

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

November 17, 2016

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Commissioner Harvey Budd (At Large)

Mayor-Commissioner Pro Tem Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Todd Chase (District 2)

Commissioner Craig Carter (District 3)

Commissioner Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 1:02 PM

Present 7 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

AGENDA STATEMENT

INVOCATION

ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

Jim Konish spoke to the matter.

A motion was made by Commissioner Carter, seconded by Commissioner Budd, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

[100607.](#)

Reallocation of Capital Improvement Program Funding From Army Reserve Building Remediation to Reserve Park Planning, Design, and Construction (NB)

This is a request for the reallocation of Capital Improvement Program funding from Army Reserve Building remediation to Reserve Park Planning, Design and Construction.

RECOMMENDATION *The City Commission approve the reallocation of \$163,919 in Capital Improvement Program funding from Army Reserve Building remediation costs to Reserve Park Planning, Design and Construction.*

Approved as Recommended

[160474.](#)

Approval for Public Works to apply for the St. Johns River Water Management District’s Fiscal Year 2017 REDI Communities & Innovative Projects Cost-Share (RCIPCS) Funding Program (B)

This item is a request for approval for Public Works to apply for the St. Johns River Water Management District’s Fiscal Year 2017 REDI Communities & Innovative Projects Cost-Share (RCIPCS) Funding Program.

RECOMMENDATION *The City Commission: 1) authorize staff to submit a St. Johns River Water Management District cost-sharing application for the Suburban Heights - Beville Creek*

Restoration Project; 2) authorize the City Manager or designee to execute all contract documents and other necessary documents if the grant is awarded, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[160522.](#)

Recordation of Restrictive Covenant for Cade Museum's State Grant Award (B)

RECOMMENDATION

The City Manager to the City Commission, Authorize the City Manager to: 1) complete the negotiations with the state regarding the language of the Restrictive Covenant; and 2) to execute the Restrictive Covenant entered into by the City of Gainesville, the Cade Museum Foundation, Inc., and the Department of State, Division of Cultural Affairs subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[160524.](#)

REQUEST TO REMOVE ITEMS FROM UAB REFERRAL LIST (NB)

RECOMMENDATION

Remove items 130812 and 130957 from the UAB referral list.

Approved as Recommended

[160517.](#)

JACOB T. RODGERS V. WILLIAM STORMANT, AND CITY OF GAINESVILLE, D/B/A GAINESVILLE REGIONAL UTILITIES; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2016-CA-659 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Jacob T. Rodgers v. William Stormant, and City of Gainesville, d/b/a Gainesville Regional Utilities; Eighth Judicial Circuit, Case No. 2016-CA-659.

Approved as Recommended

[160512.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of October 25, and November 3, 2016.

Approved as Recommended

[160536.](#)

Annual Maintenance Fees and Licenses for Granicus Managed Services (B)

This item requests the City Commission to authorize the issuance of a purchase order not to exceed \$66,861.80 for annual maintenance fees and licenses for Granicus Managed Services.

RECOMMENDATION

The City Commission authorize the Clerk of the Commission to execute a purchase order and execute a First Amendment to Granicus, Inc. Service Agreement, a sole source vendor, in the amount not to exceed \$66,861.80 for payment of the

annual maintenance fees and licenses subject to the approval by the City Attorney as to form and legality.

Approved as Recommended

[160551.](#)

Appointments to City Commission Advisory Boards and Committees (NB)

RECOMMENDATION

*The City Commission appoint:
Ashley Murphy to the Citizen Advisory Committee for Community Development to fill a vacancy for a term to expire 11/1/17
Selena Patterson to the City Beautification Board for a term to expire 11/1/19
Luke Jolly to the Bicycle/Pedestrian Advisory Board to fill a vacancy for a term to expire 12/31/17
Gloria Li to the Student Community Relations Advisory Board as a voting member for a term to expire 9/30/17.*

Approved as Recommended

[160555.](#)

Resignation of Anthony Rychkov a Voting Student Member from the Student Community Relations Advisory Board and Dave Miller from the Nature Centers Commission (B)

RECOMMENDATION

The City Commission accepts the resignation of Anthony Rychkov and Dave Miller, effective immediately.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

A motion was made by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

GENERAL CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

*Jim Konish
Scott Hesch
Perry Clawson*

Motion by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren to accept the resignation of Perry Clawson from the Board of Trustees of the Consolidated Police Officers' and Firefighters Retirement Plan with an effective date of March 7, 2017. Motion passed 6-0. Commissioner Hayes-Santos was absent.

BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.

[160496.](#)**Special Event Support Policy for General Government (B)**

This item relates to City Commission consideration and approval of a policy addressing City support for non-profit and government agency special events. **ESTIMATED STAFF PRESENTATION 10 MINUTES**

Motion: City Manager to report back on: 1) annual cycle (50% or full) ; and 2) financial impacts.

Paul Folkers, Steve Phillips and Sarah Vidal-Finn made presentations.

Donald Shepherd and Perry Clawson spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from City staff on the draft policy; 2) provide input and, guidance on the draft policy; and 3) direct staff to finalize the policy and return to the City Commission with a resolution for adoption of the policy.

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

Aye: 7 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

[160264.](#)**Living Wage Paid to City Employees (B)**

This is a request for the City Commission to discuss the City's Living Wage paid to City Employees. **ESTIMATED STAFF PRESENTATION 30 MINUTES**

The motion was divided.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter for regular employees to earn \$12.25/hr. Motion passed 5-2. Mayor-Commissioner Pro Tem Warren and Commissioner Chase voting no.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter for: 1) temporary and temporary seasonal employees to earn \$12.25/hr.; 2) authorize the City Manager to negotiate with the unions for such raises; 3) ask for the City Manager's office to come back with a 5-year forecast that will show what it would take to get to \$15.00/hr.; and 4) general fund and other funds will fund City employees and GRU would fund GRU employees. Motion failed 2-5. Commissioner Hayes-Santos and Mayor Poe voting yes.

Motion by Commission Carter, seconded by Commissioner Hayes-Santos for staff to negotiate approved wages with unions. Motion passed 7-0.

Cheryl McBride, Rhonda Virden and April Shuping made presentations.

Jason Fults, Liz Warren, Wallace Maydar; Sheryl Eddie, Walter Williard, Mary Barr, Richard MacMaster, Paul Parker, Marihelen Wheeler, Michael Walker and Jeremiah

Tattersall spoke to the matter.

RECOMMENDATION

The City Commission discuss and provide direction to staff: (1) which City employee groups will be covered by the City's Living Wage; (2) how annual adjustments to the base hourly rate should be made; (3) the base hourly rate of the Living Wage paid to City Employees; and (4) Direct the City Manager to negotiate changes with affected unions. NOTE: The City has three employee groups: (1) Regular (Budgeted Headcount a/k/a Permanent), (2) Temporary, and (3) Temp-Seasonal/ Temp-Intern. The Living Wage currently applies to Regular (Permanent) employees only.

Approved, as shown above

[160516.](#)

Appointments to the Citizens Advisory Committee for Community Development, Regional Transit System Advisory Board and Student Community Relations Advisory Board (B)

Motion by Commissioner Carter, seconded by Commissioner Goston to appoint Jamis Godwin to the Citizens Advisory Committee for Community Development. Motion passed 7-0.

Motion by Commissioner Chase, seconded by Commissioner Carter to appoint Frank Avery to the Regional Transit System Advisory Board. Motion passed 7-0.

Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Goston to appoint Nora Kilroy to the Student Community Relations Advisory Board. Motion passed 7-0.

RECOMMENDATION

The City Commission appoint to the Citizens Advisory Committee for Community Development one member either Jamis Godwin (3), Jamie Bell (2), Elliot Welker (2), Rachel Yoho (1), Manuel Pardo (1) or Joseph Peralta (1); to the Regional Transit Advisory Board one member either Frank Avery (4) or Jason Leagle (4); and to the Student Community Relations Advisory Board one Administrative Voting Member either Thomas Rider (2), Nora Kilroy (2) Dominique Easterling (2) or Kevin Baron (1).

Approved, as shown above

COMMITTEE DISCUSSION ITEMS - Items placed on the agenda by the Audit & Finance Committee or General Policy Committee or moved from Consent

OTHER POLICY DISCUSSION ITEMS - If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs

INFORMATIONAL PRESENTATIONS - Items that do not request or require any Commission action. If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs.

RECESS - 4:22 PM

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[160537.](#) **Rosa Parks Day - December 1, 2016 (B)**

RECOMMENDATION *Reverend Milford Griner to accept the proclamation.*

Heard

[160538.](#) **World Pancreatic Cancer Day - November 17, 2016 (B)**

RECOMMENDATION *Amy Osteryoung and Huntley Johnson to accept the proclamation.*

Heard

GENERAL CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

*Jim Konish
Jeremiah Tattersall
Code Anderson
Lizzy Lunar
Gabriel Hillel
Kali Blount
Mitch Glaser
John Fleming
Bruce DeLaney
Quan Tran
Warren Nielsen
Walter Williard*

Motion by Commissioner Carter, seconded by Commissioner Hayes-Santos to waive the rules and extend Citizen Comment for 15 minutes. Motion passed 5-0. Commissioner Chase and Commissioner Goston absent.

Motion by Commissioner Budd, seconded by Commissioner Hayes-Santos to reconsider "living wage" discussion at a future City Commission meeting. Motion passed 5-1. Commissioner Carter voted no. Commissioner Goston absent.

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

ORDINANCES, 1ST READING - ROLL CALL REQUIRED[160389.](#)**TEXT CHANGE - ADD VETERINARY SERVICES AND ANIMAL SPECIALTY SERVICES AS PERMITTED USES BY RIGHT IN THE AUTOMOTIVE-ORIENTED BUSINESS ZONING DISTRICT (B)**

Ordinance No. 160389, Petition PB-16-101 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-62 - Automotive-oriented business district (BA) of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add veterinary services and animal specialty services (except veterinary) as permitted uses by right within the BA zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Andrew Persons made a presentation.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-16-101 TCH; and 2) adopt the proposed ordinance.

A motion was made by Commissioner Carter, seconded by Commissioner Hayes-Santos, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Goston

ORDINANCES, 2ND READING - ROLL CALL REQUIRED[160216.](#)**VOLUNTARY ANNEXATION - 100 ACRES OF PROPERTY SOUTHWEST OF THE CURRENT CITY BOUNDARY (B)**

Ordinance No. 160216

An ordinance of the City of Gainesville, Florida, annexing approximately 100 acres of city-owned and privately-owned property that is generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41st Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75th Street, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Lila Stewart made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Motion by Commissioner Carter, seconded by Commissioner Hayes-Santos to continue to a date uncertain.

Voice vote passed 6-0. Commissioner Goston absent.

[160430.](#)

AMENDMENTS TO ELECTIONS CODE RELATING TO RUNOFF ELECTIONS AND EARLY VOTING (B)

Ordinance No. 160430

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances relating to elections; amending Section 9-2 to provide that runoff elections shall be held on the sixth Tuesday following the first election and to provide that the election ordinance adopted each year shall provide the dates for early voting; amending Section 9-6.5 as it relates to early voting; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 6 - Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Goston

[160433.](#)

APPENDIX A - SCHEDULE OF FEES, RATES AND CHARGES - LANDLORD PERMITS (B)

Ordinance No. 160433

An ordinance of the City of Gainesville, Florida, amending the fees for landlord permits in Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances; providing directions to the codifier; 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 Carter, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Goston

PLANNING PETITIONS

CITIZEN COMMENT - For items not on the agenda, limited to 3 minutes per citizen and not to exceed 30 minutes total

Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter to waive the rules and hear citizen comment. Motion passed 6-0. Commissioner Goston absent.

Jo Beaty

COMMISSION COMMENT

Commissioner Chase: 1) Mayor's press conference; and 2) Future motion for \$1,000,000 for GPD to fight hate crimes/threats, creation of positions/task force and resources.

Mayor-Commissioner Pro Tem Warren: 1) How to deal with motions (training); and 2) Fire Cadets training and future funding for the Fire Department.

Commissioner Budd - Mayor's press conference.

Commissioner Carter - Mayor's press conference.

Commissioner Hayes-Santos - Mayor's press conference.

ADJOURNMENT - 7:16 PM

Kurt Lannon, Clerk of the Commission