McEachern, Debbie Martinez, Don Glendening, Armando Grundy, Donald Shepherd, Joe Beaty, Paula Stahmer, Rob Brinkman, Dustin S., Nancy Gearan, Ernesto Martinez, Kamal Latham and Mark Van spoke to the matter.*

*Motion; Refer Comm Poe's proposed Governing Board criteria to the City Attorney to create draft ordinance to use as a guide/framework for use at a workshop scheduled by City Clerk*

**RECOMMENDATION**            *Discuss GRU Governance*

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

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

## **UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT-10:59PM**

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**Kurt Lannon, Clerk of the Commission**