

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, February 5, 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-1:00PM

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

CITY MANAGER, CONSENT AGENDA ITEMS

[140602.](#) **Ratification of Amendment to the Agreement between the Amalgamated Transit Union Local 1579 (ATU) Bargaining Unit and the City of Gainesville for October 1, 2013 through September 30, 2014 (B)**

This item is to ratify a one-year Wages Amendment to the Agreement between the City and the ATU Bargaining Unit.

RECOMMENDATION *The City Commission ratify the Amendment to the Agreement between the ATU Bargaining Unit and the City of Gainesville.*

Approved as Recommended

[140658.](#) **Spirit of Blue Foundation Partnership Grant (NB)**

This is a request for City Commission approval to accept the Spirit of Blue Foundation Partnership Grant.

RECOMMENDATION *The City Commission authorize the City Manager to enter into a contract with the RPCP to collaborate and assist in developing training, public relations and community outreach materials, subject to review by the City Attorney as to form*

and legality.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

140647. WILLIAM A. NEWSOM, MD D/B/A EYE ASSOCIATES OF GAINESVILLE, LLC V. CITY OF GAINESVILLE AND GAINESVILLE REGIONAL UTILITIES (GRU); EIGHTH JUDICIAL CIRCUIT, CASE NO. 2014-SC-4285 (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled William A. Newsom, MD d/b/a Eye Associates of Gainesville, LLC v. City of Gainesville and Gainesville Regional Utilities (GRU); Eighth Judicial Circuit, Case No. 2014-SC-4285.*

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

140671. Appointments to the City Commission Advisory Boards and Committees (NB)

RECOMMENDATION *The City Commission appoint:*
Kathryn A. Horter to the Bicycle/Pedestrian Advisory Board for a term to expire 12/31/18
Leslie E. Straub, Jonathan Reiskind and Katherine C. Ewel to the Nature Centers Commission for a term to expire 11/1/18
William D. Chapman to Gainesville Energy Advisory Committee for a term to expire 9/30/18
Jarrod N. Cruz to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/18
Katelynd E. Todd to the Student Community Relations Advisory Board for a term to expire 9/30/16
Ryan C. Stith to the Gainesville Human Rights Board for a term to expire 2/22/18
Earther M. Wright to the Citizens Advisory Committee for Community Development for a term to expire 11/1/18
Christopher K. Weaver to the Gainesville Housing Authority for a term to expire 8/1/19.

Approved as Recommended

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

END OF CONSENT AGENDA

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

*Donald Shepherd spoke to the matter.
File # 130561 Update on the Provision of Homeless Services was added back to the agenda*

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

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

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

*Jim Konish
Don Glendening File #140738
Donald Shepherd
Jo Beaty*

*Cody Anderson
Meg Neiderhofer
Ray Hughes*

Comm YHR moved and Comm Poe seconded to place federal health care funding on a future City Commission agenda. Motion carried 5-2 with Comm Chase and Mayor Braddy voting no.

GENERAL MANAGER FOR UTILITIES

140674. NERC Operating Standard and Cyber Security Compliance Requirements (B)

This is an informational item regarding the impact of federally mandated electric system reliability standards on GRU's operating practices, cyber security and compliance programs.

*Ken Simmons made a presentation.
Jim Konish, Nancy Dearan, Donald Shepherd and Don Glendening spoke to the matter.*

RECOMMENDATION *City Commission hear a presentation from staff regarding the federally mandated electric system reliability standards that impact operating practice and cyber security, and GRU's compliance programs.*

Heard

[140391.](#) GRU 2015 Business Plan First Quarter Update (B)

This is an informational item to update the Commission on the first quarter results of GRU's 2015 Business Plan.

*Lewis Walton made a presentation.
Jim Konish and Don Glendening spoke to the matter.*

RECOMMENDATION *The City Commission hear an update from staff on the 2015 Business Plan's first quarter results.*

Heard

[140675.](#) GRU Project SHARE Update (B)

This is an informational item regarding the status of GRU's Project Share program.

Yvette Carter made a presentation.

RECOMMENDATION *The City Commission hear an update on the GRU Project SHARE program from Community Relations Interim Director, Yvette Carter.*

Heard

UTILITY COMMITTEE REPORTS (PULLED FROM CONSENT)

REGIONAL UTILITIES COMMITTEE

[140669.](#) RUC Recommendation to Allocate Funds to the Community Weatherization Coalition (CWC) (NB)

Don Glendening, Nancy Dearan, Donald Shepherd and Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission 1) approve RUC's recommendation to reduce the current fiscal year's (2015) Low-income Energy Efficiency Program (LEEP) budget by \$3,000 to make a contribution to the Community Weatherization Coalition (CWC) and 2) authorize the Interim General Manager, or designee, to establish a budget, not to exceed \$25,000 for fiscal year 2016, to pay for CWC's services to GRU electric residential customers.*

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

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

UTILITY ADVISORY BOARDS/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 by the Mayor, a City Commissioner or a Charter Officer).

CLERK OF COMMISSION

[140670.](#)

Appointment to the Gainesville/Alachua County Regional Airport Authority (B)

Comm Poe moved and Comm Wells seconded to do Clerk items and then sheetflow items. Motion carried 7-0.

William Breeze spoke to the matter.

Motion: Appoint David Norton

RECOMMENDATION

The City Commission discuss appointment to the Gainesville/Alachua County Regionl Airport Authority and take appropriate action.

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

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

Nay: 1 - Commissioner Hinson-Rawls

[140681.](#)

2015 Canvass Board (NB)

Donald Shepherd spoke to the matter.

Motion: Appoint Walt Berry

RECOMMENDATION

The City Commission appoint a citizen as a Canvass Board Member.

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

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

CITY MANAGER

140659.

Selection of Candidates for City Auditor Interviews (B)

This is a request for the City Commission to select candidates to be interviewed for the City Auditor position and approve a special meeting for interviews.

This item was heard in the evening.

Renee Narloch and Cheryl McBride made presentations.

Jo Beaty, Donald Shepherd and Bob McNichols spoke to the matter.

Amendment: Invite Dalal, Hammond, Holt, Howe and Massaad to participate in the next round and arrange for Howe to participate via Skype in Room 16.

RECOMMENDATION

The City Commission: 1) Select at least three (3), but no more than seven (7), applicants to move forward in the selection process; 2) Authorize Bob Murray and Associates a/k/a S. Renee Narloch & Associates to invite the selected candidates to participate in the interview process; 3) Approve a special meeting for City Auditor interviews on February 23rd at 8:30 a.m.; and 4) Authorize the H.R. Department to work with the Clerk of Commission to schedule a special meeting on February 24th to select the City Auditor (if deemed appropriate), and authorize the Mayor to negotiate a contract with the successful candidate.

A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Approved as Amended. The motion carried by the following vote:

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

140587.

Construction Management at Risk with a Guaranteed Maximum Price Services for the Fire Station Number One Project (B)

This is a request for the City Commission to approve the recommended ranking of firms for Construction Management at Risk with a Guaranteed Maximum Price Services for the Fire Station Number One Project.

Mark Benton and Reid Rivers made presentations.

RECOMMENDATION

The City Commission: 1) approve the evaluation team's ranking of the Construction Management Firms; 2) authorize the City Manager or designee to initiate contract negotiations with the qualified firms in accordance with the Consultant's Competitive Negotiations Act (CCNA); and 3) authorize the

City Manager or designee, upon successful negotiations, to execute an agreement for Construction Management at Risk with a Guaranteed Maximum Price Services for the Fire Station Number One Project, subject to approval from the City Attorney as to form and legality, in an amount not to exceed the budgeted amount for such services.

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

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

RECREATION, CULTURAL AFFAIRS & PUBLIC WORKS COMMITTEE

[140581.](#)

Paynes Prairie Sheet Flow Project Operations (B)

This item involves a request to receive an update from staff on the status of the Paynes Prairie Sheet Flow project and to review recommendations from the Recreation, Cultural Affairs and Public Works Committee regarding public access.

Alison Rankeiller, Michelle Parks, Ron Herget and Mark Benton made presentations.

Motion: 1. authorize staff to prepare a RFP for operation of park from end of construction to October 1st for a minimal level of service with options for both week-end and seven day service to compare to City proposal 2. prepare a budget increment (City/Outside agencies) for seven day operation starting October 1st for consideration during budget process and 3. approve recommendations 4/5.

Ann Casella, Georgia Shumutts, Debbie Segal, Walter Willard, Tom Kay, Jerry Pruet, Peren Russ, Jo Beaty and Kathleen Pegan.

RECOMMENDATION

The City Commission: 1) receive an update from staff on the status of the Paynes Prairie Sheet Flow project; 2) direct the City Manager to include an increment for City Commission consideration as part of the FY16 budget for operating costs covering daily public park use; 3) direct the City Manager to prepare an agenda item for City Commission consideration with options for funding operating costs covering weekend public park use from May 1, 2015 through the end of FY15; 4) direct staff to continue to explore all partnership opportunities including with Florida State Parks, the University of Florida and the Alachua County School Board; and 5) request that as the City representative to the Alachua County Tourism Development Council, the Mayor take this item to the Council for potential support.

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: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Nay: 1 - Mayor-Commissioner Pro Tem Chase

RECESS-5:27PM

RECONVENE-6:12PM

PLEDGE OF ALLEGIANCE (5:30pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

[140672.](#) **School Crossing Guard Appreciation Day - February 5, 2015 (B)**

RECOMMENDATION *Gainesville Police Department Specialty Units Commander Lt. Anthony Ferrara and Supervisor for School Crossing Guards PST Supervisor Robert Huff to accept the proclamation.*

Heard

[140673.](#) **Home Matters for Gainesville Month - February 2015 (B)**

RECOMMENDATION *UF Bateman Team Andrea Cepeda to accept the proclamation.*

Heard

[140687.](#) **Special Recognition to the Gainesville Youth Cultural Ambassadors (B)**

RECOMMENDATION *The City Commission hear the Special Recognition.*

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)

*John Floyd
John Davies
Jim Konish
Doc Gordan
Walter Willard
Pat Fitzpatrick-File#140738
Jo Beaty*

Comm Carter moved and Comm Wells seconded to approve \$2500 for Open Streets event. Motion carried 5-0 with Comm Poe and Comm Chase absent.

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

[140638.](#)

Resolution Adopting the Recording of Regulatory Assets Related to Debt Issuance Costs and Costs Recoverable in Future Years Related to the Gainesville Renewable Energy Center (GREC) Power Purchase Agreement (PPA) Accounting Treatment. (B)

A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA, AUTHORIZING AND PROVIDING FOR THE RECORDING OF REGULATORY ASSETS RELATED TO DEBT ISSUANCE COSTS AND RECORDING OF REGULATORY ASSETS FOR COSTS RECOVERABLE IN FUTURE YEARS RELATED TO THE GAINESVILLE RENEWABLE ENERGY CENTER IN ACCORDANCE WITH GASB STATEMENT NO. 62; PROVIDING OTHER DETAILS WITH RESPECT THERETO; AND PROVIDING AN EFFECTIVE DATE.

Claudia Resnick made a presentation.

Walter Willard spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed resolution.

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

Aye: 5 - Mayor Braddy, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 2 - Commissioner Poe, and Mayor-Commissioner Pro Tem Chase

ADOPTION READING

[140513.](#)

QUASI-JUDICIAL - DEEMING STRUCTURES LOCATED AT 207 NE 7TH STREET AS CONTRIBUTING STRUCTURES TO THE NORTHEAST RESIDENTIAL HISTORIC DISTRICT (B)

Ordinance No. 140513; Petition No. PB-14-155 MSC

An ordinance of the City of Gainesville, Florida, deeming structures generally located at 207 NE 7th Street, as more specifically described in this ordinance, as contributing structures to the Northeast Residential Historic District in accordance with the historic preservation and conservation provisions of Section 30-112 of the Land Development Code; providing directions to the City Manager; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Onelia Lazzari made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-14-155 MSC, and (2) adopt the proposed ordinance.

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

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem Chase

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

140463. QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 207 NE 7th STREET (B)

Ordinance No. 140463

An ordinance of the City of Gainesville, Florida, finding that property located at 207 NE 7th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2015, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem Chase

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

140657. TRANSITIONING THE DISABILITY BENEFITS CURRENTLY PROVIDED TO CITY EMPLOYEES FROM THE DISABILITY PLAN TO THE EMPLOYEES PENSION PLAN (B)

Ordinance No. 140657

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 transition the disability benefits currently provided to employees under the Disability Plan to the Employees Pension Plan; by amending Sections 2-523(c)(2) and 2-526 to add the

disability benefits currently provided to employees under the Disability Plan to the Employees Pension Plan; by amending Section 2-524 to provide for city funding of disability benefits; by amending Section 2-546 to close the Disability Plan; by amending Section 2-549(c) to provide for procedures for termination of the Disability Plan; by amending Section 2-550(e) to stop future eligibility in the Disability 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 Commissioner Hinson-Rawls, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Commissioner Poe, Commissioner Hinson-Rawls, Commissioner Carter, Commissioner Warren, and Commissioner Wells

Absent: 1 - Mayor-Commissioner Pro Tem Chase

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

140690. Commissioner Craig Carter - Five Member City Commission (NB)

*Matt Morrow made a presentation.
Barbara Sharpe, Charles Goston, Donald Shepherd, Doc Gordan and Jo Beaty spoke to the matter.*

RECOMMENDATION *The City Commission discuss having five members on the City Commission instead of seven and take action deemed appropriate.*

Heard

130561. Update on the Provision of Homeless Services at the Empowerment Center (B)

This item is a request for the City Commission to hear an update on the recommendation of the Empowerment Center Oversight Board regarding the use of unspent funds from the FY14 agreement with the Alachua County Coalition for the Homeless and Hungry (ACCHH) for the provision of services at the Empowerment Center.

*Joe Jackson and Donald Shepherd spoke to the matter.
Amendment: Remove recommendation #2, authorize release of FY15 funds and authorize City Manager to execute agreement subject to City Attorney approval as to*

form and legality and authorize release of the City portion of the unexpended FY14 funds as deemed appropriate and authorize the Oversight Board to make final determination as to the accounting of funds.

RECOMMENDATION

The City Commission: 1) hear an update from staff; 2) consider the recommendation from the Oversight Board to allow the ACCHH to place approximately \$25,000 of the \$78,000 in a contingency fund within the ACCHH budget and reduce the remaining funds of \$53,000 from the total payments in the revised service agreement for FY15; 3) authorize the City Manager to execute an amendment with the County to the Interlocal Agreement, subject to approval as to form and legality by the City Attorney; and 4) authorize the City Manager to execute an amendment to the Service and/or License Agreement with ACCHH, subject to approval as to form and legality by the City Attorney.

A motion was made by Commissioner Poe, seconded by Commissioner Carter, that this Matter be Approved as Amended. The motion carried by the following vote:

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

UNFINISHED BUSINESS**COMMISSION COMMENT**

Comm HYR-Interview panel compositions

Comm YHR-competitive salaries

Comm Poe NAACP Report Card Comm Chase-GFR chief /GPD Captains

[140739.](#)

Welcoming City

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Poe, seconded by Commissioner Wells, that this Matter be Referred to the Recreation, Cultural Affairs and Public Works Committee, due back on 8/5/2015. The motion carried by the following vote:

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

[140740.](#)

Hiring vendors/workers at fairs/events

RECOMMENDATION

Refer to Committee

A motion was made by Mayor-Commissioner Pro Tem Chase, seconded by Commissioner Poe, that this Matter be Referred to the Recreation, Cultural

Affairs and Public Works Committee, due back on 8/5/2015. The motion carried by the following vote:

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

CITIZEN COMMENT (If time available)

*Jo Beaty
Debbie Martinez
Donald Shepherd*

ADJOURNMENT-10:51PM

Kurt Lannon, Clerk of the Commission