

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Draft

Thursday, August 6, 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 - 1:08 PM

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

AGENDA STATEMENT

ROLL CALL

INVOCATION

PROPHET GEORGE YOUNG

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

Jim Konish, Paula Stahmer, Don Glendening, Jo Beaty and Donald Shepherd spoke to the matter.

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, 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

150154. Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2016 (B)

This item is an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$201,164.19 in revenue to the City during FY16.

RECOMMENDATION *The City Commission authorize the City Manager to execute the renewal for Traffic Engineering Services between the City of Gainesville and Alachua County for the period of October 1, 2015 to September 30, 2016, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

150155. Agreement between the City of Gainesville and Keep Alachua County Beautiful for FY2016 (B)

This item is a request for the City Commission to approve the execution

of an agreement with Keep Alachua County Beautiful in the amount of \$55,000.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract with Keep Alachua County Beautiful for the period of October 1, 2015 through September 30, 2016, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

150165.

Professional Federal Lobbying and Advocacy Services Agreement (B)

This is a request for renewal of the professional federal lobbying and advocacy services agreement.

RECOMMENDATION

The City Commission approve renewal of the current contract with MWW for FY 2016.

Alternative Recommendation

The City Commission direct staff to advertise for new a Federal Lobbyist for the City and GRU.

Approved as Recommended

150170.

Human Resources Policies E-1: Employment, and 06: Probationary Period (B)

This item is to amend HR Policy E-1: Employment and sunset HR Policy 06: Probationary Period.

RECOMMENDATION

The City Commission approve revisions to Human Resources Policies E-1 and 06.

Approved as Recommended

150180.

Implementation of the Great Eight Model” at the A. Quinn Jones Center (B)

This is a request for the City Commission to approve a Memorandum of Support and Understanding between the School Board of Alachua County and the City of Gainesville for the implementation of the “Great Eight Model” at the A. Quinn Jones Center.

RECOMMENDATION

The City Commission: 1) accept the School Board offer to fund the Reichert House “Great Eight” model at the A. Quinn Jones; and 2) authorize one FTE to fill this position.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

150174.

Removal of Items from the RUC Referral List (B)

RECOMMENDATION *The RUC recommends removal of Items #110783, 120126, 140360, 140461 and 140826 from their outstanding referral list.*

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

150097. **Christopher Youngs v. City of Gainesville; Presuit claim arising from an accident that occurred in Gainesville, Alachua County, Florida on or about April 13, 2015. (NB)**

RECOMMENDATION *The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Christopher Youngs arising from an accident that occurred on or about April 13, 2015.*

Approved as Recommended

150163. **LANARD ISAAC, INDIVIDUALLY VS. DUVAL AUTOMOTIVE GAINESVILLE, LLC D/B/A MERCEDES-BENZ OF GAINESVILLE VS. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-1159 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Lanard Isaac, Individually vs. Duval Automotive Gainesville, LLC d/b/a Mercedes-Benz of Gainesville vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-1159.*

Approved as Recommended

150169. **JUAN CARLOS TAMAYO V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-2273 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Juan Carlos Tamayo v. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-2273.*

Approved as Recommended

150221. **RETENTION OF WINSTON & STRAWN LLP OR OTHER QUALIFIED OUTSIDE LEGAL COUNSEL TO REPRESENT THE CITY IN THE REVIEW OF THE GAINESVILLE RENEWABLE ENERGY CENTER'S POWER PURCHASE AGREEMENT (NB)**

RECOMMENDATION *Authorize the Office of the City Attorney, on behalf of the General Manager for Utilities, to retain Winston & Strawn LLP or other qualified outside legal counsel for representation of the City in review of the GREC PPA.*

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

150178. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of June 4, 10, 18, July 2, 13, 14, 16, 21 and 27.*

Approved as Recommended

150181. Resignation of Benjamin J. Meyers from the Board of Adjustment (B)

RECOMMENDATION *The City Commission accepts the resignation of Benjamin J. Meyers, effective immediately.*

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

REGIONAL UTILITIES COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

END OF CONSENT AGENDA

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

Jo Beaty spoke to the matter.

A motion was made by Commissioner Wells, 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

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

*Jim Konish
Debbie Martinez
Don Glendening
Martha Miller
Scott Costello
Tara Blythe*

Susan Davenport
Susan Crowley
Craig Wilburn
Jo Beaty
Paula Stahmer
Donald Shepherd
Joseph Lowery
Rose Fagler
Maria Parsons

TIME CERTAIN

150195. **Medicaid Expansion (NB)**

Note: This is not Mayor Ed Braddy's item. This is a City Commission Item.

Representative Keith Perry made a presentation.

Diane Dimperio, Don Glendening, Debbie Martinez and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from Representative Keith Perry on Medicaid Expansion.*

Heard

150164. **A Presentation on the Federal Legislative Agenda (B)**

This is a request for the City Commission to hear a presentation on federal legislative updates. **ESTIMATED STAFF PRESENTATION 20 MINUTES**

Kelly Ferrel and Marilyn Berry Thompson made presentations.

Don Glendening spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from Marilyn Berry Thompson on federal legislative updates that affect the City of Gainesville and provide policy direction on these issues.*

Heard

GENERAL MANAGER FOR UTILITIES

150173. **Explanation of Customer Billing Cycles and Dunning Practices (B)**

*****Estimated Presentation Time 30 Minutes*****

******This item is for informational purposes.******

Bill Shepherd, Kinnson Hutchinson, Tara Thomas and Herb Firsching made presentations.

Jim Konish and Sharon Sheets spoke to the matter.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, to move the discussion of Fire Assessment to the first item after Citizen Comment. Motion passed 7-0.

RECOMMENDATION

The City Commission 1) Receive a brief presentation from staff on various items pertaining to customer billing, payment arrangements and disconnection time frames; and 2) Receive a summary of the City Commission approved changes to the customer service ordinances.

Heard

COMMISSION COMMENT

*Commissioner Chase - Irrigation
Commissioner Wells - Pat Fitzpatrick Memorial
Mayor Braddy - 5-Day Work Week - City Manager to put on the August 20, 2015 agenda.*

RECESS - 4:28 PM

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

150177. **Commissioner Craig Carter - Five Member City Commission (B)**

RECOMMENDATION

The City Commission discuss a Five Member City Commission and take action deemed appropriate.

Continued

UTILITY-RELATED COMMISSION COMMENTS (if time permits)

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.

150188. **Alachua County's Proposed Irrigation Efficiency Code (B)**

Alachua County has requested the opportunity to make a presentation to the City Commission on the County's proposed Irrigation Efficiency Code. **ESTIMATED COUNTY STAFF PRESENTATION 15-20 MINUTES**

RECOMMENDATION

The City Commission hear a presentation from County staff on the proposed Irrigation Efficiency Code.

Filed With No Action Taken

140963. **Medical Unit Response in the City of Gainesville (B)**

This referral was a suggestion from Commissioner Warren to the full City Commission for the Public Safety Committee to discuss the impacts of Alachua County Fire Rescue ambulance (aka rescue) response times and to discuss alternatives. *ESTIMATED STAFF PRESENTATION 15 MINUTES*

RECOMMENDATION

The City Commission 1) hear the presentation; 2) determine if further meetings and/or research are required; and 3) provide direction to staff regarding follow-up actions.

Filed With No Action Taken

RECONVENE - 5:40 PM

PLEDGE OF ALLEGIANCE

Mr. Bob Gasche

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

150186. **Certificate of Merit Recipients (B)**

RECOMMENDATION

The City Commission hear the Special Recognition of: Gail McCray (Property Manager), Donna Sheppard (Leasing Consultant) and Nathaniel Willis - Eden Park at Ironwood Darlene Pifalo - Fire Station Donation

Heard

150182. **Purple Heart Day - August 7, 2015 (B)**

RECOMMENDATION

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

Heard

150187. **Jessie Heard Day - August 6, 2015 (B)**

RECOMMENDATION

Mr. Jessie Heard 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*
- Ralph Strzalkowski*
- Kali Blount*
- Jancie Vinson*
- Debbie Martinez*
- John Davies*
- Maria Parsons*

TIME CERTAIN - 4:00 PM (WAIVE THE RULES TO HEAR ITEM AT 4:00 PM)

150196. Fire Assessment on Institutional Properties Including Churches and Non-Profits (B)

This is a discussion item regarding the special assessment for fire services and its application to institutional properties such as churches and non-profit entities. *STAFF PRESENTATION 2 MINUTES*

Motion: Exempt churches and non-profits from the fire assessment with the City absorbing the cost, with undesignated reserves for FY16. FY17 and forward, to amend the ordinance to exempt churches and non-profits from the fire assessment.

Becky Rountree made a presentation.

Reverend Karl Anderson, McArthur Shelton, Jo Beaty, McArthur Shelton, Pastor Greg Magruder and Karl Cranes spoke to the matter.

RECOMMENDATION

The City Commission discuss the fire assessment as it relates to churches and non-profit organizations and provide direction to staff.

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

Aye: 5 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Nay: 2 - Commissioner Warren, and Commissioner Wells

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

150175. Resolution for GRU Electric Operations and Planning Compliance Policy (B)

RECOMMENDATION

The City Commission adopt the amended resolution which supersedes Resolution No. 080804, removing the itemized list of functional registrations.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Adopted (Resolution). 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

ADOPTION READING-ROLL CALL REQUIRED**150049. LAND USE CHANGE - 3800 BLOCK OF SW 37TH BOULEVARD (B)**

Ordinance No. 150049; Petition No. PB-15-29 LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road, as more specifically described in this ordinance, from Commercial (C) and Residential Medium-Density (RM) to Mixed-Use Low-Intensity (MUL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-15-29 LUC; and (2) adopt the proposed ordinance.

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

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

Absent: 1 - Commissioner Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**150050. QUASI-JUDICIAL - REZONING - 3800 BLOCK OF SW 37TH BOULEVARD (B)**

Ordinance No. 150050; Petition No. PB-15-30 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road, as more specifically described in this ordinance, from General Business

(BUS) and Multiple-Family Medium-Density Residential (RMF-8) to Mixed-Use Low-Intensity (MU-1); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms and Clay Sweager made presentations.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-15-30 ZON; and (2) adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

120883.

**CUSTOMER AND ADMINISTRATIVE SERVICES BILLING,
DEPOSITS, AND OTHER PRACTICES (B)**

Ordinance No. 120883

An ordinance of the City of Gainesville, Florida, amending Chapter 27 and Appendix A relating to utilities; by amending section 27-7 relating to customer deposits; by amending section 27-14 relating to payment due dates and penalties for late payments; by amending section 27-21 by adding definitions to clarify the customer service regulations; by amending Appendix A, Schedule of Fees, Rates and Charges to revise the service charges for returned payments consistent with state law; providing directions to the codifier; 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 Commissioner Wells, 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 Wells, Commissioner Goston, and Commissioner Budd

Absent: 1 - Commissioner Chase

140741.

Vehicles For Hire Ordinance (B)

Ordinance No. 140741

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to vehicles for hire; by amending in its entirety Article I.

Motorized Vehicles of Chapter 28, Vehicles for Hire; by amending Section 2-339 of Chapter 2 to provide civil penalties for vehicle for hire violations; and by amending Appendix A - Schedule of Fees, Rates and Charges to provide fees for vehicles for hire; providing directions to the codifier; 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 Commissioner Wells, seconded by Commissioner Warren, that this Matter be Continued. The motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

150145.

Development plan review for the construction of the Alachua County Public Defender's office building (B)

Petition PB-15-31 SPL. JBrown Professional Group, Inc., agent for Alachua County Board of Commissioners. Intermediate development plan review for the construction of the Alachua County Public Defender's office building. Zoned: PD (Planned Development district). Located at 151 SW 2nd Avenue.*expected presentation time 10 minutes.*

Andrew Persons, Jay Brown and Billy Brame made presentations.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve petition PB-15-31 SPL.
Staff to City Commission - the City Commission approve Plan Board's recommendation.
Staff to City Plan Board - Approve petition.*

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this matter be Approved (Petition) . The motion carried by an unanimous vote.

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

150138.**Discussion of a Finding of Necessity Report and Establishing a Northwest Community Redevelopment Agency Area (B)**

This item is a request for the City Commission to receive a Finding of Necessity Report and determine whether to create a new Community Redevelopment Agency Area; and if so, determine the area's geographic boundaries.

Motion - Accept the report, but decline the establishment of a CRA and follow through with alternative recommendations.

John Wachtel and Ginger Corless made presentations

Robert Pearce, Phil Blake, Diedra Bryan, Trish Riley, Charlotte Lake, Martha Miller, Michael Sylvester, Safronia Miller, Sharon Sheets, Maria Parsons, Barbara Ruth and Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from the consultant; 2) receive public comments; 3) accept the consultant's report addressing blighted conditions in Northwest Gainesville; 4) determine whether or not to authorize staff to develop and bring to the Commission a resolution that establishes a Northwest Community Redevelopment Agency Area; and 5) if the Commission authorizes staff to develop a resolution that establishes a new Community Redevelopment Agency Area, determine whether the geographic boundaries of the area should include the entire Study Area, Sub-Area 1 or Sub-Area 2.

Alternative Recommendation

The City Commission direct the City Manager or designee to research other redevelopment and/or infrastructure funding alternatives that may be appropriate for the Study Area. Examples of such alternatives include, but are not limited to, Business Improvement Districts, Community Development Districts and increased general fund expenditures.

A motion was made by Commissioner Budd, seconded by Commissioner Chase, that this Matter be Approved, as shown above. 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

150179.**Proposed Early Termination of McGurn License Agreement for Use of Parking Garage (B)**

The is a request for the City Commission to hear a presentation on the proposed early termination of the existing McGurn License Agreement for Use of Parking Garage. *STAFF PRESENTATION 10 MINS*

Erik Bredfeldt made a presentation.

Rodney Long, Jim Konish and Avis Butler spoke to the matter.

Motion by Commissioner Wells, seconded by Commissioner Warren to waive the rules and extend the meeting to 11:30 PM. Motion passed 7-0.

RECOMMENDATION

The City Commission: 1) hear a presentation on the proposed early termination of the McGurn License Agreement for Use of Parking Garage; and 2) direct staff to develop a financial plan as outlined to execute early termination.

Alternative Recommendation

The City Commission: 1) disapprove early termination of the McGurn License Agreement for Use of Parking garage.

A motion was made by Commissioner Goston, seconded by Commissioner Wells, that this Matter be Approved as Recommended. 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

130847.

Lot #10 Proposed Terms (B)

The City Commission to hear a report on proposed terms regarding the development of Lot #10 and provide appropriate direction. *STAFF PRESENTATION 15 MINUTES*

Amendment: Return to the City Commission for final approval by August 20, 2015.

Erik Bredfeldt and Mark Benton made presentations.

Avis Butler, Rodney Long and Michelle Lieberman spoke to the matter.

Motion by Commissioner Wells, seconded by Commissioner Chase to waive the rules and extend the meeting to 11:40 PM. Motion passed 7-0.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro-Tem Carter to waive the rules and extend the meeting to 12:00 AM. Motion passed 7-0.

RECOMMENDATION

The City Commission: 1) hear a presentation on proposed business terms regarding development of Lot #10; and 2) direct staff to incorporate the proposed business terms with Horizon Hospitality Management, Inc. into the appropriate documents subject to approval by the City Attorney as to form and legality.

Alternative Recommendation #1

The City Commission provide alternative direction on proposed business terms with Horizon Hospitality Management, Inc.

Alternative Recommendation #2

The City Commission direct staff to terminate negotiations with Horizon Hospitality Management, Inc. and begin negotiations with the 2nd ranked firm Bedford Lodging.

A motion was made by Commissioner Wells, seconded by Commissioner

Goston, 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

UNFINISHED BUSINESS

CITIZEN COMMENT (If time permits)

Kali Blount

ADJOURNMENT - 11:59 PM

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Draft

Thursday, August 20, 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 - 1:07 PM

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

AGENDA STATEMENT

INVOCATION

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

Moved from Consent to Regular Agenda - 1) Item No. 150219; and 2) Item No. 150213.

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

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

Absent: 2 - Mayor Braddy, and Commissioner Goston

CITY MANAGER, CONSENT AGENDA ITEMS

140069

Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY 15/16 (B)

This item involves a request for the City Commission to approve the RTS Ten-Year TDP Annual Update for FY 15/16.

RECOMMENDATION *The City Commission approve the RTS Ten-Year Transit Development Plan Annual Update for FY 15/16.*

Approved as Recommended

140703

Strategic Plan Quarterly Report -3rd Quarter of Fiscal Year 2015 (B)

This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 3rd quarter of fiscal year 2015.

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

Approved as Recommended

150182

Proposed Amendments to the Gainesville Code of Ordinances, Chapter 23 - Streets, Sidewalks and Other Public Places, to Clarify Authority for

the Naming of Private Roads (NB)

This item is a request for the City Commission to support the drafting of amendments to the City's Code of Ordinances to clarify the authority for naming private roads.

RECOMMENDATION

The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise amendments to Chapter 23 of the City Code to clarify the authority for naming private roads.

Approved as Recommended

150192

Settlement of Worker's Compensation Claim - Andrew Swann (NB)

This item involves the full and final settlement of Mr. Swann's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$175,000.00 and represents a significant cost advantage to the city.

RECOMMENDATION

The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Swann in the amount of \$175,000.00.

Approved as Recommended

150209

Selection of Marsh & McLennan Companies/Marsh USA, Inc as the City of Gainesville's Property and Casualty Broker/Agent and Risk Management Consultant (B)

This item involves a request for the City Commission to approve the rankings of the competitive bid process selecting Marsh & McLennan Companies/Marsh USA, Inc as the City's property and casualty broker/agent and risk management consultant.

RECOMMENDATION

The City Commission: 1) Approve the ranking of the responders; and 2) Authorize the City Manager or his designee to negotiate an agreement with the top ranked firm for a period of three years with two annual extensions, subject to approval of the City Attorney as to form and legality. If an agreement cannot be reached with the top ranked firm, authorize the City Manager or his designee to initiate negotiations with the next ranked firm, continuing through the rankings until an agreement is reached.

Approved as Recommended

150245

Best Evaluated Bid Results and Selection for the Special Magistrate for Code Enforcement Services (B)

This item involves a request for the City Commission to approve staff's

ranking of applicants and appoint a candidate as the Special Magistrate for Code Enforcement services.

RECOMMENDATION

The City Commission: 1) approve staff's recommendation of the ranking of respondents; 2) authorize the City Manager or designee to negotiate with the top ranked respondent and execute all contract documents, subject to approval by the City Attorney as to form and legality; 3) appoint the Special Magistrates under contract to serve commencing on October 1, 2015; 4) approve staff's recommendation to negotiate an agreement with one of the three remaining respondents to serve as an alternate Special Magistrate and authorize the City Manager or designee to execute all contract documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

150232

Amendment to Contract for Grounds Maintenance at the GRU Eastside Operations Center (NB)

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute a (3) three-year extension of the contract with Sunshine State Lawn Service, Inc. for grounds maintenance services at the GRU Eastside Operations Center, subject to approval of the Utilities Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services to Sunshine State Lawn Service in amount not to exceed \$40,000 per year, subject to the final appropriation of funds for these services in each fiscal year.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

150220

Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)

RECOMMENDATION

Authorize the City Manager to execute a tolling agreement, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

150145

PRELIMINARY DEVELOPMENT ORDER - ALACHUA COUNTY PUBLIC DEFENDER'S OFFICE BUILDING (B)

RECOMMENDATION

The City Commission approve the written Order and authorize the Mayor and the Clerk of the City Commission to execute the Order.

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

150249.

Resignation of Seth Lane from the City Plan Board and Dave Miller from Nature Centers Commission (B)

RECOMMENDATION

The City Commission accepts the resignation of Seth Lane and Dave Miller, effective immediately.

Approved as Recommended

150260.

Appointment to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION

The City Commission appoint:
Randy L. Hunziker to the Gainesville Housing Authority for a term to expire 8/1/19
Perry Clawson to the Board of Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/19/17
Carolyn T. Takeda-Brown to the Pension Review Committee for a term to expire 7/31/20
Sallyise Lee to the Gainesville Energy Advisory Committee for a term to expire 9/30/15
Marc A. Morrison and Sallyise Lee to the Citizens Advisory Committee for Community Development for a term to expire 11/1/18
Johnnie R. Snow to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/18
William Breeze to the Regional Transit System Advisory Board for a term to expire 9/30/17
Caleb Stewart and Delores C. James to SHIP Affordable Housing Advisory Committee for a term to expire 7/1/17.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT

150053.

Fiscal Year 2015 Quarterly Monitoring Report and Fund Review Update - Quarter Ending March 31, 2015 (B)

RECOMMENDATION

The Audit and Finance Committee review and recommend that the City Commission receive the quarterly budget monitoring report and the fund review update for the quarter ended March 31, 2015.

Approved as Recommended

150014.

Gainesville Regional Utilities Internally Prepared Financial Statements

and Supplementary Data for the Period Ended March 31, 2015 (B)

RECOMMENDATION

The Audit and Finance Committee review and recommend the City Commission accept the GRU Interim Financial Statements and Supplementary Data for the period ended March 31, 2015.

Approved as Recommended

100507.

Funding RTS Routes and Associated ADA Service Outside the City Limits (NB)

RECOMMENDATION

The Audit and Finance Committee: 1) accept the staff report; and 2) request that the City Commission remove this item from the referral list.

Approved as Recommended

150055.

Purchase of ACL/GRC Audit Performance Software (B)

RECOMMENDATION

The Audit and Finance Committee recommend the City Commission approve the expenditure for the software program.

Approved as Recommended

150127.

Amend Ordinance 020024.1 of July 8, 2002 and Resolution 970187 of August 11, 1997 (B)

RECOMMENDATION

The Committee recommended moving this agenda item to the City Commission to request the City Auditor and City Attorney to develop a resolution and/or ordinance to incorporate the proposed modifications.

Approved as Recommended

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)

Additions to Regular Agenda: 1) Item No. 150223 - withdrawn; and 2) Request for funding for the FAMU reception in the amount of \$1,500 for Board of Trustees Meeting Session to be held in the City of Gainesville.

Jo Beaty spoke to the matter.

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

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

Absent: 1 - Mayor Braddy

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

Mayor Braddy arrived at 1:50 PM.

Jim Konish

CLERK OF THE COMMISSION

CITY MANAGER

150190.

A Presentation on the State Legislative Agenda (B)

This is a request for the City Commission to hear a presentation on state legislative updates. **ESTIMATED PRESENTATION 20 MINUTES**

Kelly Ferrel and Bill Peebles made presentations.

Jim Konish spoke to the matter.

RECOMMENDATION

The City Commission hear a presentation from Bill Peebles on state legislative updates that affect the City of Gainesville and provide policy direction on these issues.

This matter was Heard

150191.

City Lobbying and Advocacy Services (B)

This is a request for renewal of the state lobbying and advocacy services agreement. **ESTIMATED STAFF ORAL PRESENTATION 2 MINUTES**

Jim Konish and Debbie Martinez spoke to the matter.

RECOMMENDATION

The City Commission approve renewal of the current contract with Peebles and Smith.

Alternate Recommendation

The City Commission direct staff to advertise for a new state lobbyist for the City and GRU.

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

150205.**2015 Telephone Town Hall Meeting (NB)**

This item requests the City Commission schedule a Telephone Town Hall meeting on October 29, 2015 and to provide direction on a discussion topic. *STAFF PRESENTATION 5 MINUTES*

Amendment: Topic of discussion will be funding for the Parks, Recreation and Cultural Affairs Master Plan "PRCA Vision 2020"; funding sources to include property tax, sales tax or others; and staff to provide a 2-month plan which includes community outreach and public participation.

Samantha Wolfe and Becky Rountree made presentations.

Jim Konish and Debbie Martinez spoke to the matter.

RECOMMENDATION

The City Commission: 1) direct the Clerk of the Commission to schedule the Telephone Town Hall meeting on October 29, 2015; and 2) provide direction to the City Manager on a discussion topic.

A motion was made by Commissioner Wells, seconded by Commissioner Budd, 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

150152.**Second Amendment to the Tourism Product Development Interlocal Agreement with Alachua County (B)**

This is a request for the City Commission to approve and authorize the Mayor or designee to execute a second amendment to the Tourism Product Development Interlocal Agreement with Alachua County, amending and extending the current agreement for two years, through September 30, 2017.

Steve Phillips, Russell Etling and John Pricher made presentations.

RECOMMENDATION

The City Commission: 1) approve the Second Amendment to the Tourist Product Development Interlocal Agreement with Alachua County, and 2) authorize the Mayor or designee to execute the Second Amendment to the Tourist Product Development Interlocal Agreement with Alachua County and any related documents on behalf of the City, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

120521.**NW 8th Avenue Follow-Up (B)**

This item is a request to present a follow-up to the June 4, 2015 presentation to the City Commission regarding the NW 8th Avenue project currently in design. The presentation asks for further policy

guidance on design elements as requested by the City Commission.

****ESTIMATED STAFF PRESENTATION 20 MINUTES****

Motion: 1) Minimum of 36" grass strip; 2) Minimum of 8' of pathway; 3) Do box culverts; 4) Do all the round culverts; and 5) Approve the GMP for Sections A, B & C.

Teresa Scott, Stefan Broadus, and Alan Foley made presentations.

Jim Konish, Mark Philmont and Bob Karp spoke to the matter.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and take up Item No. 150240 after Item No. 120521. Motion passed 7-0.

RECOMMENDATION

The City Commission: 1) hear a staff presentation; 2) provide direction regarding Creek Crossing recommendation; 3) provide direction regarding grass strips and sidewalks; and 4) approve GMP for Sections A & C and proceed towards construction.

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

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

Nay: 1 - Commissioner Budd

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

150240

**Appointments to the Gainesville Human Rights Board,
Gainesville/Alachua County Regional Airport Authority and City Plan Board (B)**

Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren to appoint Sterling Davenport to the Gainesville Human Rights Board. Motion passed 7-0.

Motion by Commissioner Wells, seconded by Commissioner Warren to appoint Kinnon Thomas to the Gainesville/Alachua County Regional Airport Authority. Motion passed 7-0.

Motion by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter to appoint David Ferro to the City Plan Board. Motion passed 5-2. Commissioner Warren and Commissioner Budd voted no.

RECOMMENDATION

The City Commission discuss appointments to the Gainesville Human Rights Board, Gainesville/Alachua County Regional Airport Authority and City Plan Board and take appropriate action.

Approved, as shown above

**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

150223.

Mayor Ed Braddy - Establishing a Sister City Program with Deir Alla, Jordan (B)

RECOMMENDATION

The City Commission take action deemed appropriate.

Withdrawn

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 the Mayor, a City Commissioner or a Charter Officer.

RECESS - 4:54 PM

RECONVENE - 5:52 PM

PLEDGE OF ALLEGIANCE

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

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

Motion by Commissioner Chase, seconded by Commissioner Budd to send a letter to the GHA Chair to watch the meeting and see the concerns and prepare to address these at the next City Commission meeting on September 3, 2015. Motion passed 7-0.

*Jim Konish
Jancie Vinson
John Davies
Jennifer Rivers
Diane Dabrio
Mr. Bondi
Avis Gainey
Debbie Martinez
Harold Saive*

Linda Pace
Ms. Waller
Donald Shepherd
Jasmine Hall

TIME CERTAIN

150243

Five-Day Work Week (B)

The City Commission discuss the five day work week and the City Manager’s proposal to open City Hall on Fridays. **ESTIMATED STAFF ORAL PRESENTATION 5 MINUTES**

Motion by Commissioner Wells, seconded by Commissioner Budd to waive the rules and hear Item No. 100607 after Item No. 150177. Motion passed 7-0.

Motion: Accept the first floor recommendation and have Charter Officers make the City more productive. Motion passed 7-0.

Becky Rountree made a presentation.

Debbie Martinez, Ernesto Martinez and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission discuss the item and take any action deemed appropriate.*

A motion was made by Commissioner Wells, seconded by Commissioner Budd, that this Matter be Approved, as shown above. 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

150177

Commissioner Craig Carter - Five Member City Commission (B)

Barbara Sharpe, Donald Shepherd, Debbie Martinez, Ernesto Martinez and Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission discuss a Five Member City Commission and take action deemed appropriate.*

Discussed

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

100607.**Northeast Neighborhood Veterans Memorial Park (B)**

This item is a request for the Committee to hear an update and finalize recommendations to establish a park dedicated to the reserve/citizen soldier on the property of the former United States Army Reserve and potential future uses of this property that has returned to City ownership.

Paul Folkers and Gerry Dedenbach made presentations.

Tom Lyons, Sheldon Packer, Ken Armstrong, Michael Sylvester and Sandra Carly spoke to the matter.

RECOMMENDATION

The Committee finalize recommendations to the City Commission including the following: 1) hear a presentation with options for the proposed "Reserve Park", 2) approve the Committee's recommendation to name the park "Reserve Park" and dedicate the park as a memorial to the reserve/citizen soldier, 3) approve the Committee's proposed boundaries for the park, 4) provide input on the proposed park features, 5) direct staff to develop plans for cleaning and maintaining at least a portion of the proposed park area for FORP to hold veterans related events and potentially other limited public access, 6) direct City staff to prepare a CIP project request for "Reserve Park" for the next CIP update, and 7) direct City staff to proceed with development of an RFP for use of the building returning to the Committee and City Commission for input before finalizing and releasing the RFP.

A motion was made by Commissioner Wells, seconded by Commissioner Warren, that this Matter be Approved as Recommended. 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

PUBLIC HEARINGS**RESOLUTIONS- ROLL CALL REQUIRED**150054.**SECOND BUDGET AMENDMENT TO THE FY 2014-2015 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN (B)**

Resolution No. 150054

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, 2014 AND ENDING SEPTEMBER 30, 2015; AMENDING RESOLUTION NO. 140302, ADOPTED SEPTEMBER 18

, 2014, AS AMENDED BY RESOLUTION NO. 140698 ADOPTED APRIL 16, 2015, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL OPERATING AND FINANCIAL PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION

The City Commission adopt the proposed resolution.

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted (Resolution). 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

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.

Rick Hutton made a presentation.

Donald Shepherd, Brad Pollitt, Bruce DeLaney, John Fleming and Lee Nelson 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 Wells, 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 Wells, Commissioner Chase, and Commissioner Budd

Absent: 1 - Commissioner Goston

140741

Vehicles For Hire Ordinance (B)

Ordinance No. 140741

An ordinance of the City of Gainesville, Florida, amending the Code of

Ordinances relating to vehicles for hire; by amending in its entirety Article I. Motorized Vehicles of Chapter 28, Vehicles for Hire; by amending Section 2-339 of Chapter 2 to provide civil penalties for vehicle for hire violations; and by amending Appendix A - Schedule of Fees, Rates and Charges to provide fees for vehicles for hire; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Paul Folkers, Chief Jones and Cesar Fernandez made presentations.

John Lambs, Dawn Butler, John Afron, Miles Flem, Donald Shepherd, Anthony Ruth, Allan Penska and Matthew Heck spoke to the matter.

Motion by Commissioner Chase, seconded by Commissioner Wells to waive the rules and extend the meeting to 12:00 AM. Motion passed 6-1. Commissioner Goston voting no.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance). 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

150193

TERMINATION OF THE DISABILITY PLAN (B)

Ordinance No. 150193

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 6 (Disability Plan) of the Code of Ordinances of the City of Gainesville to terminate the Disability Plan due to the transfer of disability benefit obligations and assets to the Employees' Pension Plan; 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 Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on First Reading (Ordinance). 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

ORDINANCES ADOPTION/2ND READING- ROLL CALL REQUIRED

150050

QUASI-JUDICIAL - REZONING - 3800 BLOCK OF SW 37TH BOULEVARD (B)

Ordinance No. 150050; Petition No. PB-15-30 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 9.9 acres of property generally located in the 3800 block of SW 37th Boulevard approximately 400 feet south of Archer Road, as more specifically described in this ordinance, from General Business (BUS) and Multiple-Family Medium-Density Residential (RMF-8) to Mixed-Use Low-Intensity (MU-1); 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 Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on Final Reading (Ordinance). 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

120883

CUSTOMER AND ADMINISTRATIVE SERVICES BILLING, DEPOSITS, AND OTHER PRACTICES (B)

Ordinance No. 120883

An ordinance of the City of Gainesville, Florida, amending Chapter 27 and Appendix A relating to utilities; by amending section 27-7 relating to customer deposits; by amending section 27-14 relating to payment due dates and penalties for late payments; by amending section 27-21 by adding definitions to clarify the customer service regulations; by amending Appendix A, Schedule of Fees, Rates and Charges to revise the service charges for returned payments consistent with state law; providing directions to the codifier; 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 Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Adopted on Final Reading (Ordinance). 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

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

CITY ATTORNEY

150206.

**KAD PROPERTIES, L.L.C. and DEAN G. POOLE, C.P.A., P.A. V.
CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO.
2014-CA-198 (NB)**

Motion by Commissioner Chase, seconded by Commissioner Wells - refer to the Legislative Organizational Policy Committee. Motion passed 7-0.

Teresa Scott made a presentation.

Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claims of KAD Properties, L.L.C. and Dean G. Poole, C.P.A., P.A. arising from an incident that occurred on or about July 10, 2011.

A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Approved as Recommended. The motion carried 7-0.

A motion was made by Commissioner Chase, seconded by Commissioner Wells, that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 2/20/2016. The motion carried 7-0.

Aye - Mayor Braddy, Commissioner Budd, Commissioner Warren, Commissioner Goston, Commissioner Chase, Mayor-Commissioner Pro Tem Carter, Commissioner Wells.

SCHEDULED EVENING AGENDA ITEMS

130847

Lot # 10 Draft Contract for Purchase and License Agreement for Use of Parking Garage (B)

The City Commission review the Lot #10 draft Contract for Purchase and attached form License Agreement for Use of Parking Garage.

ESTIMATED STAFF ORAL PRESENTATION 7 MINUTES

Motion: 1) approve staff recommendation; 2) work out the timeline issues; and 3) 100% surety bond.

Erik Bredfeldt and Phil Mann made presentations.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and extend the meeting to 12:15 AM. Motion passed 7-0.

Avis Butler, Rodney Long, Mark Glazer, Danny Hughes, Anthony Rue and Jo Beaty spoke to the matter.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and extend the meeting to 12:30 AM. Motion passed 6-1. Commissioner Budd voting no.

Motion by Commissioner Wells, seconded by Commissioner Warren to continue the

entire meeting to Monday, August 24, 2015, 6:00 PM. Motion passed 7-0.

RECOMMENDATION

The City Commission: 1) Hear a brief presentation from staff; 2) Authorize the City Manager to execute the Contract for Purchase, subject to approval as to form and legality by the City Attorney; and 3) In accordance with the Contract for Purchase, authorize the City Manager to negotiate a License Agreement for Parking Spaces with the Buyer and to negotiate a buyout of some or all of the parking rights under the McGurn License Agreement and bring those back to the City Commission for its consideration prior to December 1, 2015.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Approved, as shown above. 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

RECESS - 12:26 AM

RECONVENE - August 24, 2015, 6:05 PM

150188

Alachua County's Proposed Irrigation Efficiency Code (B)

Alachua County has requested the opportunity to make a presentation to the City Commission on the County's proposed Irrigation Efficiency Code. **ESTIMATED COUNTY STAFF PRESENTATION 15-20 MINUTES**

Ralph Hilliard, Stacie Greco, Tony Cunningham and Paul Folkers made presentations.

Rebecca Hightower and Randy Alred spoke to the matter.

RECOMMENDATION

The City Commission hear a presentation from County staff on the proposed Irrigation Efficiency Code.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Warren, that this Matter be Referred to the Community Development Committee, due back on 2/20/2016. 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

150257

North Central Florida Regional Planning Council Funding (B)

This is a request for the City Commission to review the policy ramifications of discontinuing the City of Gainesville's membership on the North Central Florida Regional Planning Council. **ESTIMATED

STAFF ORAL PRESENTATION 5 MINUTES**

Ralph Hilliard made a presentation.

Commissioner Ken Cornell spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from staff and provide direction regarding this item.*

No Action Taken

150161.

Contract for Processing of Yard Trash Debris (B)

This item involves a request for the City Commission to authorize the City Manager to renew the contract with County Line Landfill, Inc. for the processing of Yard Trash generated by the City’s Curbside Collection program and various City departments.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter for staff to report back with more information.

Steve Joplin made a presentation.

Jo Beaty, Jim Bakam and Rebecca Hightower spoke to the motion.

RECOMMENDATION *The City Commission authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality.*

A motion was made by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Approved, as shown above. 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 Commission Budd

150213.

General Employee’s Pension Plan Amendments (NB)

This item requests the City Commission to authorize the City Attorney to draft an ordinance to modify certain provisions of the General Employee’s Pension Plan.

Motion by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter to include an equitable plan for the employees affected by the plan.

Rebecca Hightower spoke to the matter.

RECOMMENDATION *The City Commission: 1) authorize the City Attorney to prepare; and 2) authorize the Clerk of the Commission to advertise the ordinance required to effectuate the negotiated changes to the General Employee’s Pension Plan.*

A motion was made by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Carter, that this Matter be Approved as shown above. 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 Commission Budd

150219.

Contract Extension for Janitorial Services at the Eastside Operations Center (NB)

Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells to not extend the contract and put out for bid.

Rebecca Hightower spoke to the matter.

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract with ISS C&S Building Maintenance for janitorial services at the Eastside Operations Center, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to ISS C&S Building Maintenance in an amount not to exceed \$167,500 for FY 2016 and for subsequent years of the contract, pending final appropriation of funds for each year.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, that this Matter be Approved, as shown above. 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 Commission Budd

150274.

Request for Funding for the FAMU Board of Governor's Meeting Session to be held in the City of Gainesville (NB)

Motion by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells to approve the funding for FAMU.

RECOMMENDATION

The City Commission approve funding in the amount of \$1,500.00 with \$750 from City and \$750 from the Tourist Development Council.

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Wells, 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 Wells, Commissioner Chase, and Commissioner Budd

Absent: 1 - Commissioner Goston

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor Braddy - Building Needs for Sister Hazel

Mayor-Commissioner Pro Tem Carter - Award Ceremony

150283. Parking Violation Appeals

RECOMMENDATION *Refer to Committee*

A motion was made that this Matter be Referred to the Legislative and Organizational Policy Committee, due back on 2/20/2016. The motion carried by the following vote:

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

Absent: 1 - Commissioner Goston

CITIZEN COMMENT (If time permits)

*Jo Beaty
Kali Blount
Rebecca Hightower*

ADJOURNMENT - 8:51 PM