

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

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)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352)334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

1:00pm - CALL TO ORDER - Afternoon Session**AGENDA STATEMENT**

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited."

ROLL CALL**INVOCATION****Rev. J. Fletcher Montgomery**

Rector of Holy Trinity Episcopal Church

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

[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.

[170683 Minutes 20180104.pdf](#)

[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.

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

Legislative History

12/7/17 City Commission Continued

[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.

[170669_JenniferMeiselman_20180104.pdf](#)

[170642.](#)**Renewal of Memorandum of Agreement with Northeast Florida Utility Coordination Group (B)**

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

Explanation: Over the last 10 years, GRU has been coordinating with other utilities in the North Florida area on water supply issues in a group known as the Northeast Florida Utility Coordination Group (NFUCG). The NFUCG includes GRU, JEA, Clay County Utility Authority, St. Johns County, City of Atlantic Beach, City of Jacksonville Beach, City of Neptune Beach, and Town of Orange Park. The group has been working collaboratively to evaluate the long-term sustainability of regional groundwater resources to meet public water supply needs and protect natural systems, and participates in the St. Johns River Water Management District (SJRWMD) and Suwannee River Water Management District (SRWMD) water supply planning processes. Participation in the group allows members to cost-share on engineering consulting and legal support services related to water supply issues and to minimize or avoid conflicts between members through collaboration.

The group has been operating under an existing 3-year memorandum of agreement, which recently expired. Staff seeks authorization for GRU to enter into a new agreement that continues this relationship. Under the agreement, GRU will pay 13.35% of the combined cost for the group's efforts for a maximum of \$66,752 per year for a maximum total of \$200,256 over the 3-year term of the agreement.

Fiscal Note: Annual costs for participating in NFUCG are included in the approved FY2018-2023 GRU operations and maintenance budget.

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.

[170642 NFUCG 2014 MOA GRU Expired 20170104](#)

[170642 NFUCG MOA 2018-2020 FINAL 20170104](#)

[170652.](#)**GRU Operational Update for November 2017 (B)****RECOMMENDATION**

Receive a report.

[170652 Operational Updates Nov 2017 - All Depts. 20171214](#)

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

Explanation: During the discussion of GRU governance at the November 28, 2017

joint meeting of the UAB and the City Commission, the two bodies discussed the idea of creating a UAB sub-committee to further study the issue. The sub-committee would be composed of two City Commissioners and two UAB members. The Commission proposed having Commissioners Ward and Budd sit on the sub-committee and the UAB proposed Members Selvester and Alford to represent the UAB. Because the meeting was a workshop, the bodies could not take formal action, so they directed staff to bring the item back to the regular meetings for a vote.

The UAB discussed this at their December 14, 2017, regular meeting and voted unanimously to form the sub-committee composed of two UAB members and two city Commissioners

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.*

[170675.](#)

Request to Schedule a Workshop for Presentation of Results of GRU's Cost of Service Study (NB)

MODIFICATION - CHANGED TEXT FILE LANGUAGE

Explanation: Willdan Financial Services recently completed a draft cost of service study for Gainesville Regional Utilities. Staff requests that the City Commission hear the findings and recommendations from the study at a workshop rather than a regular meeting to allow adequate time for the presentation and any questions that may arise. Scheduling for the presentation is tentatively planned for late February. Recommendations from the study will be incorporated into staff's proposed rates for FY2019 as directed by the City Commission, and will be presented during budget hearings in summer 2018.

Fiscal Note: The presentation of findings and results from the cost of service study to the City Commission were included in the project scope originally agreed to between GRU and Willdan Financial Services. The contract for services commenced on September 12, 2017 and the total cost of the project was approved at \$99,380.

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.*

[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.

Explanation: In the course of FY 18 budget planning, the City Commission provided direction to staff aimed at increasing the Living Wage for all employees, from \$12.25 per hour to \$12.75 per hour.

State law requires that certain changes to terms and conditions of employment for represented employee groups be bargained, one of which is wages. The ATU and the City have an agreement that is effective through September 30, 2018. Accordingly, the change to the Living Wage required mutual consent to renegotiate terms of the Agreement. The ATU agreed to negotiate the Living Wage modification and changes to Discharge & Discipline, the result of which is amendments to Article 10 - Discharge & Discipline and Article 31 - Wages.

The amendments to the Agreement between the ATU and the City were ratified December 7, 2017 by the ATU. The amendments will be effective for the remainder of the term of the Agreement, through September 30, 2018.

Fiscal Note: The cost impact of the Living Wage adjustments for ATU employees is estimated to be approximately \$6,300 for nine months and was included in FY 18 budgeted payroll. The full year impact of just under \$8,400 will be included in the FY 19 budget.

RECOMMENDATION

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

[170585_ATU Article 10 and Article 31 Amendments \(1-4-18\).pdf](#)

[170585_ATU Living Wage - Consensus Proposal Pay Plan Exhibit \(1-4-18\) Strik](#)

[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.

Explanation: In the course of FY 18 budget planning, the City Commission provided

direction to staff aimed at increasing the Living Wage for all employees, from \$12.25 per hour to \$12.75 per hour.

State law requires that certain changes to terms and conditions of employment for represented employee groups be bargained, one of which is wages. The CWA and the City have an agreement that is effective through December 31, 2018. Accordingly, the change to the Living Wage required mutual consent to renegotiate terms of the Agreement. The CWA agreed to negotiate the Living Wage modification, the result of which is an amendment to Article 34 - Wages.

The amendments to the Agreement between the CWA and the City were ratified December 19, 2017 by the CWA Non-Supervisory Unit. The amendments will be effective for the remainder of the term of the Agreement, through December 31, 2018.

Fiscal Note: The cost impact of the Living Wage adjustments for CWA employees is estimated to be approximately \$35,000 for nine months and was included in FY 18 budgeted payroll. The full year impact of approximately \$46,000 will be included in FY 19 budgets.

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

[170586_CWA Non-Supv Living Wage Amendment_20180104.pdf](#)

[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.

MODIFICATION - CHANGED TEXT FILE LANGUAGE

Explanation: On July 8, 1996, the City Commission approved the Inter-Agency Agreement for a Joint Aviation Unit between the Alachua County Sheriff's Office (ACSO) and the City Of Gainesville's Police Department. The agreement allows for each agency to share the cost of the Aviation hangar, fuel and office located at the Gainesville Regional Airport. Also included are funds for a main rotor hub inspection which is required by maintenance schedules and the Federal Aviation Administration (FAA).

Fiscal Note: Total estimated operating costs for FY18 are \$89,165 which includes hangar rental, fuel, training and supplies. Funding is allowed per Federal Law Enforcement Contraband Forfeiture Trust fund and as of 12/15/17 the balance is \$616,799.

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.

ADOPTION OF REGULAR AGENDA

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

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

Explanation: Annually, the City Commission adopts the federal agenda which is a compilation of the City's priority issues for the upcoming legislative session and provides Congressional delegation members with comprehensive information to focus their efforts on specific legislative priorities and initiatives related to the City.

On July 6, 2017, Van Scoyoc Associates was approved as the City's federal lobbyist and on October 3rd we held a Federal Workshop with the City Commission to develop the federal agenda.

In accordance with the adopted Strategic Framework, the City has four main areas of focus for the federal agenda : 1) Support a Strong Economy through catalyzing job diversity, entrepreneurship and small business vitality; 2) Foster Greater Equity by strengthening neighborhoods, provide equitable services, and support access to housing; 3) Plan For A Better Future by promoting opportunities for youth, families, and seniors and preserve our resources; and 4) Become A Community Model by leveraging partnerships and innovation to transform our city.

Congressional members and their staff are working with our State and Federal Lobbyists and Intergovernmental Affairs Coordinator to produce precise language that, if adopted, will provide legislative advocacy and potential discretionary funding for city projects.

Fiscal Note: None

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.

[170640_2018 Federal Agenda_20180104.pdf](#)

[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.

MODIFICATION - REVISED BACK-UP

Explanation: The City Commission appointed Sharon Williams as the Interim Clerk of the Commission during the November 2, 2017 City Commission meeting. In order to hire a new Clerk of the Commission, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate a search to fill the vacant position. Springsted Waters conducted a search and presented candidates for consideration. The City Commission selected finalists during the November 16, 2017 City Commission meeting. They were Omichele Gainey, Stephanie Seawright, Virginia Smith, and Robert Woods. Candidate interviews were conducted by the City Commission on December 5th and 6th.

The City Commission selected a Clerk of the Commission and authorized the Mayor to negotiate a contract with Omichele Gainey on December 7th.

During the course of negotiating the Clerk of the Commission employment agreement, the Mayor's discussion revealed that several existing employment agreements have a carryover cap of 372 hours of accrued PTO while another has a carryover cap of 560. It is requested that the City Commission 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.

Fiscal Note: Salary of \$93,000 is included in the FY 18 budget.

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.

[170645_Clerk of the Commission Employment Agreement \(1-4-2018\).pdf](#)

[170645 MOD Clerk of the Commission Employment Agreement 20180118.pdf](#)

[170667.](#)**Equal Opportunity Director Executive Search (B)**

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

MODIFICATION - ADDED BACK-UP

Explanation: Torey Alston, Equal Opportunity Director, will resign from his employment with the City of Gainesville effective February 2018. In order to hire a new Equal Opportunity Director, it is necessary to initiate a search to find suitable candidates to fill this position.

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

[170667-MOD_EO Director Executive Search_20180104.pdf](#)

[170603.](#)**Utility Advisory Board Terms and Qualifications (B)**

MODIFICATION - REMOVE ITEM

Explanation: At their December 7, 2017, regular meeting, the Commission discussed the terms of the Utility Advisory Board members and debated how to fill the current and upcoming vacancies (three in all). They thought it would be prudent to seek the Board's advise on how to handle filling the seats, as well as have the Board look at the existing qualifications defined in Ordinance #140384 and to make a recommendation on establishing a procedure for assessing disclosure of conflict of interest and financial disclosure.

After the discussion, the Commission voted unanimously to advertise the current vacancy and the two upcoming vacancies at the same time, refer to the UAB discussion and recommendation back to the commission for the different classifications for members of the UAB, as well as a suggestion on how to assess conflict of interest and financial disclosure.

The UAB discussed this item at their December, 14, 2017, regular meeting.

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.

Legislative History

12/7/17 City Commission Approved, as shown above

[170603 UAB Terms - Customer Class Represented 20171207](#)

[170603 Transcription of Item from CCom Mtg 20171214](#)

[170603 UAB Qualifications per Ordinance 20171214](#)

[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.

MODIFICATION - BACK-UP FORTHCOMING

Explanation: On November 16, 2017 staff presented the bid results for the SE 4th Street Reconstruction project to the City Commission for approval. The City Commission requested that staff return with a financial analysis of the cost to convert the overhead utilities to underground within the project limits and to identify potential funding sources.

Fiscal Note: Construction of this project is being funded through \$3,810,328.88 from 356-M170 Local Option Gas Tax fund and \$1,300,000 from the Stormwater Management Utility for a total of \$5,110,328.88.

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.

Legislative History

11/16/17 City Commission Approved as Recommended

12/7/17 City Commission Continued

[170500A Bid Award Check of Minimum Requirements 20171102.pdf](#)

[170500B Bid Award Recommendation 20171102.pdf](#)

[170500C Bid Tab 20171102.pdf](#)

[170500 SE 4th St Electrical Relocation Costs Pres. 20180104](#)

[170677.](#)

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

Explanation: The City of Gainesville owns property that is commonly referred to as Heartwood. The City is redeveloping the 15.1 acre property as a deed restricted subdivision with 34 lots for single family detached homes. The purpose of this agenda item is to request the City Commission, acting in its proprietary capacity as the property owner/developer, approve certain actions necessary to create the Heartwood Community. If this agenda item is approved, there is an item on this evening's agenda to request the City Commission, acting in its regulatory capacity, approve the Final Plat of the Heartwood Subdivision.

As owner/developer, there are several legal documents that must be approved and filed prior to the City commencing construction on the property or selling lots. The documents include:

- * Heartwood Subdivision - Final Plat*
- * Declaration of Covenants, Conditions and Restrictions for Heartwood Community*
- * Articles of Incorporation and Bylaws of Heartwood Community Homeowners' Association, Inc.*

Final Plat

State law and the City's Land Development Regulations require that a subdivision be platted prior to commencement of construction or sale of lots. The Final Plat for Heartwood Subdivision establishes 34 lots, setback lines within the lots, conservation easements, drainage easements, public roads, private roads, alleys, utility easements and common areas. Because the City owns the property, the City must

authorize the City Manager on behalf of the City to execute the plat and record the plat upon final approval by the City Commission, acting in its regulatory capacity.

Declaration of Covenants, Conditions and Restrictions for Heartwood Community

The Declaration of Covenants, Conditions and Restrictions ("Declaration") describes membership and voting rights in the homeowners' association, assessments on individual lots, and the duties of the homeowners' association to maintain the common areas. It also establishes architectural controls which are included in Article VI and in the Heartwood Design Guidelines, attached as Exhibit D. In addition, use restrictions are described in Article VII of the Declaration. Article VIII describes the easements listed on the plat.

Article XII explains that upon the sale of 90% of the lots within the subdivision, the City will be required to "turn over" control of the homeowners' association to the lot owners. Until that time, however, the City remains responsible for carrying out the terms of the declaration, including payment of homeowners association expenses during the "guaranty period," and appointing the board of directors of the homeowners' association. In addition, the City will pay ad valorem taxes assessed on any lots that it owns.

After "turnover", the City's financial obligations will be limited to payment of homeowner assessments and ad valorem taxes assessed for each lot owned by the City.

Articles of Incorporation and Bylaws of Heartwood Community Homeowners' Association, Inc.

The City's subdivision regulations require that if there are platted common areas, a homeowners' association must be created to maintain the common areas. In addition in a deed restricted community, the homeowners' association enforces restrictions, collects assessments and serves other functions described in the Declaration.

The Articles of Incorporation for the Heartwood Community Homeowners' Association, Inc., a Florida non-profit corporation ("HOA") must be filed with the Florida Department of State, Division of Corporations, in order to create a legal entity to serve as the association and appoint the initial Board of Directors and Officers of the HOA.

The Board members and Officers must be natural persons, not legal entities. The Articles of Incorporation have been drafted to appoint certain CRA staff members to serve as the initial HOA Board and Officers. Prior to the CRA staff commencing operation as the Board, the CRA staff will bring a separate item to the City Commission to establish guidelines for the CRA staff serving on the HOA Board. The CRA staff will also bring to the City Commission for approval a proposed budget to

operate the HOA.

The bylaws describe the day-to-day operations of the HOA, its Members, Board of Directors and Officers. Until turnover, the meetings and the records of the HOA (because it is controlled by a municipal corporation, subject to Florida's Government in the Sunshine Laws) will be open to the public. Additionally, until turnover, there are restrictions on the HOA as to borrowing money.

Fiscal Note: Until "turnover," the City will have financial responsibility for homeowners' association expenses currently estimated to be \$13,600 per year, which will be reduced as lots are sold and the new lot owners begin to pay HOA assessments. In addition, the City will be responsible for ad valorem taxes assessed on lots owned by the City.

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.

[170677A_Final Plat_20180104.pdf](#)

[170677B_Declaration_20180104.pdf](#)

[170677C_Articles of Incorporation_20180104.pdf](#)

[170677D_By Laws_20180104.pdf](#)

[170677E_Design Guidelines_20180104.pdf](#)

[170687.](#)

Commissioner Harvey Budd - Removing of Name from RTS Building (NB)

RECOMMENDATION

The City Commission discuss and take action deemed appropriate.

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.

4:30 - 5:30pm Dinner Break

5:30 - Call to order Evening Session

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.

[170680_Letter of Completion_20180104.pdf](#)

[170680_C-Arreola Certificate_20180104.pdf](#)

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

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.

Explanation: The platting of land, which is governed by Chapter 177, Florida Statutes, and the City of Gainesville Land Development Code (LDC), serves to establish the legal identity of all lands included on the plat to provide for conveyance (i.e., the sale of land) by reference to such plat. Platting also ensures that adequate and necessary physical improvements will be installed in subdivisions by the subdividers. Sections 30-3.38 and 30-6.6 of the LDC describe the subdivision improvements that the subdivider must construct for plat approval. The subdivider may choose to provide security (i.e., surety bond, letter of credit, cash deposit, or construction loan agreement) to ensure that the improvements get constructed within 12 months of plat approval, and in such case the subdivider may record the plat and sell lots therein immediately upon City Commission approval. In the alternative, the subdivider may choose to request a "conditional" final plat approval, whereby in lieu of security the subdivider has two years to construct the subdivision improvements but may not record the plat until city staff and the City Commission has certified that the improvements have been constructed to city specifications.

In this case, the City (through the CRA) is the subdivider of the Heartwood Subdivision and has submitted a cash deposit with the City's Director of Finance to secure the construction of the required subdivision improvements. Therefore, this resolution will approve a final plat for Heartwood Subdivision, which consists of 15.08 acres located at 1717 SE 8th Avenue that will be subdivided into 34 single-family residential lots plus additional area for stormwater management, utilities, and common area.

On November 22, 2016, the City's Development Review Board approved the design plat (a preliminary and temporary development order that is a prerequisite of either a final plat or conditional final plat) for this Heartwood Subdivision, and on January 19, 2017, the City Commission approved the design plat. City staff has reviewed the final plat and found that it complies with the required standards and is consistent with the approved design plat.

RECOMMENDATION

The City Commission adopt the proposed resolution.

Legislative History

1/19/17 City Commission Approved (Petition)

[160633A Staff Report and Attachments Heartwood Subdivision 20170119](#)

[160633B 161122 DRB Minutes 20170119](#)

[160633C Staff ppt 20170119](#)

[160633B Staff ppt 20180104.pdf](#)

[160633A draft resolution 20180104.pdf](#)

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.

Explanation: The City Commission, at its meeting of December 7, 2017, authorized the preparation and advertisement of this Ordinance. The Ordinance amends the Consolidated Police Officers and Firefighters Retirement Plan ("Plan") in accord with the collective bargaining process between the City, Professional Firefighters of Gainesville Local No. 2157 of the International Association of Firefighters ("IAFF"), and Fire District Chiefs of the International Association of Firefighters Local No. 2157 ("IAFF-DC"). The changes negotiated with the IAFF and IAFF-DC bargaining units include the establishment of a supplemental retirement program for firefighters. The collective bargaining agreements that include these changes are expected to be ratified by vote of the members of the IAFF and IAFF-DC bargaining units by January 5, 2018. Thus Second Reading and final adoption of this Ordinance is contingent upon this January 5, 2018 ratification. The collective bargaining agreements will be presented to the City Commission for ratification at the same meeting as the Second Reading of this Ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

12/7/17 City Commission Approved as Recommended

[170591 Draft Share Plan Ordinance for Firefighters 20180104.pdf](#)

[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.

Explanation: GRU BUDGET AND FINANCE DEPARTMENT MEMORANDUM

On November 7, 2017, the City of Gainesville d/b/a Gainesville Regional Utilities (GRU) acquired the Gainesville Renewable Energy Center biomass power plant (GREC). The purchase of all GREC assets included termination of the Power Purchase Agreement (PPA) between GRU and GREC, LLC. The plant name was subsequently changed to Deerhaven Renewable Generating Station (DHR). With the acquisition of DHR and the termination of the PPA, GRU's fuel cost was reduced significantly, but there is a lesser offsetting increased revenue requirement associated with debt service and operation of DHR. This ordinance increases base rates necessary to recover these increased revenue requirements.

At the special City Commission meeting held on December 19, 2017 the Commission approved the changes to electric base rates set forth in this ordinance. This ordinance is necessary to implement the changes to the fees, rates and charges which shall be applied to all monthly bills which are for the first time rendered and postmarked after 12:01 AM, February 1, 2018.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings. The first reading is scheduled for January 4, 2018. The second reading is scheduled for January 18, 2018. The new and amended fees, rates, and charges shall be applied to all monthly bills which are for the first time rendered and postmarked after 12:01 AM, February 1, 2018.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[170673 GRU Rate Ordinance 20180104](#)

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.

Explanation: At the regular City Commission meeting of July 20, 2017 the Commission asked the City Attorney to prepare for further discussion a proposed charter amendment that would include 1) moving City elections to the fall of even-numbered years with the City's regular election being held at the time of the statewide primary election and a run-off to be held, if necessary, at the time of the statewide general election in November; 2) changing the terms from 3 years to 4 years and maintaining a two consecutive term limit; and 3) developing a transition plan for the terms if the charter amendment were to pass. On August 17, 2017, the City Attorney's Office provided a presentation regarding the potential elections-related changes, various transition schedules, and analyses of similar proposals made at the statewide level. On October 5, 2017, the City Commission provided further policy direction concerning the proposed charter amendments, specifically the plan to transition the terms of office for the Mayor and City Commissioner seats and establishing that the 4-year terms of office would commence with the first regular City Commission meeting of the calendar year following each election. These amendments are proposed with the intent of encouraging greater voter participation, and effecting cost savings for the City by coinciding City elections with statewide elections, thus eliminating stand-alone regular and run-off City elections and reducing the number of regular and run-off City elections by one-half.

Per Section 5.01 of the City Charter, a charter amendment may be proposed by an ordinance adopted by a four-fifths vote of the City Commission (i.e., approved by 6 of the 7 Commissioners).

If this ordinance is so approved by the City Commission, the proposed charter amendment will be placed on the ballot of the November 6, 2018 statewide general election. Pursuant to State law, the amendment must be clearly stated in a ballot question. By law, the number of words for the ballot question cannot exceed 75. The ballot question is stated in Section 2 of this ordinance. The Charter Amendment will not be effective unless approved by affirmative vote of a majority of the votes cast by the electors of the City of Gainesville at the November 6, 2018 election.

This ordinance requires two readings.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

3/16/17	City Commission	Referred to the General Policy Committee
6/8/17	General Policy Committee	Approved, as shown above
7/20/17	City Commission	Approved, as shown above
8/17/17	City Commission	Approved, as shown above
10/5/17	City Commission	Approved, as shown above
12/7/17	City Commission	Adopted on First Reading (Ordinance)

[160876 Memo to CCOM re Elector Qualifications_20170608.pdf](#)

[160876 Election Date Changes Proposal_20170720.pdf](#)

[160876 - Proposed Charter Amendments.pdf](#)

[160876 - Proposed Charter Amendments Draft Ordinance.pdf](#)

[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.

Explanation: The City was approached by Double Envelope about their existing commercial utility rates with Gainesville Regional Utilities (GRU). Double Envelope has stated that the high utility rates are forcing them to consider relocating their manufacturing plant located on 39th Avenue to outside of the GRU service territory.

At its meeting on June 22, 2017, the General Policy Committee discussed the issues raised by Double Envelope and directed staff to put together a potential "toolkit" that might assist Double Envelope.

Staff presented alternatives to the General Policy Committee, at its meetings on August 24, 2017 and September 28, 2017, including proposed changes to the existing Retained Expanded or Attracted Load Service rate program currently in the Code of Ordinances. At its meeting on November 2, 2017, the City Commission directed the City Attorney's office to draft an ordinance creating a new economic development incentive program for manufacturing businesses within the new Enterprise Zone Area.

Fiscal Note: The fiscal impact of the proposed incentive program is estimated to be \$180,000 - \$250,000 annually, depending on how many eligible businesses apply. There is no funding source for the program in the City's current budget. The City Commission will need to determine whether it desires to fund the program immediately from FY '17 Fund Balance or reallocation of other Economic Development project funds, or whether it desires to delay implementation until consideration of the FY '19 budget.

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.

Legislative History

12/7/17 City Commission Adopted on First Reading (Ordinance) and Approved the Recommendation

[170580_draft ordinance_20171116.pdf](#)

PLANNING PETITIONS

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

COMMISSION COMMENT

10:00pm or earlier - Adjourn - If later than 10:00pm, the Commission may waive the rules to extend the meeting or may schedule a date/time to continue the meeting