

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, February 4, 2016

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 - 1:04 PM

- Present** 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter
- Absent** 2 - Mayor Braddy, and Commissioner Chase

AGENDA STATEMENT

INVOCATION

Prophet George Young

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

Commissioner Wells to serve as Pro-Tem for the meeting.

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

- Aye:** 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter
- Absent:** 2 - Mayor Braddy, and Commissioner Chase

CITY MANAGER, CONSENT AGENDA ITEMS

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[150710.](#)

Resignation of Stephen Packard from the Regional Transit System Advisory Board, Becky Rountree from the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan and Abigail Dougherty from the City Beautification Board (B)

RECOMMENDATION

The City Commission accepts the resignation of Stephen Packard, Becky Rountree and Abigail Dougherty, effective immediately.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

REGIONAL UTILITIES COMMITTEE

AUDIT AND FINANCE COMMITTEE, CONSENT

[150692.](#) **Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the Year Ended September 30, 2015 (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the GRU Unaudited Internally Prepared Financial Statements for the year ended September 30, 2015.*

Approved as Recommended

[150693.](#) **Gainesville Regional Utilities Internally Prepared Budget to Actuals and Supplementary Data for the Year Ended September 30, 2015 (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the GRU Internally Prepared Budget to Actuals and Supplementary Data for the year ended September 30, 2015.*

Approved as Recommended

[150681.](#) **Audit of Gainesville Fleet Operations (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report and the City Manager's response.*

Approved as Recommended

[150685.](#) **Audit of General Fund Revenue Estimates Included in the Proposed Budget for the Fiscal Year Ending September 30, 2016 (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report.*

Approved as Recommended

EQUAL OPPORTUNITY COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

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

Carlos Holt made a presentation.

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

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

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

*Jim Konish
Donald Shepherd*

150727. Ben Tobias Presentation (NB)

RECOMMENDATION *The City Commission hear a presentation from Ben Tobias regarding the Orlando Magic*

Heard

GENERAL MANAGER FOR UTILITIES

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

REGIONAL UTILITIES COMMITTEE

150706. Disposition of the RUC's Outstanding Referrals (B)

Modifications: 1) Remove Item No's 130755, 140951, and 150323 and to remain in Committee Item No. 150611; and 2) Authorize the Chairman of the RUC on behalf of the City Commission to write a letter inviting the Chamber of Commerce and Representative Keith Perry to participate in creating community consensus on GRU Governance alternatives.

Jim Konish, Donald Shepherd and Jo Beaty spoke to the matter.

RECOMMENDATION *1) The City Commission remove the following items from the RUC Outstanding Referral list:*

- 130755 - Electric Utility Market Restructuring*
- 140951 - Wastewater Winter Max Billing*
- 150323 - Tracking Effect of Utility Rates on Customer Energy Usage*
- 150611 - Schedule Workshop & Invite Rest of City Commission Regarding Draft GRU Governance Bill*

2) *The City Commission assign the following items to the Utility Advisory Board:*

- 130812 - GRU Electric Wholesale Sales Strategy*
- 130957 - Energy Supply Planning (2020)*
- 150371 - Penny Per Kilowatt*
- Strategic Initiative 6.2 - Develop Community Partnership for Long-Term Clean-Up & Revitalization of Cabot/Koppers Superfund Site & Surrounding Neighborhood*

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

Aye: 5- Commissioner Budd, Commissioner Warren, Commissioner Goston, Mayor-Commissioner Pro Tem Carter and Commissioner Wells

Absent: 2- Mayor Braddy and Commissioner Chase

[150728.](#)

Water Cut-Off Issue

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Warren, seconded by Commissioner Budd, that this Matter be Referred to the Utility Advisory Board, due back on 8/4/2016. The motion carried by the following vote:

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

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 Budd - Cox Internet reduced rate for students on the Assistance Lunch Program.

GENERAL GOVERNMENT 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.

[150676.](#)

Appointment to the City Plan Board (B)

Andrew Persons made a presentation and Sheldon Packer spoke to the matter.

Motion: Appoint Terry Clark to the City Plan Board.

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

RECOMMENDATION *The City Commission discuss appointment to the City Plan Board and take appropriate action.*

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

Aye: 3 - Commissioner Warren, Commissioner Wells, and Commissioner Budd

Nay: 2 - Commissioner Goston, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

[150126.](#)

Hotline Implementation (B)

Jim Konish and Donald Shepherd spoke to the matter.

RECOMMENDATION *The Audit and Finance Committee recommends that the City Auditor make a presentation to the City Commission on the implementation of the hotline reporting system.*

Heard

[150149.](#)

Referral on the Navigant Report Recommendation Matrix for GRU (B)

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

RECOMMENDATION *The Audit and Finance Committee recommends that the General Manager make a presentation to the City Commission.*

Heard

[100607.](#)

Northeast Neighborhood Veterans Memorial Park (B)

This item is a request for the City Commission to consider surplus of the United States Army Reserve property (minus the Reserve Park) and provide final input on the parameters and evaluation criteria for a Request for Proposals for acquisition/use of the property.

****ESTIMATED STAFF PRESENTATION 5 MINUTES****

Paul Folkers made a presentation.

Tom Lyons, Donald Shepherd, Perry Clawson and John Perkins spoke to the matter.

RECOMMENDATION *The Recreation, Cultural Affairs and Public Works Committee recommends that the City Commission: 1) discuss any Commission preferences for selling versus leasing the property, 2) discuss any Commission preferences as to considering proposals seeking one-time or ongoing City financial support, 3) approve the proposed*

evaluative criteria, and 4) direct City staff to finalize and release the RFP.

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

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

150715. **Commissioner Charles Goston - Off Da Chainz (ODC) TV (B)**

Bob Woods made a presentation.

RECOMMENDATION *The City Commission hear a presentation, discuss and take action deemed appropriate.*

Heard

150730. **Kiwanis Park Repurposing the Building**

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 8/4/2016. The motion carried by the following vote:

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

RECESS - 4:10 PM

RECONVENE - 5:48 PM

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

PLEDGE OF ALLEGIANCE

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

150691. **School Crossing Guard Appreciation Day - February 5, 2016 (B)**

RECOMMENDATION *Gainesville Police Department School Crossing Guards Supervisor PST Robert Huff 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)

Gwendolyn Saffo made a presentation.

- Jim Konish*
- Donald Shepherd*
- Jancie Vinson*
- Kathy Howskins*
- Ed Downey*
- Paula Stahmer*
- Jonathan Bay*
- Gabe Kaimowitz*
- Frank Lineberger*
- Debbie Martinez*
- Angela Pate*
- Kali Blount*
- Gwendolyn Saffo*

Motion by Commissioner Warren, seconded by Commissioner Wells for the Clerk to schedule a workshop with Career Source to look at workforce Issues.

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

150127. CITY AUDITOR - UPDATE RESPONSIBILITIES AND ADMINSTRATIVE PROCEDURES (B)

Resolution No. 150127

A resolution of the City of Gainesville, Florida, approving and adopting City Auditor Responsibilities and Administrative Procedures; providing a repealing clause; and providing an immediate effective date.

Carlos Holt made a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

150297. CITY AUDITOR - UPDATE THE RULES OF THE CITY COMMISSION TO INCLUDE RESPONSIBILITIES OF AUDIT AND FINANCE COMMITTEE (B)

Resolution No. 150297

A resolution amending and restating in its entirety the rules of the City Commission to describe the responsibilities, composition and operation of the Audit and Finance Committee; providing a repealing clause and providing an immediate effective date.

Carlos Holt made a presentation.

Gabe Kaimowitz and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

150284.

CITY AUDITOR - ORDINANCE DESCRIBING RESPONSIBILITIES AND ADMINISTRATIVE PROCEDURES (B)

Ordinance No. 150284

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to the duties of the City Auditor; by creating Chapter 2. Administration, Article III. Officers and Employees, Division 3. - City Internal Auditor; providing for duties of internal auditor; providing for authority as to subordinates; providing for a committee to assist the internal auditor and commission in selection of external auditor; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Carlos Holt made a presentation.

Gabe Kaimowitz and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

150596.

ORDINANCE CORRECTING LEGAL DESCRIPTION ATTACHED TO VOLUNTARY ANNEXATION ORDINANCE NO. 001162 (B)

Ordinance No. 150596

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 001162 to delete and replace, nunc pro tunc, the incorrect legal description mistakenly attached to Ordinance No. 001162 as Exhibit "A" with the correct legal description attached to this ordinance; providing directions to the City Manager; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an effective date.

Lila Stewart made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

150580.

TEXT CHANGE - NON-MOTORIZED VEHICLES FOR HIRE - SECTION 28-37 (B)

Ordinance No. 150580

An ordinance of the City of Gainesville, Florida, amending Section 28-37 of the Code of Ordinances to eliminate the four-passenger limit for non-motorized vehicles for hire; 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 Wells, seconded by Commissioner Warren, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

150559.

VACATION OF PUBLIC RIGHT-OF-WAY - UNIMPROVED PUBLIC RIGHT-OF-WAY IN THE 500-700 BLOCK OF SW 6TH STREET (B)

Ordinance No. 150559; Petition PB-15-121 SVA

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close an unimproved public right-of-way on property currently used as the SW 5th

Avenue Stormwater Park that is generally located in the 500-700 block of SW 6th Street, as more specifically described in this ordinance; providing a severability clause; providing a repealing clause; and providing an effective date.

Sean McDermott made a presentation.

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

A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Adopted on Final Reading, as revised (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Warren, Commissioner Wells, Commissioner Goston, Commissioner Budd, and Mayor-Commissioner Pro Tem Carter

Absent: 2 - Mayor Braddy, and Commissioner Chase

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Goston - First Countywide Come Together Day

CITIZEN COMMENT (If time permits)

ADJOURNMENT - 7:09 PM

Kurt Lannon, Clerk of the Commission