

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

September 10, 2015

6:00 PM

City Commission Special Meeting

City Hall Auditorium

City Commission

Mayor Ed Braddy (At Large)
Commissioner Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Todd Chase (District 2)
Mayor-Commissioner Pro Tem Craig Carter (District 3)
Commissioner Randy Wells (District 4)

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

ADOPTION OF THE AGENDA**ROLL CALL - 6:02 PM****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.

BUDGET**ORDINANCES, 1ST READING - ROLL CALL REQUIRED**

[150246.](#)

APPENDIX A - SCHEDULE OF FEES, RATES, AND CHARGES FOR UTILITIES; ELECTRICITY, WATER, SEWERAGE, NATURAL GAS, STORMWATER MANAGEMENT AND UTILITIES IN GENERAL, AND RELATED REVISIONS TO CHAPTER 27 (B)

Ordinance No. 150246

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to utilities; amending section 27-31 relating to public streetlight and rental outdoor light services; amending section 27-124 relating to water system plan review service fees; amending section 27-128 relating to the surcharge that applies to water connection charges; amending section 27-129 relating to water connection charges; amending section 27-169 relating to the surcharge that applies to wastewater collection connection charges; amending section 27-171 relating to wastewater connection charges; amending section 27-172 relating to wastewater system plan review service fees; amending Appendix A, Schedule of Fees, Rates and Charges, to revise fees, rates, and charges for electricity, water, sewerage, natural gas, stormwater management and utilities in general; 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

In the proposed budget for the combined utilities system, the General Manager for Utilities made recommendations to revise electric, water, wastewater and natural gas fees, rates and charges as required to meet system revenue requirements for Fiscal Year 2016. This ordinance is necessary to implement the changes to the fees, rates and charges effective October 1, 2015. Additionally, changes are included in the proposed ordinance to amend provisions of Chapter 27 to reflect those corresponding changes in the code, to revise water and wastewater connection criteria, and to reimpose a 25% surcharge on water and wastewater connection outside city limits as directed by the City Commission on May 7, 2015.

CITY ATTORNEY MEMORANDUM

During the budget process in July 2015, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance revising the fees, rates and charges as required to meet system revenue requirements for Fiscal Year 2016.

This ordinance requires two readings. The first reading is scheduled for September 10, 2015. The second reading is scheduled for September 17, 2015. 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, October 1, 2015.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[150246 draft ordinance 20150910.pdf](#)

[150246 PowerPoint Presentation 20150910.pdf](#)

[150246 Ordinance 20150917.pdf](#)

PUBLIC HEARING

[150275.](#)

TENTATIVE GAINESVILLE REGIONAL UTILITIES BUDGET - FISCAL YEAR 2015-2016 (B)

RESOLUTION NO. 150275

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE TENTATIVE BUDGET FOR THE CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROJECTING REVENUES AND ADOPTING A TENTATIVE BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE

REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The proposed resolution adopts a tentative budget for the City of Gainesville d/b/a Gainesville Regional Utilities for the fiscal year beginning October 1, 2015 and ending September 30, 2016, to pay for personal services expenses, operating and maintenance expenses and other expenses, for capital outlay and for debt service requirements. The proposed resolution is submitted for adoption by the City Commission.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

[150275 Tentative GRU Budget 20150910.pdf](#)

[150275 tentative budget resolution 20150910.pdf](#)

[150218.](#)

FIRE ASSESSMENT - ANNUAL RATE RESOLUTION (B)

A resolution of the City of Gainesville, Florida, relating to the provision of fire services, facilities and programs in the City of Gainesville, Florida; imposing Fire Services Special Assessments against assessed properties located within the City for the fiscal year that begins October 1, 2015; providing for exemptions; approving the assessment roll; providing for the estimated fire services assessed cost; approving the rate of assessment; providing for severability; and providing an immediate effective date.

Explanation: On July 21, 2015 the City Commission adopted Resolution 150069 (the "Preliminary Rate Resolution") which set the proposed fire services assessment rate and provided for notice by mail and publication of the proposed rate and public hearing to set the final rate. In adopting the Annual Rate Resolution, the Commission will have to determine the Fire Services Special Assessment rate for the fiscal year beginning October 1, 2015.

RECOMMENDATION *The City Commission: 1) receive any written objections filed; 2) hear testimony from all interested persons; 3) approve the assessment roll; 4) establish the annual rate for the Fire Services Special Assessment; and 5) adopt the proposed Annual Assessment Resolution.*

[150218 Fire Assessment Annual Rate Resolution 20150910.pdf](#)

[150218 PowerPoint Presentation 20150910.pdf](#)

[150218 Fire Services Resolution 20150910.pdf](#)

[150218 Certificate 20150910.pdf](#)

RESOLUTION

[150196.](#)

RESOLUTION CREATING THE FIRE SERVICES SPECIAL ASSESSMENT PAYMENT PROGRAM FOR RELIGIOUS AND CHARITABLE ORGANIZATIONS (B)

Resolution No. 150196

A Resolution of the City of Gainesville, Florida, creating a program to pay the annual Fire Services Special Assessment on certain properties owned and used by religious and charitable organizations; providing for program guidelines and procedures; providing for findings and remedies; and providing an effective date.

Explanation: At the July 27, 2015 Special City Commission meeting, the Commission re-visited its prior discussions on the subject of exempting churches and non-profits from the annual fire services special assessment and directed the City Manager to place a discussion item regarding this topic on the August 6, 2015 Commission agenda. On August 6, 2015, the City Commission discussed the issue and directed staff to pay the fire services special assessment on behalf of churches and non-profits with undesignated reserves for FY16 and for FY17 and forward to amend the ordinance to exempt churches and non-profits from the fire services special assessment.

To carry out the intent of this direction, Staff has prepared a resolution that, effective October 1, 2015, creates the FSSA Payment Program whereby the City will, each year, budget and appropriate from lawfully available non-Fire Services Special Assessment funds an amount necessary to pay the Fire Services Special Assessment for certain properties owned and used by religious and charitable organizations. The Resolution provides the Program guidelines and procedures, which includes relying on the annual determination by the Property Appraiser of religious and charitable use of property and removing those properties from the assessment roll for purposes of billing. The Resolution expresses the Commission's findings including an express recognition that the properties are not exempt from the Fire Services Special Assessment; but rather the City Commission has made the policy decision to pay the Fire Services Special Assessment assessed on those properties in recognition of the public benefit and services that are provided on these properties. The Resolution also provides for a remedy in the event the Resolution or Program is challenged in a court of law, the City may repeal the Resolution, render the legal challenge moot and bill the properties for any Fire Services Special Assessment that is then due and owing. The Resolution provides that it will remain effective until repealed by subsequent resolution.

Staff believes this Resolution accomplishes the Commission's intent and therefore it is unnecessary for staff or the Commission to take any further action to exempt churches and non-profits from the fire services special assessment in FY17 or beyond.

Fiscal Note: For FY16, the City will pay the fire services special assessment for certain properties owned and used by religious and charitable organizations in the amount of \$119,508.34 from undesignated reserves. A list of the religious and charitable properties and their assessment charge for FY16 is included in the back-up to this agenda item. This list is different from the list provided to the Commission on August 6th, because this list includes only those properties that the Property Appraiser has determined to be used for religious and charitable purposes. For FY17 and future years, until this Program is repealed by the City Commission, the City Manager will include in the Proposed, Tentative and Final Budget presented to the City Commission each year an amount necessary for the City to pay the Fire Services Special Assessment for each property identified in accordance with the Resolution. This amount may be funded each year from any lawfully available non-Fire Services Special Assessment revenues.

RECOMMENDATION

The City Commission: 1) adopt the proposed Resolution; and 2) direct staff to take no further action with regard to exempting properties used for religious and charitable purposes from the fire services special assessment.

Legislative History

8/6/15 City Commission Approved, as shown above

[150196A-MOD Memo 20150806.pdf](#)

[150196B-MOD Exempt Properties 20150806.pdf](#)

[150196A draft resolution 20150910.pdf](#)

[150196B FY 16 List of Properties 20150910.pdf](#)

[150196C PowerPoint Presentation 20150910.pdf](#)

[150196A revised draft resolution 20150910.pdf](#)

[150196 Resolution Fire Services Special Assessment 20150910.pdf](#)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[140949](#)

APPENDIX A - SCHEDULE OF FEES, RATES & CHARGES (B)

Ordinance No. 140949

An ordinance of the City of Gainesville, Florida, amending Appendix A, Schedule of Fees, Rates and Charges of the Code of Ordinances by revising fees, rates and charges for the following: adult performance establishment, escort service and escort licenses; alcoholic beverages; cable franchise; cemetery; controlled vehicular parking area decals/permits; fire/rescue; health and sanitation; home occupation permit; land development code; parks, recreation and cultural affairs; peddlers, solicitors and canvassers; registered domestic partnerships;

secondhand goods; streets, sidewalks and other public places; taxation; traffic and motor vehicles; and utilities relating to solid waste and recyclables; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **BUDGET AND FINANCE DEPARTMENT STAFF REPORT**

During several public meetings beginning July 13, 2015 and continuing through July 27, 2015, Budget and Finance staff presented the "Budget Workshop for the FY2016 Adjustment Year" to the City Commission. As presented, the proposed FY2016 revenues included a continuation of the policy of 5% scheduled biennial increases of Appendix A fees. It also included additional fee increases for certain fire services, including a change in the fee structure for fire inspections.

On July 21, 2015, the City Commission adopted Resolution No. 150066, establishing the Proposed Millage Rate. On July 27, 2015, the City Commission adopted Resolution No. 150067, approving the Proposed Tentative General Government Financial and Operating Plan. At the July 21, 2015 City Commission meeting, the City Commission authorized the City Attorney's Office to draft an ordinance amending Appendix A as proposed by Budget and Finance staff. The proposed ordinance includes the 5% increase in Appendix A fees, and the additional increases to fire services fees. This ordinance is necessary to implement the increased fees effective October 1, 2015.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings and will become effective immediately upon approval at second reading. However, the fee increases will become effective on October 1, 2015, except when a facility was booked prior to the effective date of the ordinance, in which case the City will recognize the fees in place at the time the facility was booked.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[140949A draft ordinance 20150910.pdf](#)

[140949 Ordinance 20150917.pdf](#)

PUBLIC HEARING

[150268.](#)

TENTATIVE MILLAGE RATE - FISCAL YEAR 2015 - 2016 (B)

RESOLUTION NO. 150268

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF

GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2015-2016 FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; ESTABLISHING A TENTATIVE MILLAGE RATE; SETTING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF NOTICE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The City Commission is required by Florida Law to adopt a tentative millage rate to fund the budget for FY 2015 - 2016.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

[150268 Tentative Millage Rate 20150910.pdf](#)

[150268 PowerPoint Presentation 20150910.pdf](#)

[150268 Resolution Ad Valorem Taxes 20150910.pdf](#)

[150269.](#)

TENTATIVE GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2015 - 2016 (B)

RESOLUTION NO. 150269

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE 2015-2016 FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; ADOPTING THE TENTATIVE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Explanation: The Tentative General Government Budget for Fiscal Year 2015 - 2016 as prepared by the Budget and Finance Department is hereby submitted for approval by the City Commission.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

[150269A Tentative GG Budget 20150910.pdf](#)

[150269B Detail of Increments and Changes 20150910.pdf](#)

[150269C PowerPoint Presentation 20150910.pdf](#)

[150269 Resolution General Government Budget 20150910.pdf](#)

[150269 Exhibit A 20150910.pdf](#)

CITY MANAGER

[140636.](#)

Equal Opportunity Director Employment Agreement (B)

This is a request for the City Commission to approve the Equal Opportunity Director Employment Agreement.

Explanation: Cecil Howard, Equal Opportunity Director resigned from his employment with the City effective January 31, 2015. In order to hire a new Equal Opportunity Director, the City Commission authorized the Human Resources Department to engage the services of an Executive Search Firm to initiate a search to fill the position.

The Mercer Group conducted a search and presented resumes of the most highly qualified candidates to be considered on July 2, 2015. Candidates were interviewed by the City Commission at a Special Meeting on August 26, 2015.

The City Commission selected an Equal Opportunity Director on September 2nd and authorized Mayor Ed Braddy to negotiate a contract with Torey Alston.

Fiscal Note: Salary of \$113,500 is approved in the FY'16 budget.

RECOMMENDATION

The City Commission approve the employment agreement of Torey Alston.

Legislative History

1/15/15	City Commission	Approved as Amended
7/2/15	City Commission	Approved as Amended
9/2/15	City Commission	Approved, as shown above

[140636_EO Job Description_20150115.pdf](#)

[140636_EO Recruitment Ad_20150416.pdf](#)

[140636A_EO Dir Summary List_20150702.pdf](#)

[140636B_EO Dir Candidate Alston_20150702.pdf](#)

[140636C_EO Dir Candidate Ellis_20150702.pdf](#)

[140636D_EO Dir Candidate Elmore_20150702.pdf](#)

[140636E_EO Dir Candidate Saffo_20150702.pdf](#)

[140636F_EO Dir Candidate Smith_20150702.pdf](#)

[140636G_EO Dir Candidate Thomas_20150702.pdf](#)

[140636A_EO Director Candidate Gayla D Thomas_20150826.pdf](#)

[140636B_EO Director Candidate Gwendolyn D Saffo_20150826.pdf](#)

[140636C_EO Director Candidate Michelle A Smith_20150826.pdf](#)

[140636D_EO Director Candidate Torey L Alston_20150826.pdf](#)

[140636_Alston - Employment Agreement_20150910.pdf](#)

[140636_EO employment agreement_20150910.pdf](#)

ADJOURNMENT - 7:27 PM

