

#100631

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes

December 15, 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**

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter, that this Matter be Adopted on the Consent Agenda. 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

160595. **Continuation of Blue Cross Blue Shield of Florida, Inc (Florida Blue) as the provider of Specific Stop-Loss Carrier for the City Group Health Plan (B)**

This item involves a request for the City Commission to approve the continuation of Blue Cross Blue Shield of Florida, Inc. as the provider through their subsidiary, High Mark Insurance, of specific stop-loss insurance for the City's Group Health Plan and modify the Stop-loss attachment point and broaden the coverage.

RECOMMENDATION

The City Commission: 1) approve the specific stop loss coverage with a 24/12 benefit look back period and a \$300,000 deductible as offered by Florida Blue with for the plan year beginning January 1, 2017, ; 2) authorize issuance of a purchase orders in an amount sufficient to cover applicable charges for the policy and 3) authorized the City Manager to execute the document necessary to complete the purchase subject to approval of the City Attorney as to form and legality.

Approved as Recommended

160563. **Human Resources Policy L-7: Leave Bank (B)**

This is a request for the City Commission to approve revisions HR Policy L-7: Leave Bank.

RECOMMENDATION

The City Commission: approve revisions to Human

*Resources Policy L-7.***Approved as Recommended**[160578.](#)**Final Extension Term to Construction Management Agreements (B)****RECOMMENDATION**

City Manager to City Commission: Approve the 2nd Amendment to Construction Management Agreements for CPPI, Inc., Oelrich Construction and The Brentwood Company as presented, subject to review as to form and legality by the CRA Attorney.

Approved as Recommended[160549.](#)**Fiscal year 2016 Budget Monitoring Report - Year-End Preliminary Results (B)****RECOMMENDATION**

The Audit and Finance Committee recommends that the City Commission receive the year-end preliminary report for the fiscal year 2016.

Approved as Recommended[160511.](#)**Gainesville Regional Utilities DRAFT Unaudited Internally Prepared Financial Statements for the Year Ended September 30, 2016 (B)****RECOMMENDATION**

The Audit and Finance Committee recommends the City Commission accept the GRU DRAFT Unaudited Internally Prepared Financial Statements for the year ended September 30, 2016.

Approved as Recommended[160550.](#)**Gainesville Regional Utilities Internally Prepared Budget to Actuals and Supplementary Data for the Year Ended September 30, 2016 (B)****RECOMMENDATION**

The Audit and Finance Committee recommends the City Commission accept the GRU Internally Prepared Budget to Actuals and Supplementary Data for the year ended September 30, 2016.

Approved as Recommended[160599.](#)**Joint Meeting with UF Student Senate (NB)****RECOMMENDATION**

The City Commission approve the meeting for January 10, 2017 at 7:30pm.

Approved as Recommended[160597.](#)**JEROME FULLER VS. THE CITY OF GAINESVILLE, FLORIDA A MUNICIPAL CORPORATION; COURT CASE NO. 1:16-CV-304 (B)****RECOMMENDATION**

The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City in the case styled Jerome Fuller vs. The

City of Gainesville, Florida a municipal corporation; Court
Case No. 1:16-CV-304.

Approved as Recommended

160605.

Gainesville Regional Utilities Budget Calendar (NB)

RECOMMENDATION

Approve the dates requested by staff.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Motion: 1) move Item No. 160264 to the last item on the agenda; 2) hear Item No. 160581; 3) hear Item No. 160582; and 4) continue Item No. 150714 to January 5, 2017. Motion passed 7-0.

Motion: Hear Item No's 160398 and 160399 with additional backup. Motion passed 5-2. Mayor Poe and Commissioner Hayes-Santos voting no.

Jim Konish spoke to the matter.

A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Adopted as shown above.

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

*Jim Konish
Donald Shepherd
Elizabeth Howard
Thomas
Frankie Winke
Desiree Heyliger
Frances Donahue
Jeremiah Tattersall
Scott Hesch
Paula Stahmer*

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

160574.

Gainesville Creative Series Update - Adoption of Strategic Plan Framework (B)

This is a request for the City Commission to receive an update of the Gainesville Creative Series and to adopt the new strategic plan framework.

Samantha Wolfe and Dr. Carrie Bush made presentations.

Robert Bounds and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission 1) receive an update on the Gainesville Creative Series, and 2) adopt the new strategic plan framework.*

A motion was made by Commissioner Chase, seconded by Commissioner Carter, that this Matter be Approved as Recommended. 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

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 - 3:04 PM

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

160581. Martin Luther King, Jr. Hall of Fame Day - January 8, 2017 (B)

RECOMMENDATION *Honorable Rodney Long to accept the proclamation.*

Heard

160582. King Celebration 2017 - January 8-16, 2017 (B)

RECOMMENDATION *Honorable Rodney Long 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

*Telford Cartwright
Jim Konish
Kali Blount
Gabe Kaimowitz*

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

160498. Resolution and Perpetual Easement Request for Florida Department of Transportation from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)

This item involves the request for adoption of a Resolution and grant of a Perpetual Easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (BTITF) to the Florida Department of Transportation (FDOT) at the request of the City of Gainesville.

FDOT is requesting a perpetual easement at five (5) locations along the north side of Archer Road. These locations are at the east and west sides of North South Drive, the east and west sides of Center Drive and at the entrance to Shands Teaching Hospital. The easement is for the installation of mast arm signal poles to replace the existing span wire traffic signals at these intersections. The base of the mast poles will be located outside of the current Florida Department of Transportation right of way. Because the City is managing the project, FDOT has asked the City to submit the upland easement application.

The BTITF requires the adoption of a resolution, associated with the request for an easement.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the Mayor or his designee to make application for the Perpetual Easement.

A motion was made by Commissioner Budd, seconded by Commissioner Hayes-Santos, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

150714. Gainesville Cohousing Conditional Final Plat (B)

Resolution No. 150714

A resolution of the City of Gainesville, Florida, approving the conditional final plat named "GAINESVILLE COHOUSING A CLUSTER SUBDIVISION," located in the vicinity of 4751 NW 27th Avenue, Gainesville, Florida, as more specifically described in this resolution; providing directions to the Clerk of the Commission; providing conditions and restrictions; and providing an immediate effective date.

RECOMMENDATION

Staff to the City Commission - the City Commission adopt Resolution No. 150714.

A motion was made by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Continued to January 5, 2017. 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

160525.

Exchange of Real Property with Reeb Inc., - SE 4th Street Road Improvement Project (B)

This item is a request to declare as surplus and approve an exchange of properties for the SE 4th Street Road Project with Reeb, Inc. aka Kirk P. Reeb. (B)

RECOMMENDATION

The City Commission: 1) adopt a Resolution to declare City-owned property, as further described therein, as surplus and waive the competitive bidding process, 2) authorize the City Manager to execute the contracts for the purchase and sale of real property, and 3) authorize the Mayor to execute the deeds for the City conveyance to Reeb, Inc. a.k.a. Kirk P. Reeb and accept the deeds from Reeb, Inc. a.k.a. Kirk P. Reeb for the SE 4th Street Road Improvement Project.

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

160447.

FOURTH BUDGET AMENDMENT TO THE FY 2015-2016 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET (B)

Resolution No. 160447

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; AMENDING RESOLUTION NO. 150271, AS AMENDED BY RESOLUTION NO.

150744, 160024 AND RESOLUTION NO. 160258, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter, that this Matter be Adopted (Resolution). 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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

160313. AMENDING THE CODE OF ORDINANCES RELATING TO COMPENSATION IN THE EVENT OF CATASTROPHIC CONDITIONS AND MUTUAL AID (B)

ORDINANCE NO. 160313

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances related to employee benefits; by deleting Chapter 2, Article VII, Division 2 titled Compensation in the Event of Catastrophic Conditions and Mutual Aid Assistance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter, that this Matter be Adopted on First Reading (Ordinance). 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

160398. LAND USE CHANGE - BETWEEN THE 1300 - 1800 BLOCK OF TOWER ROAD (75TH STREET) AND THE 1800 BLOCK OF SW 20TH AVENUE (B)

Ordinance No. 160398; Petition No. PB-16-107- LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 157 acres of property that is generally located between the 1300-1800 block of Tower Road (75th Street) and the 1800 block of SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Medium High Density Residential (8-14 DU/acre) and Low Density Residential (1-4

DU/acre) to City of Gainesville Mixed-Use Medium Intensity (12-30 units per acre) (MUM), Mixed-Use Low Intensity (8-30 units per acre) (MUL), Residential Medium-Density (8-30 units per acre) (RM), Residential Low-Density (up to 12 units per acre) (RL), and Single-Family (up to 8 units per acre) (SF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Ralph Hilliard, Craig Brashier and Dean Mimms made presentations.

Brack Barker and Donna Peck spoke to the matter.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-16-107 LUC; and (2) adopt the proposed ordinance.*

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

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

Nay: 1 - Commissioner Budd

160399.

QUASI-JUDICIAL - REZONING - BETWEEN THE 1300 - 1800 BLOCK OF TOWER ROAD (75TH STREET) AND THE 1800 BLOCK OF SW 20TH AVENUE (B)

Ordinance No. 160399; Petition No. PB-16-108 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 157 acres of property that is generally located between the 1300-1800 block of Tower Road (75th Street) and the 1800 block of SW 20th Avenue, as more specifically described in this ordinance from Alachua County Multiple-family, medium-high density district (8-14 units per acre) (R-2A), and Single-family low density district (1-4 units per acre) (R-1A) to City of Gainesville Mixed use medium intensity district (12-30 units per acre) (MU-2); Mixed use low intensity district (8-30 units per acre) (MU-1); Multiple-family medium density residential district (8-21 units per acre) (RMF-7); Residential low density district (up to 12 units per acre) (RMF-5), and Single-family residential district (up to 8 units per acre) (RSF-4); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms and Ralph Hilliard made presentations.

Donna Peck spoke to the matter.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-16-108 ZON; and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Carter, seconded by Commissioner

Goston, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

Nay: 1 - Commissioner Budd

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

PLANNING PETITIONS

160408. **ORDER OF THE CITY COMMISSION - APPEAL OF HISTORIC PRESERVATION BOARD'S DECISION IN PETITION HP-16-89 (B)**

RECOMMENDATION *The City Commission ratify the written order.*

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

Aye: 5 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, and Mayor-Commissioner Pro Tem Warren

Nay: 1 - Commissioner Hayes-Santos

Absent: 1 - Commissioner Carter

IT IS ANTICIPATED THE CITY COMMISSION WILL WAIVE THE RULES AND HEAR FILE #160264 (LIVING WAGE) ITEM IN THE EVENING.

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**

April Shuping and Cheryl McBride made presentations.

Motion: 1) set base pay for all City employees to \$12.25/ hr.; 2) direct staff to do an analysis of a compensation study; 3) direct staff to work on closing any loopholes that may exist; and 4) come back with pay study cost and RFP.

Jeremiah Tattersall, Kali Blount, Gabe Kaimowitz, James Thompson, Sheila Payne, Matthew Pearson -Dawe, Mr. Suggs, Casey Willits, Trish Ingle, Miguel Valdez, Doug Burnell, Telford Cartwright, Donald Shepherd and Paul Ortiz 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.

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

Aye: 5 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Nay: 2 - Commissioner Budd, and Commissioner Chase

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

COMMISSION COMMENT

Commissioner Chase: 1) Nutcracker; 2) Happy Holidays; and 3) Shayla McNeill.

Motion by Commissioner Budd, seconded by Mayor-Commissioner Pro Tem Warren for staff to report back with an analysis on the Northwest YMCA. Motion passed 7-0. Donald Shepherd spoke to the matter.

Commissioner Budd - Happy Holidays

Commissioner Goston - 1) Eastside project; and 2) Happy Holidays.

General Policy Committee meeting cancelled on December 22, 2017.

ADJOURNMENT - 9:24 PM