



**Regular City Commission Meeting
Minutes
March 28, 2016**

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

City Manager Traci L. Gresham
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: March 28, 2016

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

CITIZENS PRESENT: Connie Canney, Deloris Collins, Jacquelyn Collins, David Coffey, Malcolm Dixon, Vince Dixon, Lenorea Francis, Ralph Francis, Carol Richardson, Phyllis Strickland, Tamara Robbins, Carol Thomas, R.D. Wallace.

STAFF PRESENT: Robert Bonetti, Adam Boukari, Alan Henderson, Jennifer Jorge, Tara Malone, Esperanza Smith, Justin Tabor, Kathy Winburn, 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 Shirley Green Brown.

PLEDGE TO THE FLAG

Led by Mayor Coerper.

APPROVAL OF THE AGENDA

Commissioner Robert Wilford moved to approve the agenda; seconded by Commissioner Brown.

Passed by unanimous consent.

APPROVE READING OF PROPOSED ORDINANCES AND RESOLUTIONS BY TITLE ONLY

Commissioner Brown 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. Special Presentation by “10-42”

Administrative Service Manager Tara Malone introduced the item and 10-42 member Lindsey Howell to provide the presentation.

B. CMC Certification Recognition for Melanie Anne Westmoreland

Deputy City Clerk Alan Henderson introduced the item and introduced Northeast Region Director of Florida Association of City Clerks and Live Oak City Clerk John Gill to provide the presentation.

Mr. Gill presented the Certified Municipal Clerk (CMC) certification and pin to Assistant Deputy City Clerk Melanie Anne Westmoreland.

C. Autism Awareness Month

Lenorea Francis introduced the item and provided the presentation.

Mayor Coerper read the proclamation.

The commissioners thanked Ms. Francis for coming and for the work she puts into raising awareness about autism.

D. Water Conservation Month Proclamation

Assistant City Manager Adam Boukari introduced the item and provided the presentation.

Mayor Coerper read the proclamation.

E. Fiscal Analysis Report for the Period Ended February 29, 2016

Finance Director Robert Bonetti introduced the item and provided the presentation.

Mayor Coerper asked the commissioners for questions or comments.

There were none.

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.)

Tamara Robbins said Mayor Coerper’s candidacy for the City of Alachua Commission Seat One was illegal. She said his qualification for candidacy was in violation, and the City Commission should disqualify him or he should disqualify himself.

Stan Richardson said he would like to hear a legal opinion on Ms. Robbin’s allegations.

III. COMMITTEE REPORTS/COMMITTEE APPOINTMENTS/CITYANNOUNCEMENTS

A. North Central Florida Regional Planning Council – February 25 Meeting

Commissioner Wilford introduced the item and provided the committee report.

IV. PUBLIC HEARINGS AND ORDINANCES

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

A. Ordinance 16-04, First Reading, Land Development Regulations Text Amendments (Legislative)

City Attorney Marian Rush read Ordinance 16-04 by title only.

City Planner Adam Hall introduced the item and provided the staff report.

Commissioner Hardacre asked about regulation of tattoo shops, sex shops, and other businesses that parents might not want their children exposed to in the course of going to school or walking around town.

City Manager Traci Gresham said that the changes would not regulate use or provide any opinion on professional regulations required for various business types. She said the City has a tattoo shop, but at the moment it is operating without a use-type in the LDRs. She said this ordinance would correct those types of gaps. She said she did not know if there were any state-mandated buffers or other regulations that would bind the businesses.

City Planner Hall said there are buffers restricting certain use-types from operating too close to residential and school areas.

Commissioner Wilford asked how the City arrived at the measured-distance buffers/buffer zones. City Planner Hall said they researched the determinations reached by other municipalities in addressing the issue.

Mayor Coerper asked the commissioners for questions or comments.

Vice Mayor Boukari thanked staff for the work that determined all of these amendments to the LDRs.

Commissioner Wilford asked about the State requirements and regulations on the marijuana issue. City Attorney Rush explained the law as it is currently written.

Vice Mayor Boukari moved that based upon the presentation before this City Commission and staff's recommendation, the City Commission find the proposed Text Amendments to the Land Development Regulations to be consistent with the City of Alachua Comprehensive Plan and approve Ordinance 16-04 on first reading; and schedule second and final reading for April 11, 2016; 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. Contract for RFP 2015-04 Phase III – Construction – Services Operations Center

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

Mayor Coerper asked when the bidding closed, and Purchasing Specialist Smith said bidding closes on April 11.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Hardacre moved to approve the proposed Contract for RFP 2015-04 Phase III - Construction Phase Services, and to authorize the City Manager to enter into a contract with Walker Architects, Inc., to complete the work as needed under the provisions of the contract; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

B. Agreement with GRU for Wholesale Electric Service

Assistant City Manager Adam Boukari introduced the item and provided the staff report.

Mr. Boukari introduced Bill Herrington with W.H.H. Enterprises to address the commissioners.

Commissioner Wilford asked about annual threshold requiring GRU approval in regards to City recourse in the event that GRU should not approve of City requests. He also asked about who would make the determination on disputes in regards to invoices, and City recourse in the event the City and GRU could not agree on a dispute. He pointed out a scrivener error. He asked about the language of the Change in Law provision.

Vice Mayor Boukari asked about previous and new kilowatt hour costs. He also commented on the non-disclosure agreement signed with GRU and said how the negotiations seemed to have worked well to the City's advantage.

Commissioner Hardacre moved to approve the Amended and Restated Agreement between the City of Gainesville, d/b/a Gainesville Regional Utilities, and the City of Alachua for the Purchase and Sale of Wholesale Electric Service; seconded by Vice Mayor Boukari.

Mayor Coerper opened the floor for comments.

Lajil Mohammad asked how the wholesale utility costs would affect the utility bills. He said he was concerned by how high some utility bills are, and by the differences in residential utility bills between people he knew in Turkey Creek and in other parts of town.

Assistant City Manager Boukari said this contract would result in a rate reduction, but that it will have to go through the process and be brought before the City Commission. He said different rate tiers exist for residential and different types of businesses. He said there is no difference in residential energy prices in the City. He said the differences in residential bills are attributable to different rates of consumption, different houses, and different energy lifestyle habits.

Tamara Robbins asked how much the City charges residential customers now based on the current contract's megawatt pricing.

Assistant City Manager Boukari explained the current utility billing practice and GRU contract were not structured the same as the new contract. He said that staff would be reviewing utility billing rate structure, and the rate will be reduced, but that he was unable to provide a direct answer to the question as the old contract is not based on the megawatt pricing as is the new.

Carol Thomas asked about the fuel adjustment pricing and said it was unclear whether it would be fixed or fluctuating. She also was concerned about the burden of the rates on residents. She said that the City should do something about giving better rates to those who live in the inner city than the ones who live in the outer areas of the City to equalize the resulting utility bills.

Vice Mayor Boukari asked that the question be answered, but that for following comments, all questions can just be written down and answered by staff at the end of citizen's comments.

Assistant City Manager Boukari said that the energy charge that GRU invoices the City of Alachua will be a fixed per megawatt hour price. He said that Clay Electric has a different structure. He said that staff's concerns were that the City get the best competitive wholesale price, that the source of power is reliable, and that the City's utility rates for its residents were competitive with other communities in the state. He said the residential rates were the same for all the communities in the City and that the new contract is very competitive in the current market.

Mayor Coerper said that the City does not subsidize any person's power in the City.

Commissioner Hardacre said the State of Florida Public Service Commission sets the boundaries of the electric companies.

Stan Richardson said he thought an audit of some sort should be done to determine why utility bills are so high in some areas and not so high in other areas. He also commented on the late fee and the application of re-connect fees when a cutoff has not actually been accomplished.

Connie Canney said she thought the 10% late charge was too high; especially when the bill is already high. She said she thought the City should not have a reconnect fee.

Deloris Collins asked if the City negotiated with any other company besides GRU.

Assistant City Manager Boukari said that rate payers are hurt by people who do not pay their bill because the costs have to be covered. He said this is reason for late fees. He said the City looks at the competitive markets and best business practices and ways to get the best possible deals for its citizens as it determines policies.

He said the current GRU contract runs for another approximate 14 months. He said that with this contract there is immediate relief to higher wholesale power costs. He said that with the current contract or the new contract if approved, the City will be contracted with GRU for at least the next 14 months; but with the new contract the rates are lower and will be fixed at that lower rate for the next six years. He said that the City would not have been able to have a contract in place with anyone else for the next 14 months.

Mayor Coerper said that if a citizen's bill seems to unaccountably go up, the City does provide the service of coming out and checking the meter but the citizen has to make the call to the City to make the arrangements.

Vivian Moore said she has seen her utility bill double between last month and this month. She said her kilowatt hour average usage has almost tripled. She said she had asked for her meter to be checked and she was unsatisfied with the City response. She asked why the City does not have some kind of cut-off accommodation for people with medical needs. She said she thought it was outrageous that people on a fixed income had to pay such high bills.

Mr. Mohammed wished to speak again.

Vice Mayor Boukari moved to waive the Commission's Rules and Procedures so that Mr. Mohammed could speak again during Citizen's Comments; seconded by Commissioner Brown.

Passed by unanimous consent.

Mr. Mohammed said that he just wanted the City to look at the issue of the high utility bills experienced by some residents. He said if the City is seeing a profit from the electric utility, maybe they could find a way to help some of the people.

Assistant City Manager Boukari said that the City has a meter change-out program and a regular meter-auditing program that is carried out throughout the year. He said the utility is also audited annually by a third-party audit company.

Mayor Coerper said he thought there were also companies that perhaps the City could partner with to assess energy use in residential homes.

Passed 5-0 on roll call vote.

C. Long Range Transportation Plan Authorization

Assistant City Manager Boukari introduced the item and provided the staff report.

Mayor Coerper asked how the plan would be created. Assistant City Manager Boukari said it would be a very comprehensive, data-driven study. He explained some of the factors and variables that will be assessed in formulating the plan.

Commissioner Wilford said he liked that workshops to engage citizens and get their input would be included and he thought they would be useful.

Commissioner Hardacre moved to approve the proposal from CHW for the development of a Long Range Transportation Plan and List of Transportation Priorities; seconded by Vice Mayor Boukari.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 in roll call vote.

D. Resolution 14-09; Coqui RadioPharmaceuticals Corp Participation in Qualified Target Industry Tax Refund.

Assistant City Manager Boukari introduced the item and said the resolution to be read by the City Attorney is actually Resolution 16-10. He explained the State requirements in the procedures that had to be followed by Coqui and by the City necessitating a new resolution.

City Attorney Rush read Resolution 16-10 by title only.

Assistant City Manager Boukari provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford expressed his concerns about the provision requiring County approval. Assistant City Manager Boukari and Mayor Coerper said the County has been very positive about dealing with QTIs.

Commissioner Hardacre moved to approve Resolution 16-10; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

Carol Thomas asked about the tax incentives. Assistant City Manager Boukari explained the State of Florida funding provided to attract employers to locate in the State. He explained the criteria and procedures for this economic development.

Ms. Thomas wanted to return to the podium for more questions.

Vice Mayor Boukari asked that all of the questions during Citizen's Comments be asked, then staff answers them all at once at the end.

Vice Mayor Boukari moved to waive the Commission's Rules and Procedures so that Ms. Thomas could have the floor again; seconded by Commissioner Hardacre.

Passed by unanimous consent.

Ms. Thomas asked what the company does and who would take care of the radioactive waste they produced.

Mayor Coerper explained that the motion on the floor is whether to extend the already approved QTI for Coqui. He said the company had been vetted many times with Commission meetings and workshops.

Ms. Thomas asked what was being extended and why.

Mayor Coerper explained the QTI as previously approved and explained that Coqui was asking for the extension because the Federal government approval process has not yet been completed.

Passed 5-0 on 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.)

Lajil Mohammad spoke about zoning changes from commercial to residential in an area of the town that he says is not fair to the land owners. He said the area needs more business in other areas than only right downtown. He said he would like to get on the agenda because he has ideas for developing the City.

VII. COMMENTS FROM CITY MANAGER AND CITY ATTORNEY

City Attorney Rush reminded the commissioners that the last action in the Heritage Oaks appeal was decided in the City's favor without a written opinion. She said Heritage Oaks has filed requesting a written opinion. She reminded the commissioners that Heritage Oaks could not make any further appeals without that written opinion.

VIII. COMMISSION COMMENTS/DISCUSSION

Mayor Coerper said it is Autism Day down at Skinner Field on Saturday.

Vice Mayor Boukari said he grew up in the inner-city of Alachua, but he didn't know it was inner-city because he thought it was just Alachua. He asked Ms. Moore to take Assistant City Manager Boukari up on his invitation to come in and go over her utility bill. He said he appreciates all of the citizens who came to speak tonight.

ADJOURN

Vice Mayor Boukari moved to adjourn; seconded by Commissioner Wilford.

Passed by unanimous consent.

CONSENT AGENDA

CONSENT AGENDA ITEMS

ATTEST:

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Traci L. Gresham, City Manager/Clerk

Gib Coerper, Mayor