

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

Thursday, December 17, 2015

1:00 PM

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.

ROLL CALL - 1:06 PM

Present 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

CALL TO ORDER

AGENDA STATEMENT

INVOCATION

ADOPTION OF THE CONSENT AGENDA (Including both General Government and Gainesville Regional Utilities items)

A motion was made by Mayor-Commissioner Pro Tem Carter, seconded by Commissioner Chase, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

Absent: 1 - Commissioner Goston

CITY MANAGER, CONSENT AGENDA ITEMS

[150592.](#)

Ratification of Agreement between the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville for January 1, 2016 through December 31, 2018 (B)

This is a request for the City Commission to ratify a three-year successor agreement between the City and the CWA Non-Supervisory Bargaining Unit.

RECOMMENDATION

The City Commission ratify the Agreement between the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville, extending the Agreement through December 31, 2018.

Approved as Recommended

[150594.](#)

Ratification of Agreement between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville for January 1, 2016 through December 31, 2018 (B)

This is a request for the City Commission to ratify a three-year successor agreement between the City and the CWA Supervisory Bargaining Unit.

RECOMMENDATION

The City Commission ratify the Agreement between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville, extending the Agreement through December 31, 2018.

Approved as Recommended

[150497.](#)

Regional Transit System (RTS) Spring 2016 Transit Service Changes (B)

This is a request for the City Commission to approve the proposed RTS spring 2016 service changes.

RECOMMENDATION

The City Commission approve the proposed spring 2016 service changes effective January 4, 2016.

Approved as Recommended

[150602.](#)

Appropriation of Unobligated Fund Balance of the Gainesville Police Department's Federal Law Enforcement Contraband Forfeiture Trust Fund (NB)

This item requests that the City Commission approve the appropriation of \$120,000 of the unobligated fund balance in the Gainesville Police Department's (GPD) Federal Law Enforcement Contraband Forfeiture Trust Fund to bring the Banks Building, located at 635 NW 6th Street and purchased with forfeiture funds, back into compliance. The request for forfeiture is to secure the roof, plumbing, electrical, HVAC and fire alarms. Project Youth Build will complete the project.

RECOMMENDATION

The City Commission approve the appropriation of \$120,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund to renovate the Banks building to bring it back into compliance. The funds will be used for a new roof and improved plumbing, electrical, HVAC and fire alarms.

Approved as Recommended

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

[150617.](#)

Contract for Distribution System Installation Services (B)**RECOMMENDATION**

The City Commission: 1) authorize the General Manager, or his designee, to execute a three year contract with Pike Electric, LLC to install distribution system infrastructure on an as needed basis, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders for these services for each year of the contract in amounts not exceeding budgeting amounts, subject to the final appropriation of funds for each year of the contract.

Approved as Recommended

CITY ATTORNEY, CONSENT AGENDA ITEMS

[150591.](#) **ANTHONY ARSALI V. CITY OF GAINESVILLE D/B/A
GAINESVILLE REGIONAL UTILITIES, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA; EIGHTH JUDICIAL
CIRCUIT, CASE NO. 2015-CA-3984 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to
represent the City in the case styled Anthony Arsali v. City of
Gainesville d/b/a Gainesville Regional Utilities, a Political
Subdivision of the State of Florida; Eighth Judicial Circuit,
Case No. 2015-CA-3984.*

Approved as Recommended

[150597.](#) **DUVAL AUTOMOTIVE GAINESVILLE, LLC D/B/A
MERCEDES-BENZ OF GAINESVILLE VS. CITY OF GAINESVILLE;
EIGHTH JUDICIAL CIRCUIT, CASE NO. 01-2015-CA-3947 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to
represent the City in the case styled Duval Automotive
Gainesville, LLC d/b/a Mercedes-Benz of Gainesville vs. City
of Gainesville; Eighth Judicial Circuit, Case No.
2015-CA-3947.*

Approved as Recommended

[150628.](#) **ANNE HAISLEY AND PHILLIP HAISLEY VS. THE CITY OF
GAINESVILLE, FL; EIGHTH JUDICIAL CIRCUIT, CASE NO.
2015-CA-4286 (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to
represent the City in the case styled Anne Haisley and Phillip
Haisley vs. The City of Gainesville, FL; Eighth Judicial
Circuit, Case No. 2015-CA-4286.*

Approved as Recommended

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

[150580.](#) **Amendment to Ordinance Regulating Non-Motorized Vehicles (NMVs)
for Hire (NB)**

This item is a request for the City Commission to authorize the City Attorney’s Office to draft an ordinance that will eliminate the 4-passenger maximum limit that currently applies to NMVs for hire.

RECOMMENDATION

The Community Development Committee requests the City Commission to authorize the City Attorney’s Office to amend the NMVs for hire ordinance to eliminate the 4-passenger maximum limit that currently applies to NMVs for hire.

Approved as Recommended

END OF CONSENT AGENDA

ADOPTION OF THE GENERAL GOVERNMENT REGULAR AGENDA (Read if any, each item added or modified)

Donald Shepherd spoke to the matter.

A motion was made by Commissioner Warren, seconded by Commissioner Wells, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

GENERAL GOVERNMENT-RELATED CITIZEN COMMENT (not to exceed 30 minutes in length)

Commissioner Goston arrived at 1:09 PM.

*Jim Konish
Donald Shepherd
Gabe Kaimowitz
Kathy Hu*

Motion by Commissioner Wells, seconded by Commissioner Budd to move Items 150597 and 150628 to the evening agenda. Motion passed 7-0.

Commissioner Goston arrived at 1:09 PM.

CLERK OF THE COMMISSION

CITY MANAGER

[140587.](#)

Design and Construction of Fire Station 1 (B)

This item recommends that the City Commission review and approve the preliminary design for Fire Station 1 at 525 South Main Street and authorize the development of construction drawings. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

Chief Lane and Joanne Rice made presentations.

Gabe Kaimowitz spoke to the matter.

RECOMMENDATION *The Commission approve the preliminary design and authorize staff to work with the architect to develop construction drawings.*

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

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

Absent: 1 - Commissioner Goston

[150584.](#)

Options for Addressing Issues in the Area of the Stephen Foster Neighborhood (B)

The City Commission is requested to consider options to identify and fund needed capital improvements in the Area of the Stephen Foster Neighborhood. **ESTIMATED STAFF PRESENTATION 15 MINUTES**

John Wachtel made a presentation.

Gabe Kaimowitz and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission authorize the City Manager or his designee to: 1) utilize existing plans and reports, neighborhood meetings, and surveys to identify and prioritize the infrastructure, beautification and other needs of the area; 2) assign an estimated cost to each project identified; and 3) develop a DRAFT Implementation Plan/Schedule for City Commission Review and Comment.*

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

Aye: 6 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, and Commissioner Budd

Absent: 1 - Commissioner Goston

[150605.](#)

Review of Greenspace Acquisition Fund (B)

This item involves a detailed review of the activities in the Greenspace Acquisition Fund. **ESTIMATED STAFF PRESENTATION 5 MINUTES**

Mark Benton made a presentation.

Motion: City Attorney to draft a resolution that would rename the Greenspace Acquisition Fund to the Greenspace and Community Improvement Fund and broaden the purpose of that fund to include greenspace, as well as quality of life improvement priorities throughout our community.

Jon Reiskind, Gabe Kaimowitz, Jim Konish, Perry Clausen, Donald Shepherd, Debbie Martinez, Jo Beaty, Zachary Hall, Ivor Kincaide, Meg Neiderhofer and Ernesto Martinez spoke to the matter.

RECOMMENDATION *The City Commission receive the report on the history of the Greenspace Acquisition Fund.*

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

Aye: 5 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Chase, Commissioner Goston, and Commissioner Budd

Nay: 2 - Commissioner Warren, and Commissioner Wells

150657.

Review the City's Policies and Procedures that were Followed and are Currently being Followed with Regard to the Recent FDLE Investigation and Report

Note: All Charter Officers and staff proactively cooperate with said review.

Jim Konish, Gabe Kaimowitz, Debbie Martinez, Perry Clausen, Zachary Hall and Ernesto Martinez spoke to the matter.

RECOMMENDATION *Referred to the City Auditor*

A motion was made by Commissioner Wells, seconded by Commissioner Budd, that this Matter be Referred to the City Auditor, due back on 6/17/2016. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

RECESS - 5:24 PM

RECONVENE - 6:17 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS Placed on Agenda by Commissioner or Charter Officer

CITIZEN COMMENT (to end at a time certain of 6:30pm or at such later time as allows for 30 minutes of citizen comment)

Commissioner Wells arrived at 6:28 PM.

Eileen Roy
Julia Reiskind
Zachary Hall
Don Glendening
Gabe Kaimowitz
Ray Washington
Jim Konish
John Davies
Telford Cartwright
Frank Lineberger
Rob Brinkman
Debbie Martinez
Donald Shepherd
Harold Saive
Ernesto Martinez
Darlene Pafilo

PUBLIC HEARINGS

RESOLUTIONS- ROLL CALL REQUIRED

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

[150303.](#)

INCREASING THE MAXIMUM LIMIT FOR THE NUMBER OF PARKING SPACES FOR MULTI-FAMILY DEVELOPMENT WITHIN THE URBAN VILLAGE AREA OF THE UMU-2 ZONING DISTRICT (B)

Ordinance No. 150303, Petition PB-15-72 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-65.2 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to increase the maximum limit for the number of parking spaces for multi-family development within the Urban Village area of the UMU-2 zoning district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

[100607.](#)

Northeast Neighborhood Veterans Memorial Park (B)

This item is a request for the City Commission to consider surplus of the United States Army Reserve property (minus the Reserve Park) and provide input on the parameters and evaluation criteria for a Request for Proposals for acquisition/use of the property. **ESTIMATED STAFF PRESENTATION 10 MINUTES**

Paul Folkers made a presentation.

Amendment: Approve the staff recommendation with the exception of the boundary change for the proposed park.

Sheldon Packer, Jim Konish, Telford Cartright, James Koatz, Don Glendening, Rhonda Wilson, Michael Selvester, Tom Lyons, Debbie Martinez, Mandy Millam and Zachary Hall spoke to the matter.

RECOMMENDATION

The Commission direct City staff to prepare a draft RFP that: 1) establishes criteria that include preferred uses of the building/property that respect the previous visioning process, 2) is open to any user/proposer, 3) is open to any proposed options for disposition of the property while retaining the property inclusive of the conceptual boundaries of the Reserve Park and the rear (southernmost) portion of the property and 4) return to the Recreation, Cultural Affairs and Public Works Committee and City Commission with the draft RFP parameters/requirements and evaluation criteria for final approval.

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

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150568.](#)

Citizen-Centric Gainesville Implementation Plan (B)

This item is a request for the City Commission to hear a presentation on the implementation plan for the goals needed for the City of Gainesville to become the most citizen-centered city in the country.

Anthony Lyons made a presentation.

Gabe Kaimowitz, Jo Beaty, Debbie Martinez, Ernesto Martinez and Don Glendening spoke to the matter.

RECOMMENDATION

The City Commission hear a presentation from staff and accept the implementation plan for the changes needed for a Citizen-Centric Gainesville.

Heard

[150626.](#)

Power District Catalyst Project Lease Term Modifications (B)

This is a request for City Commission approval to modify a Power District Catalyst Project Lease. **ESTIMATED STAFF PRESENTATION 20 MINUTES**

Sarah Vidal-Finn made a presentation.

Jim Konish and Jo Beaty spoke to the matter.

RECOMMENDATION

City Manager to City Commission: 1) authorize City Manager to negotiate and execute a modification to the lease agreement, reducing the rental area to approximately 11,000 sq ft for the remainder of the lease term, subject to approval as to form and legality by the City Attorney; 2) authorize City Manager to negotiate and execute an agreement for repayment of the back due rental amount, subject to approval as to form and legality by the City Attorney; and 3) authorize City Manager to negotiate and execute a lease agreement with SharpSpring, LLC, subject to approval as to form and legality by the City Attorney .

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

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

[150609.](#)

A Partnership to Provide Services for Homeless Veterans (B)

This item is a request for the City Commission to consider and approve the City of Gainesville to enter into partnership with Alachua County Coalition for the Homeless and Hungry (ACCHH) and the local Veteran’s Administration Office (VA) to provide services for homeless veterans in Gainesville-Alachua County.

*****STAFF PRESENTATION TIME: 5 MINUTES*****

Fred Murry and Theresa Lowe made presentations.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Carter to waive the rules and extend the meeting to 11:30 PM. Motion passed 7-0.

Motion: Table item to January, 2016.

Jim Konish, Debbie Martinez and Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission consider and authorize the City of Gainesville to enter an agreement with Alachua County

Coalition for the Homeless and Hungry to lease one dormitory for five years, subject to the VA's provision of funding and case management; (2) authorize the City staff to utilize Connect Free Funds in the amount of \$247,223 for water and wastewater repairs for the building and utilize up to \$130,667 from general or bond funds for HVAC repairs for the dorm; and (3) authorize the City Manager to execute the agreement between the City and ACCHH, subject to the City Attorney's review to legality and form; and (4) direct City staff to identify names for the dorm and bring the names back to the City Commission for consideration and approval on such terms as the Commission deems appropriate.

A motion was made by Commissioner Warren, seconded by Commissioner Budd, that this Matter be Tabled. The motion carried by the following vote:

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

150613.

Third Amendment to Memorandum of Understanding for Cade Museum & Depot Park (B)

Amendment: Approve the recommendation and pending the return to the CRA and City for any final agreement as provided in the recommendation.

Lynn Janoski made a presentation.

Jo Beaty spoke to the matter.

RECOMMENDATION

City Manager to City Commission: Authorize the City Manager to execute the Third Amendment to Memorandum of Understanding, subject to approval by the City Attorney as to form and legality

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

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

GENERAL GOVERNMENT COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS & PUBLIC WORKS COMMITTEE

GENERAL GOVERNMENT ADVISORY BOARD/COMMITTEE REPORTS.
Reports must be placed on the agenda by Charter Officer, through staff liaison after approval by Board/Committee.

GENERAL GOVERNMENT-RELATED ITEMS FROM OUTSIDE AGENCIES.
Must be submitted by a Charter Officer. Update limited to ten (10) minutes.

GENERAL GOVERNMENT-RELATED ITEMS FROM MEMBERS OF THE CITY COMMISSION

GENERAL GOVERNMENT-RELATED COMMISSION COMMENTS (if time permits)

150636. **City Commissioner Todd Chase - City Manager Search Process (NB)**

Motion: Direct Human Resources to hold any further activity on the City Manager search until such time the Commission meets in January.

Jim Konish spoke to the matter.

RECOMMENDATION *The City Commission discuss the City Manager Search Process and take action deemed appropriate.*

This matter was Approved, as shown above

Aye: 7 - Mayor Braddy, Mayor-Commissioner Pro Tem Carter, Commissioner Warren, Commissioner Wells, Commissioner Chase, Commissioner Goston, and Commissioner Budd

GAINESVILLE REGIONAL UTILITIES items of a time-sensitive or important nature or pulled from Consent. Must be submitted or pulled the Mayor, a City Commissioner or a Charter Officer.

150627. **Update on Fuel Levelization Balance and Reduction of Fuel Adjustment (B)**

****Estimated Presentation Time 10 minutes****

****This item is informational.****

Justin Locke made a presentation.

Motion by Commissioner Wells, seconded by Mayor-Commissioner Pro Tem Carter to waive the rules and extend the meeting to 11:45 PM. Motion passed 7-0.

Jim Konish and Debbie Martinez spoke to the matter.

RECOMMENDATION *Hear a brief presentation from staff to address the revisions to the fuel cost assumptions, the impact to the Fuel Levelization and the resulting customer bill reductions.*

Heard

UNFINISHED BUSINESS

COMMISSION COMMENT

Mayor Braddy - 1) Dignity Village - Fred Murry spoke to the matter about booby traps being being investigated by GPD; and 2) Poem

Wells - Menagerie in Motion Event Estimate Update

CITIZEN COMMENT (If time permits)

*Debbie Martinez
Jo Beaty
Telford Cartwright
Ernesto Martinez*

ADJOURNMENT - 11:45 PM

Kurt Lannon, Clerk of the Commission