

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Meeting Agenda - Final**

**February 1, 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****PROPHET GEORGE YOUNG****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**[170763.](#)**City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of January 18, 2018.*

[170763 CCOM Minutes 20180131.pdf](#)

[170723.](#)**Authorization for Pavement Preservation Treatments (B)**

**This item is a request for the City Commission to approve the guaranteed maximum price of \$1,293,227.32 for Pavement Preservation Treatments Project under contract with the management firm Scherer Construction.**

*Explanation: The Pavement Management Program includes a plan to utilize Pavement Preservation Treatments under contract work in addition to in-house work each year. Staff worked with a Pavement Management Consultant, JG3 Consulting, LLC., to develop a Three-Year Pavement Management Plan for the funding projected to be available over a three year period. We are in the third year of our Three-Year plan. The strategy*

utilized in the development of the plan is to use a 40/60 split between the traditional and preservation maintenance strategies to meet the optimal Pavement Condition Index (PCI). Due to the specialized nature of the preservation maintenance techniques, this work is best accomplished through contract work. Therefore, we are proposing to utilize the assistance of our Construction Management contracts to accomplish this work. In addition, to the pavement preservation treatments, the contractor will ensure that ADA compliance is met as applicable and any damaged curb/gutter components are repaired as needed. The management firm will be providing a guaranteed maximum price of \$1,293,227.32 for the third year. The management firm will also provide advance notification to residents and businesses of the scheduled work, and contact information for questions.

*Fiscal Note:* Funding is available through the annual allocation for Pavement Management Program in the Capital Improvement Plan.

**RECOMMENDATION**

*The City Commission: 1) approve the project task; 2) authorize the City Manager or designee to execute the appropriate construction documents with Scherer Construction, subject to the City Attorney's approval as to form and legality; and 3) authorize the City Manager to execute any and all related documents.*

[170723\\_GMP Proposal\\_20180118.pdf](#)

[170753.](#)

**Historic Preservation Annual Report 2017 (B)**

*Explanation:* The Historic Preservation division of the Department of Doing is proud to represent the energy and momentum of the City of Gainesville. Gainesville is growing and brimming with innovation, and the Historic Preservation Staff lead in providing citizen-centered service, managing change that occurs in our historic districts, and ensuring that our built heritage will reflect the forward-thinking nature of our community while acknowledging the role that historic architecture plays in defining Gainesville.

*The Historic Preservation team was awarded the City's 2017 Employee Recognition for Community Relations. This year's Annual Report reflects the work we have done to meet citizen needs and build stronger relationships with our residents, the private sector, the University of Florida and local and state governments.*

*We have completed all recommended actions from the 2016 audit and created additional goals and a work plan that will carry on the professional nature of the audit's corrective actions. We have proactively sought positive relationships with our community through outreach projects such as volunteer cleanup days and project support and advisement for building owners and applicants. We will continue to expand our*

*community outreach and educational opportunities during our grant-funded survey this upcoming year. Our community relations goal includes providing clear and reliable information to the public; we have updated our historic district maps on our revised webpage and have included the register of historic properties for the entire city. Over the next year we will update our design guidelines and create a larger inventory of surveyed properties for citizen and Staff use.*

*The Annual Report also reflects our progress in planning management. We have developed a solid, organizational basis for future projects by making our processes more efficient and ensuring that Staff and the Historic Preservation Board follow standard procedure as listed in our ordinances. We have streamlined our forms, presentations and staff reports, and developed tracking mechanisms for annual assessment and updates. As part of the Department of Doing, we have created new, graphically clear brochures for residents of the historic districts, and will continue to update our forms and public information to this higher standard.*

*The work reflected in the Annual Report was accomplished by a small team of Staff and our Historic Preservation Board members. We have achieved numerous goals and have created a solid foundation of organization and expertise for next year's work. While historic preservation values the past, we are inspired and driven by the present but also look forward to the future. Our work is not done when a district is designated, for our cities continue to change and our districts and heritage change with them. Of utmost importance for the future of the Historic Preservation division is to be mindful that our mission was created by our constituents and our work must be relevant to the needs of our communities. We look forward to an exciting, new year.*

*Fiscal Note: None*

**RECOMMENDATION**            *The City Commission review the Historic Preservation Annual Report.*

[170753A\\_HPB Annual Reporting\\_Sept 2017\\_20180201.pdf](#)

[170762.](#)

**Annexation by Referendum - Finley Woods Phase I Neighborhood (B)**

**This is the request for authorization to commence the process for an annexation by referendum of an area commonly referred to as Finley Woods Phase I Neighborhood.**

*Explanation: On January 19, 2018 the City of Gainesville received a letter from twelve home owners in Finley Wood phase 1A and phase 1B, indicating that members of the Finley Woods Phase I neighborhood would like to request that the City move forward with an annexation referendum for the neighborhood. The neighborhood is contiguous to the City of Gainesville*

on its eastern boundary and currently receives partial GRU services from the City.

Florida Statutes, Chapter 171 provides two mechanisms for annexation: 1) voluntary annexations; and 2) annexations by referendum. An annexation by referendum is one in which the registered voters in a defined annexation area vote for or against annexation.

As defined by Florida Statutes, it is appropriate to consider annexation in order to ensure sound urban development and accommodation to growth, ensure the efficient provision of urban services to areas that become urban in character, and to encourage development in areas that efficiently utilize services and prevent urban sprawl. Based on these parameters, the Finley Woods Phase I neighborhood would be appropriate for an annexation referendum.

*Fiscal Note:* Fiscal impact of the annexation will be addressed in the Urban Services Report.

**RECOMMENDATION**

The City Commission: 1) direct the City Manager to analyze the area; 2) direct the City Manager to notify the Supervisor of Elections of the desire to conduct the referendum; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation referendum of the area, if appropriate.

[170762A Finley Woods Annexation Request 20180215.pdf](#)

[170762B\\_USR Finley Woods Phase 1 Annexation 20180215.pdf](#)

[170737.](#)

**US Department of Homeland Security (DHS) FEMA Assistance to Firefighters Grant (AFG) Program FY2017 (B)**

**This item requests the City Commission authorize submittal of an application to the FY2017 AFG Grant Program for several fire rescue projects and authorize the City Manager or designee to accept the award, expend the funds, and provide the required matching funds.**

*Explanation:* The purpose of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The funds provide needed resources that equip and train emergency personnel to recognize standards, enhance operational efficiencies, foster interoperability and support community resilience. The grant supports the Core Capabilities of the National Preparedness Goal which include: Fire Management and Suppression; Environmental Response/Health and Safety; Threats and Hazards Identification; Public Health, Healthcare, and Emergency Medical Services; Operational Coordination; Operational Communications; Mass Search and Rescue Operations; Community Resilience; and Long-term Vulnerability Reduction. The

projected number of awards is 2,500 competing for funding of \$310,500,000.

Gainesville Fire Rescue (GFR) is prepared to submit an application requesting funding for several programs that are represented in the Core Capabilities, such as Hazardous Materials SCBA air supply (\$55,000) and personal protective equipment (\$27,000); ballistic protection for first responders (\$50,000); wellness screening for cancer and firefighting related illnesses (\$74,000); Community Resource Paramedicine Program equipment to support community health care (\$61,000); and a quint aerial apparatus and equipment to provide fire management, suppression, and search and rescue operations (\$1,000,000). The total estimated amount for the application is \$1,267,000 and the match would be \$126,700.

The FY2017 AFG application period closes February 2, 2018 at 5:00 pm and the projected period of performance is March 1, 2018 through March 1, 2019.

*Fiscal Note:* The required match for the City of Gainesville is 10%, \$126,700. Matching funds are included in the FY18 and FY19 budgets for GFR and Fleet.

**RECOMMENDATION**

The City Commission authorize the City Manager or designee to: 1) apply, accept, and execute any and all related documents regarding the FY2017 AFG Grant subject to approval by the City Attorney as to form and legality; and 2) approve the necessary budget processes and expenditures for the required matching funds and purchases related to the grant award.

[170737 AFG Grant Backup FY17 20170201.pdf](#)

[170741.](#)

**Budget Calendar (NB)**

**The City Commission to approve dates for discussion of the FY2019 budget.**

*Explanation:* Staff requests the City Commission approve dates to discuss items related to the FY2019 budget. Topics of discussion will include an updated Capital Improvement Plan, Fire Assessment, Millage Rate and the Budget.

In response to feedback and suggestions received prior to and during last year's budget process, staff is recommending shifting the budget discussions and deliberations earlier in the calendar year to primarily occur in the spring, with an approval of the proposed tentative budget and millage rate for General Government to occur in July, in accordance with the State Department of Revenue's Truth in Millage requirements.

GRU will set their July budget dates in a separate item.

Staff requests the City Commission approve the following dates:

02/08/2018-1:30pm-5:00pm-Budget planning workshop, FY2017 Look Back-Big Wins

05/01/2018-1:30pm-5:00pm- Budget, Looking Forward & CIP

05/08/2018-1:30pm-5:00pm- Budget

05/15/2018-1:30pm-5:00pm- Budget

05/23/2018-1:30pm-5:00pm- Budget

05/29/2018-1:30pm-5:00pm- Budget

07/17/2018-1:30pm-5:00pm- Budget,

Adopt Preliminary Fire Assessment Rate, by resolution,

Set Proposed Tentative Millage Rate, by resolution

July 2018-TBD-GRU Meeting dates to be determined

09/06/2017-6:00pm-Adopt Final Fire Assessment Rate, Adopt Ordinances on 1st reading related to Fee or Rate Changes (if any), Hold 1st Public Hearing to Adopt Budgets and Set Millage Rate for FY2019

09/20/2017-6:00pm-Adopt Ordinances on 2ndst reading related to Fee or Rate Changes (if any), 2nd Public Hearing to Adopt Budgets and Set Millage Rate for FY2019.

Staff suggests the City Commission set the Preliminary Fire Assessment Rate immediately after the budget discussion on July 17, 2018, as well as the set the Proposed Tentative Millage and adopt Proposed Tentative Budgets immediately after budget discussions on July 17, 2018, which will require the City Commission to waive the rules to hear the Resolutions before 6:00pm.

Truth in Millage or TRIM requirements set forth in State Statutes require that various taxing authorities hold their public hearings on different dates and/or times in order to allow taxpayers to attend each hearing and provide feedback if desired. Taxing Authorities that cross multiple jurisdictions are given first priority on setting their public hearing dates. As a result, The City of Gainesville is required to set their public hearing dates in September so as not to conflict with the County, the School Board, the Library District and the Water Management Districts. In the event a conflict arises, staff will submit a revised schedule for September 2018 requesting alternative special meeting dates. These potential conflicts will not be known until July 2018.

*Fiscal Note:* The cost of conducting these meetings is available in the FY 2018 Operating Budget.

**RECOMMENDATION**

The City Commission: 1) Approve the dates requested by staff; 2) Waive the City Commission Rules to hear the Resolutions to approve the

*Preliminary Fire Assessment Rate before 6:00pm on July 17, 2018; and 3) Waive the City Commission Rules to hear the Resolutions to Set the Proposed Tentative Millage and Adopt the Proposed Tentative Budgets before 6:00pm on July 17, 2018.*

## **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.**

[170769.](#)

**City Commissioner Harvey Ward - Parking Garage - 105 SW Third Street (B)**

*MODIFICATION - ADDED BACK-UP*

**RECOMMENDATION**      *The City Commission discuss and take action deemed appropriate.*

[170769 MOD Parking Garage 20180201.pdf](#)

[170785.](#)

**Commissioner Harvey Ward - Detailed Update on the Low-Barrier Shelter Contract (NB)**

*MODIFICATION - ADDED ITEM*

**RECOMMENDATION**      *The City Commission hear an update and take action deemed appropriate.*

[170788.](#)

**Discussion of House Bill 1237 regarding the composition of the Gainesville Community Redevelopment Agency Board (NB)**

*MODIFICATION - ADDED ITEM*

*Explanation: At the General Policy Committee meeting on January 25, 2018, the Commission requested that staff place this item on the February 1st City Commission meeting for an update and further discussion.*

**RECOMMENDATION**      *The City Commission discuss the issue.*

**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**

[170764.](#)

**Cinema Verde Environmental Education Month - February 2018 (B)**

RECOMMENDATION *Ms. Trish Riley to accept the proclamation.*

[170764\\_CinemaVerdeEducationMonth\\_20180201.pdf](#)

[170768.](#)

**Local Food Week - February 10-16, 2018 (B)**

RECOMMENDATION *Working Food Organization Anna Prizzia to accept the proclamation.*

[170768\\_LocalFoodWeek\\_20180201.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**

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

**ORDINANCES, 2ND READING - ROLL CALL REQUIRED**

[170722.](#)

**An ordinance amending and restating Ordinance No. 170580 in order to**

**correct scrivener's errors (B)**

Ordinance No. 170722

An Ordinance of the City of Gainesville, Florida, amending and restating Ordinance No. 170580 to correct scrivener's errors in Ordinance No. 170580 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 a retroactive effective date.

*Explanation: On January 4, 2018, the City Commission adopted Ordinance No. 170580 that created a new local Enterprise Zone Area and created a new economic development incentive program referred to as the Manufacturing Retention/Expansion Incentive Program for Electric Service. On January 5, City staff found scrivener's errors in Section 4 of the Ordinance. The same error appears in three places in the Ordinance. In short, in defining who qualifies for the new incentive program the Ordinance states it is a manufacturing business with an average monthly electric usage of 400 kilowatt hours (or expanded usage of 100 additional kilowatt hours). This is incorrect and it should have read "400,000" and "100,000", respectively. The error arose because during the public meetings regarding the creation of this program, two approaches to eligibility were discussed at various times, either 400 kilowatts (kW) of demand or, alternatively, 400,000 kilowatt hours (kWh) of usage. The adopted ordinance language erroneously mixed the two approaches. Although these are scrivener's errors, because they have substantive effect, staff is requesting the Commission adopt this ordinance in order to amend and restate Ordinance No. 170580. This new ordinance is being made effective retroactively as of January 8, 2018, as that is the date Ordinance No. 170580 became effective.*

*Fiscal Note: Minimal cost to advertise this corrective ordinance.*

**RECOMMENDATION**

*The City Commission: adopt the proposed ordinance.*

**Legislative History**

1/18/18 City Commission Adopted on First Reading (Ordinance)

[170722\\_draft ordinance-20180118.pdf](#)

[170722\\_Exhibit A\\_20180118.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**