

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

May 7, 2015

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Lauren Poe (At Large)
Commissioner Helen Warren (At Large)
Commissioner Yvonne Hinson-Rawls (District 1)
Mayor-Commissioner Pro Tem Todd Chase (District 2)
Commissioner 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**AGENDA STATEMENT**

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."

ROLL CALL**INVOCATION**

Prophet George Young

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)**CITY MANAGER, CONSENT AGENDA ITEMS**[140916.](#)**Medical Marijuana Retail Facilities (NB)**

Explanation: In 2014, the Florida Legislature adopted SB 1030 (codified at §381.986, F.S.), which for the first time in Florida allows and regulates the cultivation, processing, and dispensing of medical marijuana consisting of a low-THC cannabis known as "Charlotte's Web." Under the statute, the Florida Department of Health (DOH) is tasked with formulating rules to implement the Charlotte's Web law. To date, the DOH rules have been subject to a number of legal challenges and revisions. The latest version of the DOH rules are currently being challenged and, if the rules survive the challenge, will most likely become effective sometime in May or June. In addition and in response to the DOH rule-making process and associated delay, SB 7066 has been introduced in this 2015 session of the Florida Legislature. If adopted, SB 7066 will revise and add numerous provisions to the Charlotte's Web law, including making the law self-executing to avoid the rule-making process, and will become effective in May or June.

Because the cultivation, processing, and dispensing of medical marijuana is new to the State of Florida, such land uses are currently not

allowed in the City of Gainesville. Whether the Charlotte's Web statute is implemented by the DOH rules or SB 7066, the City will need to determine applicable zoning regulations for low-THC "Charlotte's Web" medical marijuana retail facilities that operate in accordance with state law, including the allowable number, location, and all other use and permitting requirements.

Fiscal Note: None

RECOMMENDATION

The City Commission direct the Planning and Development Services Department to initiate a petition to amend the Land Development Code to allow and provide regulations for low-THC "Charlotte's Web" medical marijuana retail facilities that operate in accordance with state law.

[140274.](#)

Acceptance of Notice of Reverter Event Release and Fee Title to the Property Known as the C. R. Layton United States Army Reserve Center (B)

This item is a request to accept the Notice of Reverter Event Release and fee title to the C. R. Layton United States Army Reserve Center located at 1125 Northeast 8th Avenue.

MODIFICATION - ADDED ITEM

Explanation: In 1950, the City of Gainesville conveyed title for 6.8 acres of vacant property located at 1125 Northeast 8th Avenue to the Federal government. The US Army developed the property into a 35,625 square foot Army Reserve Center that was completed in 1953. The deed of conveyance contained a reverter clause indicating that the property would revert back to the City of Gainesville if no longer needed by the Federal government. Over 60 years later, in late 2011, the City was notified that the property was no longer needed and would be conveyed to the City.

The City was provided with an Environmental Condition of Property Update Report that was prepared for the US Army in 2010. This report identified issues in the building that would need to be addressed prior to any future reuse of the building. These issues include asbestos, lead paint and mold. Staff felt it was in the best interests of the City to complete further testing and assessment of the property. The City conducted a Phase II Environmental Assessment of the property through Water & Air Research, Inc.

Based on the testing results of soil and ground water, Water & Air Research, Inc. concluded no adverse impacts were detected. However, based on air samples acquired at various locations throughout the facility, primarily two locations were found to have moderate mildew spore types which were similar to outdoor samples. Water & Air Research recommended running the air conditioning system to lower the

moisture in the air and cleaning any obvious areas of mold before occupancy.

The US Army determined that a more detailed asbestos study was needed which was completed in summer 2013. Based on that study, staff arranged for further evaluation to better understand the actions that would be necessary and estimated costs for addressing the asbestos and lead paint in the building. Staff believes that regardless of future use, any significant renovation of the building should include removal of the asbestos and lead paint. As indicated above, the reports indicate that mold can be addressed through proper cleaning and maintenance of the building.

City staff had hoped to have removal of the asbestos and lead paint addressed by the US Army. Last fall, the US Army completed abatement of the friable asbestos in the building which was accomplished through encapsulation. The City Commission also added the US Army Reserve property to the City's legislative agenda in the hopes of receiving federal funding to address the costs of remediating the asbestos and lead paint. Staff estimates the total costs for remediation of the asbestos and lead paint could be up to \$350,000.

The US Army has executed a Notice of Reverter Event Release which per the 1950 deed will convey ownership back to the City. City staff is prepared to take over maintenance responsibilities upon City execution of the Notice of Reverter Release and will proceed with the one-time grounds clean-up and regular grounds maintenance. Staff will arrange for basic building maintenance to prevent further deterioration of the building.

Earlier this year, the City Commission approved an Action Plan in concept for the property. There is an existing referral to the Recreation, Cultural Affairs and Public Works Committee on "Northeast Neighborhood Veterans Memorial Park". Staff is scheduled to bring an agenda item before the Committee on May 14, 2015 to provide options addressing the community desire for a park on the grounds of the property for Committee discussion and recommendation to the City Commission.

This is an As-Is transfer, which means the US Army knows of no facts materially affecting the value of the Property which are not readily observable and which have not been disclosed in writing to City. And to the extent permitted by law, the City waives any claims against the US Army for any damage or defects pertaining to the physical condition of the Property that may exist upon reversion of the Property to the City and be subsequently discovered by the City, except for matters known but not disclosed by the US Army.

Fiscal Note: Funding in the amount \$28,000 is budgeted for a one-time grounds clean-up and \$20,000 annually for basic grounds and building maintenance to prevent further deterioration. The City Commission has also approved \$163,000 in the Capital Improvement Plan to help

address remediation costs for the building. City staff would not proceed with expenditure of these funds for remediation until the City Commission has made a determination on future ownership/use of the property.

Costs for any future renovation/re-use of the building have not been identified but would be significant. General Services expects that the roof would need to be replaced in 5 to 8 years with an estimated cost of \$500,000.

RECOMMENDATION

The City Commission: 1) accept reversion of the property known as the C.R Layton United States Army Reserve Center at 1125 Northeast 8th Avenue into City ownership; and 2) authorize the Mayor to execute the Notice of Reverter Event and Release confirming the City's acceptance of the reversion of this property into City ownership.

Legislative History

9/4/14 City Commission Heard

[140274A Site Map 20140904.pdf](#)

[140274B 1950 Warranty Deed 20140904.pdf](#)

[140274C Dec 10 Environmental Report 20140904.pdf](#)

[140274D Water & Air Research Reports 20140904.pdf](#)

[140274E Apr 13 Radiological Site Report 19April13.pdf](#)

[140274F Jun 13 Asbestos Survey Report 20140904.pdf](#)

[140274G Jan 14 Asbestos Sampling Report 20140904.pdf](#)

[140274H Jan 14 Limited ACM Survey Report 20140904.pdf](#)

[140274I Feb 12 Staff Environmental Assessment 20140904.pdf](#)

[140274J Jan 14 Army Abatement Memo 20140904.pdf](#)

[140274K Oct 12 Army Reserve PPT 20140904.pdf](#)

[140274L Nov 12 CHW Draft Report 20140904.pdf](#)

[140274M Building Operation Estimate 20140904.pdf](#)

[140274A-MOD Notice of Reverter Release 20150507.pdf](#)

[140274B-MOD Warranty Deed 20150507.pdf](#)

[140274C-MOD Environmental Condition Property Update 20150507.pdf](#)

[140274D-MOD Record of Environmental Consideration 20150507.pdf](#)

[140274E-MOD Phase II Soil Groundwater 20150507.pdf](#)

[140274F-MOD Water Air Revisions 9-26-12 20150507.pdf](#)

[140274G-MOD Radiological Site Assessment Report 20150507.pdf](#)

[140274H-MOD Asbestos Survey Update Report 20150507.pdf](#)

[140274I-MOD US Army Reserve Center Limited Survey Final Report 20150507.pdf](#)

[140274J-MOD GLE Armory Bulk Final Report 20150507.pdf](#)

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**CITY ATTORNEY, CONSENT AGENDA ITEMS**[140879.](#)**FERN GRUMBINE V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2015-CA-1221 (B)**

Explanation: On April 7, 2015, the City was served with a Summons and Complaint filed by Fern Grumbine in the Circuit Court against the City of Gainesville. Fern Grumbine alleges that she sustained injuries while a passenger on a RTS bus on April 2, 2011, in Gainesville. Fern Grumbine claims to have suffered bodily injury and resulting pain and suffering, disability, mental anguish, inconvenience, loss of capacity for the enjoyment of life, the expense of medical and nursing care, as well as the activation or aggravation of any preexisting conditions. Ms. Grumbine seeks money damages in excess of \$15,000.00.

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Fern Grumbine v. City of Gainesville; Eighth Judicial Circuit, Case No. 2015-CA-1221.

[140879 Fern Grumbine Consent 20150507.pdf](#)

[140907.](#)**KRISTOPHER LEE MADSON V. THE CITY OF GAINESVILLE, FLORIDA, A MUNICIPAL CORPORATION, AND OFFICER JEFFREY KERKAU, IN HIS INDIVIDUAL CAPACITY; COURT CASE NO. 1:15-CV-00063 (B)**

Explanation: On April 14, 2015, the City was served with a Summons and Complaint filed by Kristopher Lee Madson. In 2012, Mr. Madson was the driver in a vehicle that rammed through a parking structure draw arm, breaking it. GPD officers followed Mr. Madson, with emergency lights activated, and attempted to conduct a traffic stop. Mr. Madson failed to stop his vehicle and a chase ensued wherein Mr. Madson exceeded 75 mph. Mr. Madson subsequently crashed his vehicle and fled the scene. A canine officer and canine tracked Mr. Madson to where he was hiding. During the course of the arrest Mr. Madson was bit by the police canine. Mr. Madson alleges that he is a victim of excessive force. He claims to have suffered bodily harm, including permanent injuries to his body as well as psychological damages, pain and suffering, and medical expenses. Mr. Madson is seeking compensatory damages, and attorney's fees and costs.

RECOMMENDATION

The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City of Gainesville and the individual officer in the case styled Kristopher

Lee Madson v. The City of Gainesville, Florida, a municipal corporation, and Officer Jeffrey Kerkau, in his individual capacity; Court Case No. 1:15-CV-00063.

[140907_Kristopher Madson Consent_20150507.pdf](#)

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

[140925.](#)

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of March 19, March 24, March 30 (4:30pm and 6:00pm), April 6, April 15, and April 16, 2015.*

[140925_minutes_20150507.pdf](#)

[140931.](#)

Resignation of Jason Gonos from the Gainesville Energy Advisory Committee, Ernest Brockington from the Citizens' Advisory Committee for Community Development and Charles Goston from the Gainesville Human Rights Board (B)

RECOMMENDATION *The City Commission accepts the resignation of Jason Gonos, Ernest Brockington and Charles Goston, effective immediately.*

[140931_Resignations_20150507.pdf](#)

[140911.](#)

2016 Election (NB)

RECOMMENDATION *The City Commission select March 15, 2016 for the City Commission Election and April 12, 2016 for Run-Off Election (if needed) and direct the City Attorney to draft and the Clerk to advertise an ordinance setting these election dates (per Sec. 9-2 of the City Code, this Ordinance must be adopted by July 1).*

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY COMMITTEE, CONSENT AGENDA ITEMS

[140915.](#)

Affirmative Action Plan(s) (B)

MODIFICATION - ADDED ITEM TO THE CONSENT AGENDA

Explanation: Pursuant to Resolution No. 951377, the Office of Equal Opportunity has completed the 2015 Affirmative Action Plan. The plan is aligned with the hiring trends analysis previously reported to the City Commission.

RECOMMENDATION *The City Commission receive the 2015 Affirmative Action Plan(s) for General Government and Gainesville Regional Utilities as prepared.*

[140915_AA Plan-GG_20150507.pdf](#)

[140915_AA Plan-GRU_20150507.pdf](#)

[140915_PPT AA Plans_20150507.pdf](#)

END OF CONSENT AGENDA**ADOPTION OF THE UTILITIES REGULAR AGENDA (Read if any, each item added or modified)****UTILITY-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)****GENERAL MANAGER FOR UTILITIES**

[140918.](#)

2015 Florida Lineman Competition (NB)

Estimated Presentation Time 5 Minutes

This Item is Informational Only.

Explanation: The Florida Municipal Electric Association (FMEA) has organized and hosted a statewide lineworker competition (or rodeo) for the past fifteen years. This year's event was held in Tallahassee on Saturday, April 18th. GRU fielded two crews in that competition. A video was made of the event and of our staff's performance.

Fiscal Note: None

RECOMMENDATION *The City Commission receive a presentation from staff regarding the 2015 FMEA Lineworker Rodeo.*

[110665](#)

Review Of The GRU Cost Of Service and Rate Studies (B)

Estimated Presentation Time 45 Minutes

MODIFICATION - REVISED POWERPOINT AND CHANGED LANGUAGE IN

RECOMMENDATION

Explanation: GRU staff periodically performs cost-of-service studies for the electric, gas, water and wastewater utility systems. Revenue requirements and rate designs are also developed by GRU staff and presented to the City Commission during the annual budget process. The last external cost-of-service and utility rate study was performed in 2012 and was based on a test year where the full costs of the GREC purchased power agreement were not fully integrated into GRU's overall revenue requirement. Additionally, the 2012 cost-of-service study recommended changes to the tiered residential electric rate structure, but those changes were not implemented. The City Commission directed GRU to have an external cost-of-service and utility rates study prepared as the basis for rate structure evaluations in Fiscal Year 2016.

Baker Tilly Virchow Krause, LLP was retained to perform the cost of service and rate studies for GRU based on the test year Fiscal Year 2016. The purpose of the current cost-of-service and rate studies are to address information regarding the appropriateness and adequacy of GRU's revenue requirements by system, unbundle and allocate each revenue requirement by function, type and cost driver, and classify revenue responsibility for each customer class. Additionally, rates have been designed and proposed by the consultant for inclusion in their final reports.

On April 9, 2015, the Regional Utilities Committee (RUC) received a presentation on the results of the cost-of-service and rate studies for each GRU system.

Fiscal Note: No fiscal impact at this time.

RECOMMENDATION

The City Commission:

- 1) receive a presentation from Baker Tilly Virchow Krause LLP on the results of the cost of service and rate studies for each GRU system based on the test year FY2016.*
- 2) provide policy guidance on desired rate structure evaluations to be presented for consideration during the GRU FY2016 Budget presentations in July 2015.*
- 3) refer wastewater winter max billing to the RUC.*
- 4) Remove the Cost of Service Study item from the RUC referral list.*

Legislative History

3/15/12	City Commission	Referred to the Regional Utilities Committee
8/22/13	City Commission	Referred to the Regional Utilities Committee
11/6/14	City Commission	Approved as Recommended

[20121011 RUC Presentation Item 110665](#)
[20121120-RUC Presentation Item #110665](#)
[20130624 RUC Presentation Item 110665](#)
[FINAL GRU Electric Rate Study.Baker Tilly](#)
[FINAL GRU Gas Rate Study.Baker Tilly](#)
[FINAL GRU Water Rate Study.Baker Tilly](#)
[FINAL GRU Wastewater Rate Study.Baker Tilly](#)
[110665 FY15 Cost of Service Study Schedule 20141009](#)
[110665 2015-009 Bid Tab Cost of Svc Study 20141106](#)
[110665 RFP Cost of Service and Utility Rate Studies Solicitation No 2015-009](#)
[110665 GRU - Gas Rate Study Report DRAFT 20150409](#)
[110665 GRU - Wastewater Rate Study Report DRAFT 20150409](#)
[110665 GRU - Water Rate Study Report TY 2016 DRAFT 20150409](#)
[110665 GRU Electric Rate Study Draft Report 20150409](#)
[110665 GRU RUC Rate Study Pres- GRU Introduction 20150409](#)
[110665 GRU Rate Study - BakerTilly Pres - Revised 20150409](#)
[110665 GRU Introduction to Rate Study Presentation 20150507](#)
[110665 GRU COS Electric Report DRAFT 20150507](#)
[110665 GRU COS Water Report - DRAFT 20150507](#)
[110665 GRU COS Gas Report DRAFT 20150507](#)
[110665 GRU COS Wastewater Report - DRAFT - 20150507](#)
[110665 Baker Tilly COS Rate Study Revised Presentation 20150507](#)

[130957.](#)

Power Supply Planning (Power 2020) (B)

This item is informational only.

****Estimated Presentation Time 20 minutes****

Explanation: Across the country the power industry is seeing significant changes in both the volume and timing of customer demand for electricity and in the method of its delivery. GRU is no exception. Staff gave a presentation to the RUC, and the RUC requested that a presentation be given to the City Commission. The presentation has been updated to include the current status of GRU's plan to meet the changing demands of its customers while maintaining the reliability of the Bulk Electric System to regulatory standards. All aspects of both supply and demand are being studied to determine solutions that best meet customer needs while maintaining reliability. This effort includes, but is not limited to, central station power generation, GRU and/or customer owned distributed generation, power transmission (import/export), and demand side

management.

Fiscal Note: There is no fiscal impact at this time.

RECOMMENDATION

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

Legislative History

5/1/14 City Commission Referred to the Regional Utilities Committee

4/2/15 City Commission Continued

[130957 Power Supply Planning \(Power 2020\) 2014.09.11](#)

[130957 Fuel Cells 20140911](#)

[130957 Power 2020 - 20150402](#)

[130957 Power Supply Planning 20150507](#)

[140917.](#)

Options/Strategies for Returning to Competitive Electric Rates (B)

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

Explanation: The City Commission established a rate goal to be within one-half a standard deviation above the mean of all Florida electric utilities. This recommendation by the Chamber of Commerce was adopted by the City Commission in November 2014. At the time, no time frame was established for achieving this goal. As a result, staff has developed a forecast of rates and where we would need to be to achieve the goal. Staff has used the target of four years, or in 2019, to achieve the goal. Staff will also provide a summary of the price gap that would need to be closed in order to meet the rate goal, including the timeline. Because of the size of the gap, staff is offering potential strategies to close the gap and meet the goal by the proposed timeframe.

Fiscal Note: None at this time; however, City Commission direction on specific strategies could result in a budgeted expense for FY 2016.

RECOMMENDATION

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

[140917 Electric Bill Reduction Goal 20150507](#)

[140680.](#)

Budget Direction to Fund Connect-Free and Refer to Appropriate Committee(s) for Further Refinement (NB)

Explanation: The Base Rate Fuel Adjustment Committee (BRFA) worked on a referral concerning the continuance of Connect-Free as a program to extend water and wastewater service to residents currently on wells and/or septic tanks. The BRFA Committee on March 5th, 2014 recommended that the City Commission:

- 1. Create a dedicated fund for Connect-Free in FY16 under General Government control;*
- 2. Focus the program on feasible locations in densely populated low-income areas, and partner with non-profits;*
- 3. Expand the program so that both City and County residents can participate;*
- 4. Develop criteria for the use of program funds by non-profits and consider a per customer cap on the benefit with the cap to be evaluated annually. Based on the March 5th City Commission meeting, GRU is bringing this item to the City Commission for policy direction needed to develop the Fiscal Year 2016 budget.*

Connect-Free was established in the early 2000s and was funded originally using half of the proceeds from surcharges collected on connection charges in unincorporated Alachua County. More than \$1.7 million was contributed to Connect-Free over the course of the program, and there was a balance of approximately \$850,000 at the end of FY14. In FY15 funding was suspended for Connect-Free, and the 25% surcharge on Water and Wastewater Connection Charges was stopped. The balance from Connect-Free was used to complete committed projects, enhance the Water Systems Rate Stabilization Fund, and General Government used a portion to offset a reduction in the General Fund Transfer in the amount of \$125,000.

Additionally, the City Commission made a referral to the Regional Utilities Committee (RUC) to develop criteria for the use of program funds by non-profits and consider a per customer cap on the benefit with the cap to be evaluated annually.

Action will be required if the City Commission wishes to continue funding the ConnectFree program and either partially or fully restore the surcharge on connection charges. It is estimated that a 25% surcharge on water and wastewater connection charges will result in the collection of approximately \$250,000 annually.

Staff requests that the City Commission provide direction to GRU and General Government to enable the preparation of budgets for City Commission review and approval.

Alternatives:

- A. Fund Connect-Free at near historical levels of approximately \$125,000 per year (half the total collected, and reinstate the surcharge*

on water and wastewater connection charges in the unincorporated area at a reduced rate of 12.5%. Transfer the entire actual surcharge on connection charges (separate from the General Fund Transfer) to the Connect-Free fund in General Government for administration;

B. Fund Connect-Free at a higher level than historically funded at approximately \$250,000 (the total collected), and reinstate the surcharge on water and wastewater connection charges in the unincorporated area at the historical rate of 25%. Transfer the entire actual surcharge on connection charges (separate from the General Fund Transfer) to the Connect-Free fund in General Government for administration.

C. Choose to not fund Connect-Free, and take no action to reinstate the surcharge on connection charges.

RECOMMENDATION

The City Commission:

- 1. Receive a presentation from GRU Staff and take appropriate action concerning the reestablishment and funding of Connect-Free;*
- 2. Direct GRU and General Government Staff to prepare their budgets accordingly;*
- 3. If the City Commission chooses to fund Connect-Free, make a referral concerning the program issues referred by the BRFA to the Community Development Committee, the Legislative Organizational and Policy Committee, or another appropriate committee as determined by the City Commission to develop the program;*
- 4. There is currently a referral in the RUC to develop criteria for use of ConnectFree funds by non-profits. Staff recommends that be removed from the RUC and considered as part of the entire program development.*

Legislative History

3/5/15	City Commission	Approved, as shown above
4/2/15	City Commission	Heard

[140680 Draft Report 20150127](#)

[140680 Draft Agenda Item for Final Report 20150127](#)

[140680 BRFA_SUMMARY REPORT_FINAL 20150305](#)

[140680 BRFA Report Presentation 20150305](#)

[140680 Policy Direction on Alternative Budget for FY16 20150402](#)

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

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

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

UTILITY-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

UTILITY-RELATED COMMISSION COMMENTS (if time permits)

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.

[140926.](#)

First Amendment to Interlocal Agreement for the Distribution of the Local Option Gas Tax (B)

MODIFICATION - MOVED FROM CONSENT TO REGULAR AGENDA

Explanation: Section 336.025, Florida Statutes permits the County the authority to levy local option gas tax upon every gallon of motor fuel and special fuel sold in the County and taxed under the provisions of Chapter 206, Fla. Stat. Alachua County levied the 4th, 5th, and 6th cents of the Gas Tax in 1985 and distributed the proceeds in accordance with an Interlocal Agreement with the City Of Gainesville effective September 1, 1985 to August 31, 2015.

The distribution of the 4th, 5th and 6th cents established in this Interlocal Agreement is Alachua County 60.36% and the City of Gainesville 33.33% with the remainder distributed amongst the other municipalities. The Interlocal Agreement between Alachua County and the City Of Gainesville for the distribution of the 1st, 2nd, and 3rd cents is effective September 1, 1988 to August 31, 2018. This distribution is Alachua County 43.94% and the City Of Gainesville 43.94% with the remainder distributed amongst the other municipalities. There is a third Interlocal Agreement that was entered into in May 2007 and expiring August 2018 for the additional five cents of local option gas tax which distributes 52.10% to Alachua County and 38.635% (average of the two previous distribution %'s) to City Of Gainesville. The Statutes default formula is a distribution based on annual transportation expenditures. Under the default formula the City Of Gainesville would receive 65.96% of the revenue.

Alachua County is requesting that the City Of Gainesville renew the Interlocal Agreement for the 4th, 5th, and 6th cents by June 1, 2015 with the current distribution formula for a 30 year term. An option would be to propose to extend the term to 2018. This would provide an

opportunity for the City and County to negotiate one Interlocal Agreement and distribution formula for all of the eleven cents with a consistent term.

Fiscal Note: In FY14, the total revenue from the 4th, 5th, and 6th cents was \$3,262,088.18. The City received \$1,087,253.99.

RECOMMENDATION

The City Commission: 1) approve the First Amendment to the Interlocal Agreement for the Distribution of the Local Option Gas Tax for a three year term; and, 2) authorize the Mayor to execute the Agreement.

Alternative Recommendation

The City Commission enter into an Interlocal Agreement for 30 years as requested by Alachua County.

[140926A_DRAFT_Interlocal_Agreement_20150507.pdf](#)

[140926B_Letter_20150507.pdf](#)

[140926C_1987Interlocal_Agreement_20150507.pdf](#)

[140926D_1985Interlocal_Agreement_20150507.pdf](#)

[140926-MOD_Presentation_20150507.pdf](#)

5:30 P.M.

PLEDGE OF ALLEGIANCE (5:30pm)

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

[140919.](#)

Drop Savers Water Conservation Poster Contest Winners (NB)

Explanation: The annual Florida Section of the American Water Works Association (FSAWWA) Drop Savers Poster Contest is sponsored by GRU to help teach local youth about the importance of conserving our most valuable resource - water. This year 350 elementary and middle school students participated. Amazed by the creativity displayed by the participating students, the audience at the Drinking Water Taste Test had a difficult time choosing this year's winners.

First, second and third place winners were selected from each class division:

1st Place:

Division 1: Ryder Mandarino (K/1 Grade) - Brentwood School

Division 2: Saylor Twist (3rd Grade) - Talbot Elementary

Division 3: Carson Diley (4th Grade)- High Springs Community School

Division 4: Maggie Towers (7th Grade) - Kanapaha Middle School

*2nd Place:**Division 1: Alex Hardemon (K/1) - Brentwood School**Division 2: Mary Enos (3rd Grade) - High Springs Community School**Division 3: Andie Pomeranz (4th Grade) - Meadowbrook Elementary**Division 4: Ivy Chen (6th Grade) - Westwood Middle School**3rd Place:**Division 1: Audrey Norman (1st Grade) - Newberry Elementary**Division 2: Jonathan Greist (3rd Grade) - Talbot Elementary**Division 3: Mason Bell (4th Grade) - High Springs Community School**Division 4: Avery Richard (6th Grade) - High Springs Community School*

From those winners, the four first place posters were entered into the state-wide FSAWWA competition.

In support and recognition of the winning poster contributors, GRU and FSAWWA is providing pizza parties to the winning classes and recognizing the teachers involved in helping educate the students in the value of water conservation.

Fiscal Note: Funds for this event were budgeted for Water Conservation Programs within Water & Wastewater Systems FY 2015 Operations & Maintenance Budget.

RECOMMENDATION

The City Commission recognize local student winners from the Drop Savers Water Conservation Poster Contest.

[140924.](#)

Special Recognition for Jeff Weisberg and Heart Phoenix of the River Phoenix Center for Peacebuilding and Pastor Gerard Duncan (B)**RECOMMENDATION**

The City Commission hear the Special Recognition.

[140924 Recognitions 20150507.pdf](#)

[140920.](#)

Internal Audit Awareness Month - May 2015 (B)**RECOMMENDATION**

North Central Florida Chapter of Institute of Internal Auditors President Lily Reinhart to accept the proclamation.

[140920 InternalAudit 20150507.pdf](#)

[140921.](#)

Drinking Water Week - May 3-9, 2015 (B)

RECOMMENDATION

GRU Utility Engineer IV Rae Hafer and Murphree Water Plant Manager Rick Davis to accept the proclamation.

[140921_DrinkingWater_20150507.pdf](#)

[140922.](#)

National Bike Month - May 2015 (B)**RECOMMENDATION**

Gainesville Citizens for Active Transportation President Chris Furlow, Active Streets Alliance Director Joseph Floyd and Gainesville Cycling Club Vice President Ally Gill to accept the proclamation.

[140922_BikeMonth_20150507.pdf](#)

6:00 P.M.

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

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[140893.](#)

RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS - RUN-OFF ELECTION 2015 (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, run-off election held April 14, 2015; and providing an immediate effective date.

Explanation: On April 14, 2015, a run-off election for the election of the At Large 1 and District 1 Seat was held.

The Report of the Board of Canvassers for the City of Gainesville, showing that Harvey M. Budd was elected to the At Large 1 Seat and Charles Edward Goston, Sr. was elected to the District 1 Seat, is accepted by this resolution of the City Commission.

RECOMMENDATION

The City Commission adopt the proposed resolution.

[140893_draft Resolution Board of Canvassers_20150507.pdf](#)

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED[140860.](#)**COMPLETING THE TRANSITION OF THE DISABILITY BENEFIT FROM THE DISABILITY PLAN TO THE EMPLOYEES PENSION PLAN (B)**

Ordinance No. 140860

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Divisions 5 (Employees Pension Plan) and 6 (Disability Plan) of the Code of Ordinances of the City of Gainesville to complete the transition of the disability benefit to the Employees Pension Plan by amending Sections 2-526, 2-546, and 2-551 to transfer the remaining obligations for disability benefits currently being paid to disabled retirees and requisite level of assets to satisfy these obligations from the Disability Plan to the Employees Pension Plan; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The City Commission, at its meeting of December 18, 2014, authorized the preparation and advertisement of this Ordinance. Future disability claims by City employees under the Disability Plan were transitioned to the Employees Pension Plan on February 19, 2015, through the City Commission's adoption of Ordinance Number 140657. To complete the transition of the disability benefit to the Employees Pension Plan, this Ordinance amends the Disability Plan and Employees Pension Plan to transfer the remaining obligations for disability benefits currently being paid to disabled retirees and the requisite level of assets to satisfy these obligations, as determined by the Disability Plan Actuary, from the Disability Plan to the Employees Pension Plan.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

4/16/15 City Commission Approved (Petition) and Adopted on First Reading
(Ordinance)

[140860_draft ordinance_20150416.pdf](#)

PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS**

GPD; and 2) discuss options to continue to insure the safety of the children in the public schools within the Gainesville City limits.

[140906 SchoolResourceOfficerPresentation 20150507](#)

[140913.](#)

City Commissioner Ceremony - Commissioner Yvonne Hinson-Rawls (NB)

RECOMMENDATION

The City Commission hear comments from the Mayor and City Commissioners, the public and Commissioner Yvonne Hinson-Rawls.

[140914.](#)

City Commissioner Ceremony - Commissioner Lauren Poe (NB)

RECOMMENDATION

The City Commission hear comments from the Mayor and City Commissioners, the public and Commissioner Lauren Poe.

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)