



**Regular City Commission Meeting
Minutes
June 8, 2015**

Mayor Gib Coerper
Vice Mayor Ben Boukari, Jr.
Commissioner Gary Hardacre
Commissioner Robert Wilford
Commissioner Shirley Green Brown

City Manager Traci Cain
City Attorney Marian Rush

The City Commission will conduct a
Regular City Commission Meeting
At 6:30 PM
to address the item(s) below.

Meeting Date: June 8, 2015

Meeting Location: James A. Lewis Commission Chambers, City Hall

CITIZENS ATTENDING: Chuck Clemons, Andrew Coffey, Diana Carlson Felver, Jason Haeseler, Scott Modesitt, Jeremy Primosch, Fred Rath, Sandy Rezac, Jackson Sasser, Ernest Wigglesworth, Jr., Anthony Wright
STAFF ATTENDING: Robert Bonetti, Adam Boukari, Marcus Collins, Donna Smith, Justin Tabor, Melanie Anne Westmoreland, Cap Wilson

CITY COMMISSION MEETING

Notice given pursuant to Section 286.0105, Florida Statutes. In order to appeal any decision made at this meeting, you will need a verbatim record of the proceedings. It will be your responsibility to ensure such a record is made.

CALL TO ORDER

Called to order by Mayor Gib Coerper.

INVOCATION

Led by Commissioner Robert Wilford.

PLEDGE TO THE FLAG

Led by Mayor Coerper.

APPROVAL OF THE AGENDA

Commissioner Gary Hardacre moved to approve the agenda, seconded by Commissioner Wilford.

Passed by unanimous consent.

APPROVE READING OF PROPOSED ORDINANCES AND RESOLUTIONS BY TITLE ONLY

Commissioner Wilford moved to approve reading of proposed ordinances and resolutions by title only; seconded by Vice Mayor Ben Boukari, Jr.

Passed by unanimous consent.

I. SPECIAL PRESENTATIONS

A. Santa Fe College Aspen Prize Proclamation

Assistant City Manager Adam Boukari introduced the item and welcomed Santa Fe College President Jackson Sasser and Assistant Vice President for Development Chuck Clemons.

Mayor Coerper read the proclamation and presented it to Mr. Sasser.

Mr. Sasser shared his remarks and thanked the City for the proclamation and for being a partner to the college.

II. COMMENTS FROM CITIZENS ON SUBJECT OF CHOICE

(Please Limit to 3 Minutes. Any citizen who is unable to speak at this time will have an opportunity to speak at the end of the meeting

There were no comments.

III. COMMITTEE REPORTS/COMMITTEE APPOINTMENTS/CITY ANNOUNCEMENTS

A. City Commission Board and Committee Appointments

Assistant Deputy City Clerk Melanie Anne Westmoreland introduced the item.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford moved to approve the proposed list as presented; seconded by Commissioner Shirley Green Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

IV. PUBLIC HEARINGS AND ORDINANCES

(Presentations, other than the applicant, please limit to 3 Minutes)

A. Ordinance 15-06, First Reading; REZONING: One 51 Place Apartments - a Request by C. David Coffey, P.A., Agent, on Behalf of Alachua Development, LLC, Owner, for a Site Specific Amendment to the Official Zoning Atlas from Residential Multiple Family – 8 to Residential Multiple Family – 15 on +/-12.12 acres, a portion of Tax Parcel No. 03863-002-001 (Quasi-Judicial Hearing)

City Attorney Marian Rush provided the first reading of Ordinance 15-06 by title only.

City Attorney Rush announced that this was a quasi-judicial hearing and anyone wishing to speak would have to be sworn in.

Assistant Deputy City Clerk Melanie Anne Westmoreland administered the oath for testimony.

Principle Planner Justin Tabor provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Mayor Coerper asked the applicant for any comments.

Representing the applicant, Andrew Coffey thanked the commissioners and said he was there to answer any questions they might have after staff's report.

Vice Mayor Boukari moved that based upon the competent substantial evidence presented at this hearing, the presentation before this Commission, and Staff's recommendation, this Commission finds the application for a Site Specific Amendment to the Official Zoning Atlas to be consistent with the City of Alachua Comprehensive Plan and in compliance with the Land Development Regulation; and approves Ordinance 15-06 on first reading and schedules second and final reading of Ordinance 15-06 for June 22, 2015; seconded by Commissioner Hardacre.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

B. Alachua FFY 2013 CDBG Neighborhood Revitalization Category Grant Award Agreement Modification #1

Assistant Finance Director Robert Bonetti introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Mayor Coerper commented how pleased he was by the grant and expressed how much the hard work getting these grants is appreciated.

Commissioner Brown moved to receive public input and approve Modification Request #1 to the Department of Economic Opportunity; seconded by Commissioner Wilford.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

C. Public Hearing – Small Cities Community Development Block Grant (CDBG) Program Federal Fiscal Year (FFY) 2014 Grant Cycle

Assistant Finance Director Bonetti introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Mayor Coerper asked when the grant would begin and Commissioner Wilford asked for clarification on the funding timelines.

Summit Professional Services representative Scott Modesitt provided the background on the grant.

Vice Mayor Boukari moved to (1) Conduct the First Public Hearing; and (2) Direct the Administration on behalf of the City to submit to the DEO the economic development type of CDBG application; seconded by Commissioner Hardacre

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

V. AGENDA ITEMS

A. Appointment of Code Enforcement Special Magistrate

Compliance and Risk Management Director Cap Wilson introduced the item and provided the staff report.

Jeremy Primosch addressed the commissioners.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford moved to appoint Jeremy T. Primosch Special Magistrate and authorize the Mayor to execute the presented Agreement; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

B. RFP 2015-04 Design Services for Operations Center and Warehouse Award

Purchasing Specialist Donna Smith introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Hardacre moved to approve the contract between the City and Walker Architects, Inc. of Gainesville Florida for payment of a lump sum fee of \$214,575.00 for the delivery of Complete Detail Design, Complete Construction Schedule and Complete Construction Cost Estimate of the planned City Operations Center and Warehouse on the City owned 10.9 acre site on NW 104th Terrace, and further, to approve and authorize the City Manager to negotiate a Change Order for professional fees, permitting fees and related costs up to a total of \$22,850.00 associated with the site plan approval process; seconded by Vice Mayor Boukari.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

C. Resolution 15-14; Amending the 2014-2015 Budget; Recognizing Unanticipated Revenue in the Electric Utility Fund and the Community Redevelopment Agency (CRA) Fund; Providing an Effective Date.

City Attorney Rush provided the reading of Resolution 15-14 by title only.

Assistant Finance Director Bonetti provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford moved to adopt Resolution 15-14 and Authorize the Mayor's Signature; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

- D. Resolution 15-15 Authorizing the Transfer of \$20,000 from the General Fund Contingency Budget to the Deputy City Clerk Department Budget; Providing an Effective Date**

City Attorney Rush provided the reading of Resolution 15-15 by title only.

Assistant Finance Director Bonetti provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford moved to adopt Resolution 15-15 and authorize the Mayor's signature; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

City Manager Traci Cain said the new commission room audio-system should be installed by the next meeting.

Passed 5-0 on roll call vote.

- E. Resolution 15-16 Amending the Fee Schedule for City Facilities Rental**

City Attorney Rush provided the reading of Resolution 15-16 by title only.

Compliance and Risk Management Director Wilson provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Hardacre moved to approve Resolution 15-16; seconded by Commissioner Wilford.

Mayor Coerper opened the floor for comments.

Passed 5-0 on roll call vote.

- F. FDOT Traffic Signal and Maintenance Agreement**

City Attorney Rush provided the reading of Resolution 15-13 by title only.

Public Services Director Marcus Collins introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Vice Mayor Boukari moved to Approve Resolution 15-13, Authorize Mayor's Signature and Authorize the City Manager to Execute the Traffic Signal Maintenance and Compensation Agreement; seconded by Commissioner Hardacre.

Mayor Coerper opened the floor for comments.

Passed 5-0 for roll call vote.

VI. COMMENTS FROM CITIZENS ON SUBJECT OF CHOICE

(Please Limit to 3 Minutes. Any citizen who did not speak during the Citizen Comments period at the beginning of the meeting may do so at this time.)

There were no comments.

VII. COMMENTS FROM CITY MANAGER AND CITY ATTORNEY

City Attorney Rush updated the commissioners on Alachua County vs City of Alachua (Case # 2015-CA-001978, Complaint for Declaratory and Injunctive Relief), Alachua County vs City of Alachua (Case #2015-AP-000016, Petition for Writ of Certiorari), and National Speleological Society vs City of Alachua (Case # 2015-AP-00017, Petition for Writ of Certiorari).

She said the two petitions for Writ of Certiorari have been combined and have been granted a stay. City Attorney Rush explained a writ of certiorari and some of rules for the appeals process. She said motion for a stay has been entered on the complaint, but there has been no order yet. She said the County has invoked the Intergovernmental Dispute Act (FS 164) and summarized that process.

Vice Mayor Boukari moved the commission waive its rules and procedures to entertain a request for an executive session; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

City Attorney Rush identified the lawsuits title, court, and case number to be discussed. She said the subject matter for the executive session would be confined to a settlement negotiation or a strategy session relating to litigation expenditures and settlement negotiations. She suggested the noticed public meeting should be held at 1:00 p.m. on Tuesday, June 16, 2015 in the City commission chambers.

Commissioner Wilford moved that an executive session be called to discuss a settlement negotiation or for a strategy session relating to litigation expenditures and settlement negotiations at 1:00 p.m. on Tuesday, June 16, 2015; with the executive session being opened and closed in the Sunshine; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

Commissioner Wilford moved the commission waive its rules and procedures to direct the City Manager to engage Robert A. Rush PA, and specifically Marian Rush, to represent the City of Alachua in the lawsuits and in the intergovernmental dispute (FS 164) so that Ms. Rush may take actions on the City's behalf; seconded by Vice Mayor Boukari.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

Commissioner Wilford moved that the City Commission retain Robert A Rush, PA., to represent the City in these three lawsuits and the intergovernmental dispute resolution process under FL 164; that City Attorney Rush consult on a regular basis with the City Manager, and that she would bring any major decisions back to the City Commission; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

City Attorney Rush said that the lawsuits are moving through the processes according to Florida Statutes and that she will provide more information during the executive session.

VIII. COMMISSION COMMENTS/DISCUSSION

Commissioner Brown said she wanted to thank everyone for the support of the health fair.

Commissioner Wilford thanked CATF Board Member Sandy Rezac and Planning and Zoning Board Member Anthony Wright for attending the meeting. He apologized for not mentioning the police officers in the invocation and he said they are always in his prayers.

ADJOURN

Vice Mayor Boukari moved to adjourn; seconded by Commissioner Wilford

Passed by unanimous consent.

CONSENT AGENDA

CONSENT AGENDA ITEMS

- A. April 13, 2015 Commission Meeting Minutes
- B. April 27, 2015 Commission Meeting Minutes

ATTEST:

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Traci L. Cain, City Manager/Clerk

Gib Coerper, Mayor