

OCTOBER 28 2008
REGULAR CITY COMMISSION MEETING

The City Commission of Dade City, Florida, met in the City Hall Annex Commission Chambers in a regular City Commission meeting on this 28th day of October, 2008, at 5:34 p.m. The following members were present: Mayor Scott Black and Commissioners Camille Hernandez, Steve Van Gorden, Curtis Beebe and Eunice Penix. City staff members present included City Manager William C. Poe, Jr., City Clerk/Finance Director James D. Class, Deputy City Clerk Joanna Akers, and Police Chief Raymond Velboom. City Attorney Karla Owens was absent and Attorney Bob Burnett was present in her place.

The meeting was called to order by Mayor Black, and invocation was given by Mayor Black, followed by the Pledge of Allegiance to The Flag.

PRESENTATIONS

Mayor Black and the Commission presented Appreciation Plaques to Brandon Home Theater, Chevrolet of Dade City, and The Tampa Tribune for their sponsorship with Movie-in-the-Park. The following Youth Council members were present: Jonathan West, Tyrone Lovett, Jose Amateco, and Andrew Riddaugh, as well as, a representative from Chevrolet of Dade City and David West, from The Tampa Tribune.

PUBLIC COMMENT

Barbara Huckabay had withdrawn her request to speak under public comment.

James Brown, a representative from Farmworkers Self-Help, Inc., requested that the Commission waive the water bill for the first year (estimated at \$300.00) for a project called "My Other House." Finance Director Jim Class noted that under the City's bond resolutions and covenants the City is not allowed to waive utility charges, so to grant the request the Commission would have to pay the charges from the City budget. Commissioner Van Gorden made a motion for the City to pay the water bill at that location for the first year. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

Ezekial Cazares noted that his church is in the process of building an addition and requested that the City waive the permitting/building and impact fees. Finance Director Jim Class noted that the City is only able to waive building permit fees, but not impact fees, which would have to be paid out of the City budget. Mayor Black requested that Mr. Cazares bring back specific information regarding the permit amounts to the Commission.

MINUTES

The minutes of the September 22, 2008 Regular City Commission Meeting and the September 22, 2008 Workshop for the Wastewater Facilities Plan were approved as individually read. The minutes of the October 14, 2008 Regular City Commission Meeting and the October 14, 2008 Workshop for a RAC/CRA Visioning Session were distributed.

PUBLIC HEARINGS

The following memorandum dated October 15, 2008 was noted:

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Amendment to Purchasing Ordinance
(Entire memorandum can be found in the City Clerk's file)

The proposed ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2008-0988

AN ORDINANCE BY THE CITY OF DADE CITY, FLORIDA AMENDING AND REWORDING THE PURCHASING ORDINANCE, CHAPTER 2, ARTICLE VII, DIVISION 4, SECTIONS 2-501 THROUGH 2-518 OF THE CODE OF ORDINANCES; PROVIDING FOR A SHORT TITLE, PURPOSE, AND DEFINITIONS; SETTING FORTH RESPONSIBILITY FOR CITY PURCHASING; PROVIDING FOR REQUISITIONS AND ESTIMATES, FORMAL CONTRACT PROCEDURES, REJECTION OF BIDS, AND NEGOTIATION; PROVIDING FOR WAIVERS OF IRREGULARITIES, AWARDS OF CONTRACT INVOLVING STANDARDIZED AND GOVERNMENTAL CONTRACTS, BONDS, UNAUTHORIZED PURCHASES, AND OPEN-MARKET PROCEDURES; PROVIDING FOR EMERGENCY PROCEDURES, ALTERNATE PROCEDURES FOR PUBLIC WORKS, SOLID WASTE AND UTILITIES, INSPECTION, AND SURPLUS STOCK; PROVIDING FOR BID PROTESTS; PROVIDING FOR DESIGN BUILD CONTRACTS; PROVIDING FOR PENALTIES, REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

City Attorney Karla Owens noted that it is necessary to amend the existing purchasing ordinance to add those provisions formerly found in the Charter and to further standardize and streamline existing procedures. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden made a motion to approve Ordinance No. 2008-0988. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE", with no one voting "NAY". (Ordinance No. 2008-0988 in its entirety is on file in the City Clerk's office.)

CONSENT AGENDA

The following memorandum dated October 28, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: William Poe, City Manager
Subject: Request for State Road Closure for Country Christmas Stroll,
December 13, 2008
(Entire memorandum can be found in the City Clerk's file)

On recommendation of staff, Commissioner Penix moved the approval for closing to SR 52 (Meridian Avenue) between 9th Street and the U.S. 98 By-pass/U.S. Hwy 301, for the Christmas Stroll scheduled for December 13, 2008, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated October 28, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: William Poe, City Manager
Subject: Request for State Road Closure for Dade City Chamber of Commerce
January Cruise in, January 3, 2009
(Entire memorandum can be found in the City Clerk's file)

On recommendation of staff, Commissioner Penix moved the approval for closing to SR 52 (Meridian Avenue) between 7th Street to the U.S. Hwy 98 Bypass/U.S. Hwy 301 for the Cruise-In Car Show scheduled for January 3, 2009, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated October 7, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Request for proposals – alternate Section 457 plan
(Entire memorandum can be found in the City Clerk's file)

The memorandum noted that the City issued a Request for Proposals for an Alternate 457 Deferred Compensation Administrator and received responses from the Florida Municipal Pension Trust Fund and AIG Retirement. On recommendation of staff, Commissioner Penix made a motion to accept the proposal from the Florida Municipal Pension Trust Fund as an alternate Section 457 plan provider, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

City Manager Billy Poe requested that Agreement No. 2008-0825, Lease of Weitzenkorn Property, be pulled from the consent agenda because some changes needed to be made before approval.

The following memorandum dated October 22, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Proposed Changes to Chapter 10 of Personnel Rules and Regulations – Drug Free Workplace
(Entire memorandum can be found in the City Clerk’s file)

The memorandum noted that the Personnel Rules and Regulations needed to address random drug testing. On recommendation of staff, Commissioner Penix made a motion to adopt the modified Drug Free Workplace policy, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated October 22, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Proposed Cellular Telephone Policy
(Entire memorandum can be found in the City Clerk’s file)

The memorandum noted that the City currently has no policy regarding the use of City-issued cellular telephones. On recommendation of staff, Commissioner Penix made a motion to adopt the policy regarding Cellular Telephone Use, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated October 22, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Internet and Electronic Mail Policy
(Entire memorandum can be found in the City Clerk’s file)

City Attorney Karla Owens noted that the City currently has no policy regarding the use of email and the internet at the workplace. On recommendation of staff, Commissioner Penix made a motion to adopt the Electronic Mail, Computer Systems, and Internet Policy, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

NEW BUSINESS

The following memorandum dated October 17, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Approval of Resolution No. 2008-1014 – Establishing an Identity Theft Prevention Program
(Entire memorandum can be found in the City Clerk’s file)

The proposed resolution was read by title only by the City Clerk, as follows:

RESOLUTION NO.: 2008-1014

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, ADOPTING AN IDENTITY THEFT PREVENTION POLICY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Jim Class noted that a federal rule requires entities including public utilities to develop and implement an Identity Theft Prevention Program with policies and procedures for detecting, preventing, and mitigating identity theft. After discussion, a motion was made by Commissioner Van Gorden to approve Resolution No. 2008-1014 adopting an Identity Theft Prevention Program. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated October 22, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Request to Change of Section 7.01, Personnel Rules & Regulations – Holiday Schedule 2008-2009
(Entire memorandum can be found in the City Clerk’s file)

City Manager Billy Poe noted that the Christmas holiday will fall on a Thursday this year. For a variety of reasons, a number of our employees have inquired if the City could be officially closed both Christmas Day and the day after Christmas. December 26th is not listed as an official holiday. Staff has also reviewed the approved holiday schedules of surrounding governmental agencies and would like to copy the Clerk of the Circuit Courts schedule by increasing the number of official holidays (adding a second day at Christmas). After discussion, a motion was made by Commissioner Beebe to approve amending the official holiday schedule for FY 2008-2009 by exchanging Good Friday for the day after Christmas. The motion died for lack of a second. A motion was made by Commissioner Van Gorden to amend the official holiday schedule for FY 2008-2009 to include an additional recognized holiday on December 26, 2008. The motion was seconded by Commissioner Penix, and on a vote the motion passed. Commissioners Van Gorden, Penix, and Hernandez voted “AYE”, while Commissioners Black and Beebe voted “NAY”.

COMMISSIONER ITEMS

Mayor Black discussed the possibility of moving the November 25, 2008 Commission meeting to November 18 so as not to meet during the week of Thanksgiving. A motion was made by Commissioner Van Gorden to move the November 25, 2008 Commission meeting to November 18, 2008. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. The Redevelopment Advisory Committee meeting scheduled for that day will be moved to 4:00 p.m.

Commissioner Hernandez reported on her attendance at the FRA Conference in Tampa. She also noted the Youth Council's Spaghetti Dinner fundraiser on Tuesday, November 18, 2008, for the "Love One Another" project.

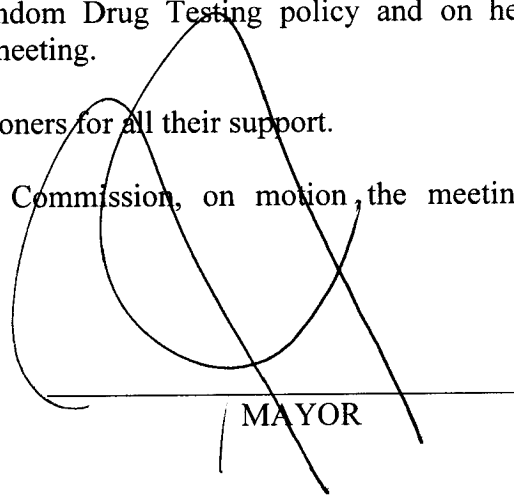
PUBLIC COMMENT

Joey Wubben asked if the City could put out some additional signs to advertise the overflow parking on the Weitzenkorn property.

Kathy Lambert commented on the City's Random Drug Testing policy and on her attendance at a recent Zephyrhills City Council meeting.

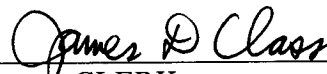
Margarita Romo thanked the City and Commissioners for all their support.

There being no further business before the Commission, on motion, the meeting adjourned at 6:21 p.m.



MAYOR

ATTEST:


CLERK