

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, May 7, 2015

1:00 PM

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

The meeting was called to order at 1:04 PM.

Present 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

AGENDA STATEMENT

ROLL CALL

INVOCATION

Prophet George Young

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

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

CITY MANAGER, CONSENT AGENDA ITEMS

[140916.](#)

Medical Marijuana Retail Facilities (NB)

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.

Approved as Recommended

[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.

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.

Approved as Recommended

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)**

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.*

Approved as Recommended

[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)**

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.*

Approved as Recommended

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.*

Approved as Recommended

[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.

Approved as Recommended

[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).

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY COMMITTEE, CONSENT AGENDA ITEMS

[140915.](#)

Affirmative Action Plan(s) (B)

RECOMMENDATION

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

Approved as Recommended

END OF CONSENT AGENDA

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

A motion was made by Commissioner Hinson-Rawls, seconded by Commissioner Carter, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

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

*Debbie Martinez
Jim Konish
Ernesto Martinez*

GENERAL MANAGER FOR UTILITIES

[140918.](#)**2015 Florida Lineman Competition (NB)**

Estimated Presentation Time 5 Minutes

This Item is Informational Only.

Maggie Crawford, GRU Marketing Manager for Utilities made a presentation.

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

Heard[110665](#)**Review Of The GRU Cost Of Service and Rate Studies (B)**

Estimated Presentation Time 45 Minutes

David Richardson, Russ Hissom, John Stanton and Ron Herget made presentations.

Jim Konish spoke to the matter.

Motion: Move forward with Options 2-5; refer to RUC the winter max billing; customer charges be differentiated by meter size; and remove the Cost of Service Study from the RUC referral list.

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.*

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

[140951.](#)**Wastewater Winter Max Billing**

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Chase, seconded by Commissioner Poe, that this Matter be Referred to the Regional Utilities Committee, due back

on 11/7/2015. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

[130957.](#)

Power Supply Planning (Power 2020) (B)

This item is informational only.

Estimated Presentation Time 20 minutes

RECOMMENDATION

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

Striken From the Agenda

[140917.](#)

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

Estimated Presentation Time 30 minutes

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.

Striken From the Agenda

[140680.](#)

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

Motion: Direct staff to develop the Connect-Free funding at 25% rate; open up eligibility to GRU territory; refer issue to the Community Development Committee for further discussion and recommendations; and remove from the RUC referral list.

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.*

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

Aye: 5 - Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, and Commissioner Wells

Nay: 2 - Mayor Braddy, and Commissioner Chase

[140950.](#)

Fund Connect-Free Program Issues

RECOMMENDATION *Refer to Committee.*

A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls, that this Matter be Referred to the Community Development Committee, due back on 11/7/2015. The motion carried by the following vote:

Aye: 5 - Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, and Commissioner Wells

Nay: 2 - Mayor Braddy, and Commissioner Chase

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)

Motion by Commissioner Carter, Seconded by Mayor-Commissioner Pro Tem Chase to send a letter regarding 62nd Boulevard Connector. Motion passed 7-0.

Commissioner Hinson-Rawls - Update on Lot 10. Russ Blackburn, City Manager will provide an update at the May 21st meeting.

Commissioner Hinson-Rawls - Diversity Study/Diversity Recruiter

Commissioner Wells - Block Metering (SW 7th Street and University Avenue); identify block metering per block that can add additional support for the University Avenue businesses.

Recess at 4:47 PM.

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)

Teresa Scott, Public Works Director made a presentation.

*Motion by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Wells.
Motion Carried: 4-3. Nays: Commissioner Warren, Commissioner Hinson-Rawls,
Commissioner Poe.*

Amendment: One-year term.

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.*

This Matter was Discussed

5:50 P.M. - CALLED TO ORDER

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)

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

Heard

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.*

Heard

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.*

Heard

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.

Heard

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.

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
Debbie Martinez
Jim Davidson
Kim Ward
Wilbur Hollaway

Motion by: Mayor Pro-Tem Chase, seconded by Commissioner Poe: Direct City Manager to prepare increment for bike sharing for Downtown Gainesville and partner with UF/SFC. Vote. 7-0.

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.

RECOMMENDATION The City Commission adopt the proposed resolution.

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****SCHEDULED EVENING AGENDA ITEMS**[140777.](#)**NAACP 2015 Economic Report Card (B)**

Gwendolyn Saffo, Torey Alston and Sylvia Warren made presentations.

Motion: Accept recommendation and provide a study to determine the lack of diversity; collect data from Department Heads on spending; approve budget to evaluate the study; and direct the City Manager to allocate funds from the fund balance FY 2015 in the amount up to \$23,000.

Evelyn Foxx spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a presentation, via telephone*

conference call, from the NAACP representative, Torey Alston, on the criteria used in determining the grades on the report issued by the NAACP with associated recommendations, 2) hear a response to the recommendations presented by the NAACP as well as additional recommendations from the Office of Equal Opportunity, 3) accept the recommendations as presented; and, 4) take action as deemed appropriate.

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

Aye: 7 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, and Commissioner Chase

[140906.](#)

GPD School Resource Officers Update (B)

This item is to update the City Commission on the status of reimbursement from the Alachua County School Board for school resource officers for the coming budget year.

Chief Tony Jones and Captain Campos made presentations.

Pastor Karl Anderson, Naomia Williams and Armando Grundy spoke to the matter.

The City Manager will provide concrete numbers within the next three weeks to the City Commission.

RECOMMENDATION

The City Commission: 1) hear a presentation from GPD; and 2) discuss options to continue to insure the safety of the children in the public schools within the Gainesville City limits.

Discussed

[140913.](#)

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

Evelyn Foxx, Ken Cornell, Armando Grundy, Flo Turcotte and Nancy Deren.

RECOMMENDATION

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

Heard

[140914.](#)

City Commissioner Ceremony - Commissioner Lauren Poe (NB)

Motion by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Wells to extend the meeting until the Commissioner Poe agenda item is completed.

Ken Cornell, Flo Turcotte and Nancy Deren spoke to the matter.

RECOMMENDATION

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

Poe.

Heard

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time permits)

ADJOURNMENT - 11:11 PM

Kurt Lannon, Clerk of the Commission