

170735

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes

January 4, 2018

1:00 PM

MODIFIED AGENDA

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)

Mayor-Commissioner Pro Tem Harvey Budd (At Large)

Commissioner Helen Warren (At Large)

Commissioner Charles Goston (District 1)

Commissioner Harvey Ward (District 2)

Commissioner David Arreola (District 3)

Commissioner Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 1:02 PM**ROLL CALL**

Present 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

AGENDA STATEMENT**INVOCATION**

Rev. J. Fletcher Montgomery

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

Commissioner Warren asked for a future update on the renewal of the Memorandum of Agreement for the NE Florida Utilities.

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, that this Matter be Adopted. The motion carried by the following vote:

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

[170683.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of November 28, November 30, December 5, December 7, and December 11, December 19, 2017.

Approved as Recommended

[170600.](#)**Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

The City Commission appoint:

Karen Rerra, Ashley Rella and Chirayu Patel to the City Beautification Board for a term to expire 11/1/19.

Ghaith Majeed to the Art in Public Places Trust or a term to expire 9/30/20.

Stephen Kozakoff and William Breeze to the Regional Transit System for a term to expire 9/30/20.

Luke Jolly to the Bicycle and Pedestrian Advisory Board for a

term to expire 12/31/20.

Gloria Li to the Student Community Relations Advisory Board for a term to expire 9/30/19.

Lindsey Cazessus to the Citizens Advisory Committee for Community Development as a student member for a term to expire 9/30/19.

Irfan Kovankaya to the Gainesville/Alachua Cultural Affairs Board as a student member for a term to expire 9/30/19.

John Petito to the Regional Transit System Advisory Board as a student member for a term to expire 9/30/19.

Mariana Arias Sanz to the Development Review Board as a student member for a term to expire 9/30/19.

Matthew Burnette to the Student Community Relations Advisory Board as a student member for a term to expire 9/30/19.

Matthew Burnette to the Public Recreation and Parks Board as a student member for a term to expire 9/30/19.

Francesca Carrera to the Tree Advisory Board as a student member for a term to expire 9/30/19

Approved as Recommended

[170669.](#)

Non-Compliance with Attendance Requirements (B)

RECOMMENDATION

The City Commission approve the removal of Jennifer R. Meiselman Titus from the Gainesville Human Rights Board, effective immediately.

Approved as Recommended

[170642.](#)

Renewal of Memorandum of Agreement with Northeast Florida Utility Coordination Group (B)

****This item was presented to the UAB on 12/14/17.**"**

RECOMMENDATION

The City Commission authorize the General Manager or his designee to execute the memorandum of agreement, subject to approval by the City Attorney as to form and legality.

The UAB approved this item on consent.

Approved as Recommended

[170652.](#)

GRU Operational Update for November 2017 (B)

RECOMMENDATION *Receive a report.*

Approved as Recommended

[170651.](#) **Utility Advisory Board Sub-Committee (NB)**

RECOMMENDATION *Form a sub-committee with two City Commission (Mayor-Commissioner Pro-Tem Harvey Budd and Commissioner Harvey Ward) and two UAB members to discuss the ordinance that governs the UAB and determine what, if any, changes should be made. Members Michael Selvester and Mary Alford will represent the UAB.*

Approved as Recommended

[170675.](#) **Request to Schedule a Workshop for Presentation of Results of GRU's Cost of Service Study (NB)**

RECOMMENDATION *The City Commission schedule a workshop in late February to receive a presentation from staff and Willdan Financial Services to review the findings and recommendations from the cost of service study for the electric, water, wastewater, and natural gas utilities.*

Approved as Recommended

[170585.](#) **Ratification of Amendments to the Agreement between the Amalgamated Transit Union (ATU) Bargaining Unit and the City of Gainesville for October 1, 2015 through September 30, 2018 (B)**

This item is a request for the City Commission to ratify amendments to the three year collective bargaining agreement between the City of Gainesville and the ATU Bargaining Unit.

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

Approved as Recommended

[170586.](#) **Ratification of Amendments to the Agreement between the Communications Workers of America (Non-Supervisory Unit) for January 1, 2016-December 31, 2018 (B)**

This item is a request for the City Commission to ratify an amendment to the three year collective bargaining agreement between the City of Gainesville and the CWA Bargaining Unit.

RECOMMENDATION *The City Commission ratify the amendment to the Agreement between the CWA Non-Supervisory Bargaining Unit and the City of Gainesville.*

Approved as Recommended

[170662.](#)

Federal Law Enforcement Contraband Forfeiture Trust Fund Funding for the Joint Aviation Unit Budget for FY2018 (NB)

This is a request for the City Commission to authorize the use of \$89,165 of Federal Forfeiture Funds to fund the Operating Budget for the Joint Aviation Unit for Fiscal Year 2018.

RECOMMENDATION

The City Commission approve the appropriation of \$89,165 from the Federal Law Enforcement Contraband Forfeiture Trust fund for the Joint Aviation Unit budget.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

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

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

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

*Jim Konish
Alyssa Brown
Jim Troiano*

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

[170640.](#)

Federal Agenda (B)

This is a request for the City Commission to approve the Federal Agenda

Carrie Bush, Harry Glenn and Greg Burns made presentations

RECOMMENDATION

The Commission: 1) approve the federal agenda; 2) allow the federal lobbyists, General Government's Intergovernmental Affairs Coordinator and GRU's Government Relations Liaison to advocate for items approved on the agenda.

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

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

[170645.](#)

Clerk of the Commission Employment Agreement (B)

This is a request for the City Commission to approve the Clerk of the Commission Employment Agreement.

Eugenia Allen made a presentation.

RECOMMENDATION

The City Commission approve the employment agreement of Omichele Gainey and authorize the Mayor to negotiate and execute amendments to the Charter Officer employment agreements to apply a consistent carryover cap of 560 hours of accrued PTO for all of the Charter Officers moving forward, if such amendments are agreeable to by the affected Charter Officers.

A motion was made by Commissioner Arreola, seconded by Mayor-Commissioner Pro Tem Budd, that this Matter be Approved as Recommended. The motion carried by the following vote:

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

[170667.](#)

Equal Opportunity Director Executive Search (B)

This is a request for the City Commission to initiate a search for an Equal Opportunity Director.

Eugenia Allen made a presentation.

RECOMMENDATION

The City Commission: 1) approve the Equal Opportunity Director job description; 2) authorize the Human Resources Department to engage the services of an Executive Search Firm to initiate the search; and 3) discuss the appointment of an Interim Equal Opportunity Director and take action as appropriate

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

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

[170603.](#)

Utility Advisory Board Terms and Qualifications (B)

RECOMMENDATION

The UAB recommends:

1) that Member David Denslow be moved to one of the two at-large positions that have an initial two-year term to solve the issue of having two at-large positions expire at the same time. Member Campbell indicated that she is willing to leave the board at the end her current term in March 2018. Member Orlando volunteered to switch her two year term to a four year term since Dr. Denslow is willing to leave the board in March;

2) that the existing criteria for the categories of membership remain the same for the present time until the board can study the issue further in one of their standing workshops. They do want to clarify that the intent of the qualification for a large business means someone who has corporate signing authority and not just any employee of a large business;

3) that per state statute, board members not be required to file financial disclosure forms or conflict of interest forms, unless the board transitions into a decision making board.

Discussed

170712. Conflict of Interest and Financial Disclosure Form

RECOMMENDATION Refer to Committee

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

170500. Undergrounding Analysis - SE 4th Street Reconstruction (Williston Road to Depot Avenue) (B)

This item is a request for the City Commission to hear a presentation from staff regarding converting the overhead utilities to underground for the SE 4th Street Reconstruction (Williston Road to Depot Avenue) Project.

Dan Hoffman, Stefan Broadus and Jim Matthews made presentations.

Motion: Underground the entire corridor.

Warren Nielsen, Evelyn Foxx and Bob Karp spoke to the matter.

RECOMMENDATION The City Commission: 1) hear the presentation from staff regarding the cost to underground the utilities within limits of the SE 4th Street Reconstruction project (Williston Road to Depot Avenue); and 2) direct staff how to proceed on this subject.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Warren, that this Matter be Approved, as shown above. The

motion carried by the following vote:

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

[170677.](#)

Approvals by City as property owner and developer of Heartwood Community (B)

Lisa Bennett and Sarah Vidal-Finn made presentations.

RECOMMENDATION

City Manager to City Commission: 1) Authorize the City Manager to execute the Heartwood Subdivision plat on behalf of the City of Gainesville, as owner of the property, and to record the plat in the Public Records of Alachua County, Florida, after receiving final plat approval; 2) authorize the persons listed in the Articles of Incorporation to serve as the Board of Directors and the Officers of the Heartwood Homeowners' Association, Inc., subject to the guidelines established by the City Commission; 3) authorize the Mayor to execute the Articles of Incorporation of the Heartwood Community Homeowners' Association, Inc. 4) authorize the City Attorney to file the Articles of Incorporation with the Secretary of State; 5) Authorize the Mayor to execute the Declaration of Covenants, Conditions and Restrictions for Heartwood Community; 6) Authorize the City Manager to record the Declaration of Covenants, Conditions and Restrictions in the Public Records of Alachua County; and 7) direct CRA staff to bring an item to the City Commission to establish guidelines and a budget for CRA staff to act within as the Board of Directors and Officers of the HOA.

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

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

[170687.](#)

**Commissioner Harvey Budd - Removing of Name from RTS Building (NB)
This item involves a request for the City Commission to remove and replace Corrine Brown's name from the RTS building.**

Motion: 1) form a Committee; and 2) wait until final adjudication before making a decision.

Evelyn Foxx spoke to the matter.

RECOMMENDATION

The City Commission discuss and take action deemed appropriate.

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

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

[170716.](#)

Replacement of RTS Sign - Rev. T.A. Wright

RECOMMENDATION *Refer to Committee*

A motion was made by Mayor-Commissioner Pro Tem Budd, seconded by Commissioner Warren, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

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 - 3:31 PM

RECONVENE - 5:32 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[170680](#)

Certificate of Completion (B)

RECOMMENDATION *The City Commission recognize Commissioner David Arreola for completion of the 2017 Institute for Elected Municipal Officials.*

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

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

160633. QUASI-JUDICIAL " FINAL PLAT " HEARTWOOD SUBDIVISION (B)

Resolution No. 160633

A resolution of the City of Gainesville, Florida, approving the final plat named "Heartwood Subdivision" located in the vicinity of 1717 SE 8th Avenue, Gainesville, Florida, as more specifically described in this resolution; providing directions to the Clerk of the Commission and accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; and providing an immediate effective date.

Lawrence Calderon made a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Commissioner Goston, seconded by Mayor-Commissioner Pro Tem Budd, that this Matter be Adopted (Resolution). The motion carried by the following vote:

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

170591. AMENDMENT TO THE CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS RETIREMENT PLAN TO PROVIDE A SUPPLEMENTAL RETIREMENT PROGRAM FOR FIREFIGHTERS (B)

ORDINANCE NO. 170591

An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; adding Section 2-609 to provide a supplemental retirement program for firefighters; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Steve Varvel made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

[170673.](#)

REVISIONS TO APPENDIX A - SCHEDULE OF FEES, RATES, AND CHARGES FOR UTILITIES; ELECTRICITY (B)

Ordinance No. 170673

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to Utilities; amending Appendix A, Schedule of Fees, Rates and Charges, to revise fees, rates and charges for electricity; 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 Commissioner Arreola, seconded by Commissioner Goston, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[160876.](#)

CHARTER LAW AMENDMENTS TO MOVE CITY ELECTIONS TO THE FALL OF EVEN-NUMBERED YEARS COINCIDING WITH STATEWIDE ELECTIONS, AND TO TRANSITION TO 4-YEAR CITY COMMISSION TERMS (B)

Ordinance No. 160876

An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville; amending Article II of the Charter Laws, entitled "City Commission", by requiring regular municipal elections to be held every other year in even-numbered years coinciding with statewide elections rather than every year, by changing the terms of office of the Mayor and City Commissioners from 3-year terms to 4-year terms, by providing transitional terms of office at specified lengths to achieve the changes; by specifying the commencement date of

terms of office; providing for submission of the charter amendment to the voters for approval or disapproval at the November 6, 2018 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; 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 Ward, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

170580.

An ordinance related to economic development that repeals the existing Gainesville Enterprise Zone Development Agency and repeals the Retained, Expanded, or Attracted Load Service Rider and creates a new Gainesville Enterprise Zone Area and Enterprise Zone Program (B)

Ordinance No. 170580

An Ordinance of the City of Gainesville, Florida, related to Economic Development; repealing the existing Chapter 2, Article V, Division 4 titled "Gainesville Enterprise Zone Development Agency"; amending Section 27-21 by repealing the definition of "Retained, expanded or attracted load service rider"; amending Appendix A - Schedule of Fees, Rates and Charges by repealing UTILITIES, (1) Electricity, subsection k. titled "Retained, Expanded or Attracted Load Service Rider"; by creating a new Chapter 3 titled "Economic Development" to include a new Article I. Enterprise Zone with new Sec. 3-1. Gainesville Enterprise Zone Area and Sec. 3-2. Enterprise Zone Programs, including the Manufacturing Retention/Expansion Incentive Program for Electric Service; providing directions to the codifier, providing a severability clause, providing a repealing clause, and providing an immediate effective date.

RECOMMENDATION

The City Commission: 1) determine whether to fund the program immediately from FY '17 Fund Balance or reallocation of other Economic Development project funds, or whether to delay implementation of the program until consideration of the FY '19 budget; and 2) if a decision is made to fund the program immediately, adopt the proposed ordinance.

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

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

PLANNING PETITIONS

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

Lawrence Calderon - Soccer State Cup

COMMISSION COMMENT

Commissioner Budd: 1) Jurisdiction line for the City and County by I-75 - Panhandlers and Littering; and 2) Sunshine Laws.

Commissioner Hayes-Santos: Charter Review Commission.

Commissioner Ward: 1) Cub Scouts (working for the government); 2) Update on GRACE project; 3) Update on Richard Spencer; and 4) National gathering for Tom Petty on 3/2/18.

Commissioner Goston: 1) EEO and Human Resources (how many people have not been allowed to interview for positions that were qualified); and 2) Email from FEMA regarding the sale of trailers.

Mayor Poe - New Year's Eve event.

170717. Charter Review Commission

RECOMMENDATION Refer to Committee

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

ADJOURNMENT - 6:25 PM

