

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

April 5, 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)

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CALL TO ORDER - 1:03 PM

ROLL CALL

Present 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

AGENDA STATEMENT

INVOCATION

PROPHET GEORGE YOUNG

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

Modification: Move Item No. 170915 from Consent to the Regular agenda.

Tana Silva and Jo Beaty requested that the City Commission move Item No. 170915 from the Consent Agenda.

A motion was made by Commissioner Warren, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on the Consent Agenda with Modifications. The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

[170928.](#) **City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of March 12, and March 15, 2018.*

Approved as Recommended

[170924.](#) **Contract for GRU Diversity and Inclusion Consultant Services (B)**

****This item is for informational purposes.****

RECOMMENDATION *Receive information regarding GRU's efforts to improve Diversity and Inclusion at the Utility.*

Approved as Recommended

[170881.](#) **GRU Operational Update (B)**

RECOMMENDATION *Receive a report on GRU's operations in the month of February 2018.*

Approved as Recommended

[170754.](#)

Traffic Engineering Services Agreement between the City of Gainesville and Alachua County for FY 2018 (B)

This item is an agreement between the City of Gainesville (City) and Alachua County (County) for traffic engineering services in the amount of \$205,199.60 in revenue to the City during FY18.

RECOMMENDATION *The City Commission authorize the City Manager to execute the renewal for Traffic Engineering Services between the City of Gainesville and Alachua County for the period of October 1, 2017 to September 30, 2018, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

[170888.](#)

Approve the Amended Rules of the City Beautification Board (B)

RECOMMENDATION *The City Commission to approve the amended rules of the City Beautification Board.*

Approved as Recommended

[170899.](#)

Settlement of Worker's Compensation Claim - Julius Bodison (NB)

Full and final settlement of Mr. Bodison's workers' compensation claim(s), which will include all future medical and indemnity payments.

RECOMMENDATION *The City Commission authorizes Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Bodison in the amount of \$52,000.*

Approved as Recommended

[170905.](#)

Bid Award - Archer Road Project (B)

This item is a request for the City Commission to authorize bid award to Florida Safety Contractors, Inc. for the reconstruction of Archer Road between SW 16th Ave and SW 13th St. The project includes minor roadway widening, milling and resurfacing, sidewalks, curb & gutter, signing and markings, mast arm signalization, and LED lighting.

RECOMMENDATION *The City Commission: 1) award the bid to Florida Safety Contractors, Inc. for the Archer Road Project; and 2)*

authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[170927.](#)

Support for United States Department of Agriculture - Natural Resource Conservation Service Emergency Watershed Grant (B)

This item is a request for the City Commission's approval to accept a grant from the United States Department of Agriculture, Natural Resource Conservation Service (NRCS) Emergency Watershed Program.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to enter into the grant agreement and to execute all related documents, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager to enter into the appropriate emergency restoration contracts associated with this grant agreement subject to approval by the City Attorney as to form and legality.

Withdrawn

ADOPTION OF REGULAR AGENDA

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Goston, that this Matter be Adopted. The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

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
Scott Hesch*

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

[170945.](#)

Alachua County Combined Communications Center Presentation (B)

Sheriff Sadie Darnell gave a brief introduction

Colonel David Huckstep and Jim Lanier made presentations.

County Commissioner Pinkoson, Chief Northcutt, Chief Lane, Donald Shepherd and Nancy Daren spoke to the matter.

RECOMMENDATION *City Commission hear a presentation and take action deemed appropriate.*

Discussed

[170933.](#)

Update on Cost to Operate Deerhaven Renewable (B)

Ed Bielarski gave a brief introduction.

Eric Walters made a presentation.

RECOMMENDATION *Hear a presentation on the operating costs of Deerhaven Renewable with a comparison to the cost of the former PPA.*

Discussed

[170952.](#)

Mayor Lauren Poe - Discussion of Letter of Support for a Local Tobacco Retail License and Tobacco 21 (NB)

Motion: Draft a letter to the County supporting their Tobacco 21 initiative.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission discuss the letter of support and take action deemed appropriate.*

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

Aye: 6 - Commissioner Goston, Mayor Poe, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Nay: 1 - Commissioner Hayes-Santos

[170915.](#)

Request to Negotiate Contracts for Multiple Management Consulting Services (B)

This item is a request to negotiate contracts with the agencies which fell within the top 80% of the highest scored company in each category for the City of Gainesville Multiple Management Consulting Services (Non-Construction) RFQ.

Anthony Lyons and Carlos Holt spoke to the matter.

Motion: Authorize the City Manager or his designee to initiate contract negotiations with the recommended awards in each category.

Tana Silva, Kali Blount, and Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his designee to initiate contract negotiations with the recommended awards in each category.*

A motion was made by Commissioner Ward, seconded by Commissioner Warren, that this Matter be Approved, as shown above. The motion carried by

the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

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 - 4:13 PM

RECONVENE - 5:33 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[170940.](#) **Special Recognition of GRU Camp EmPower Students (NB)**

RECOMMENDATION *The City Commission hear presentations by staff and Camp EmPower students.*

Heard

[170923.](#) **Local Students Drop Savers Water Conservation Contest Winners (NB)**

RECOMMENDATION *The City Commission recognize local student winners from the Drop Savers Water Conservation Poster Contest.*

Heard

[170934.](#) **Water Conservation Month - April 2018 (B)**

RECOMMENDATION *GRU Tony Cunningham and St. Johns River Water Management District Mrs. Deirdre Irwin to accept the proclamation.*

Heard

[170935.](#) **National Public Safety Telecommunications Week - April 9-15, 2018 (B)**

RECOMMENDATION *Combined Communications Center to accept the proclamation.*

Heard

[170936.](#) **National Service Recognition Day - April 3, 2018 (B)**

RECOMMENDATION *RSVP Alachua Director Colleen Baker 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

- Jim Konish*
- Alan Gaza*
- Telford Cartwright*
- Pete Taylor*
- Pastor Larry Green*
- Kathleen Hernandez*
- Mino*
- James Thompson*
- Faye Williams*
- Julie Faber*
- Jessica Martini*
- Donald Shepherd*
- Mark van Soestbergen*

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

[170916.](#) **Resolution to recognize the State of Florida’s honorary designation of a section of NE 8th Avenue between NE 15th Street and NE 26th Terrace as “Rev. Dr. Thomas A. Wright Boulevard”**

RECOMMENDATION *The City Commission adopt the Resolution.*

A motion was made by Commissioner Goston, seconded by Mayor-Commissioner Pro Tem Budd, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

[170932.](#) **RESOLUTION ACCEPTING REPORT OF BOARD OF CANVASSERS -**

ELECTIONS 2018 (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, election held March 20, 2018; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Mayor-Commissioner Pro Tem Budd, seconded by Commissioner Warren, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

ORDINANCES, 1ST READING - ROLL CALL REQUIRED**160769. TEXT CHANGE - AMENDING LAND DEVELOPMENT CODE
RELATED TO REHABILITATION CENTERS AND SEXUAL
OFFENDER TREATMENT FACILITIES (B)**

Ordinance No. 160769, Petition PB-17-13 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by deleting Social Service Facility and Rehabilitation Center as permitted uses and adding Sexual Offender Treatment Facility and Social Service Treatment Facility as permitted uses in certain zoning districts with associated regulations; by amending Section 30-2.1. Definitions; by amending Section 30-4.12. Permitted Uses within transect zoning districts; by amending Section 30-4.16. Permitted Uses in residential zoning districts; by amending Section 30-4.19. Permitted Uses in mixed-use and nonresidential zoning districts; by amending Section 30-4.23. Permitted Uses in special zoning districts; by amending Article V. Use Standards to provide regulations for Sexual Offender Treatment Facilities and Social Service Treatment Facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Withdrawn

**170438. QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 415
NW 4th Street (B)**

Ordinance No. 170438

An ordinance of the City of Gainesville, Florida, finding that property located at 415

NW 4th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2018, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Jason Simmons made a presentation.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on First Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

[170521.](#)

**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 416
NE 2nd Avenue (B)**

Ordinance No. 170521

An ordinance of the City of Gainesville, Florida, finding that property located at 416 NE 2nd Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2018, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Jason Simmons made a presentation.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

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

Aye: 6 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Absent: 1 - Commissioner Ward

[170520.](#)**ANNEXATION BY REFERENDUM - 38.95 ACRES OF PROPERTY
KNOWN AS STERLING PLACE (B)**

Ordinance No. 170520

An ordinance of the City of Gainesville, Florida, annexing approximately 38.95 acres of property known as "Sterling Place" that is generally located south of NW 73rd Avenue, west of NW 43rd Street, north of NW 64th Boulevard, and east of NW 52nd Terrace, as more specifically described in this ordinance, pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing a severability clause; and providing effective dates.

Megan Echols made a presentation.

Lila Stewart answered questions.

Michelle Ott spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Ward, seconded by Commissioner Warren, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

[170762.](#)**ANNEXATION BY REFERENDUM - 23.40 ACRES OF PROPERTY
KNOWN AS FINLEY WOODS PHASE I (B)**

Ordinance No. 170762

An ordinance of the City of Gainesville, Florida, annexing approximately 23.40 acres of property known as "Finley Woods Phase I" that is generally located south of SW 62nd Avenue, west of SW Williston Road, north of SW 78th Lane, and east of SW 51st Terrace, as more specifically described in this ordinance, pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing a severability clause; and providing effective dates.

Megan Echols made a presentation.

Casey Willits and Michael Pellett spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

170608.

QUASI-JUDICIAL - REZONING 1.48 ACRES OF PROPERTY LOCATED AT 1135 SW 11TH AVENUE (B)

Ordinance No. 170608; Petition No. PB-17-115 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.48 acres of property generally located at 1135 SW 11th Avenue, as more specifically described in this ordinance, from Single-Family (RSF-1) district to Urban 8 (U8) district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Warren, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 6 - Commissioner Goston, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Absent: 1 - Mayor Poe

170831.

TEXT CHANGE - AMENDING SIDEWALK REGULATIONS IN THE LAND DEVELOPMENT CODE (B)

Ordinance No. 170831; Petition PB-18-15 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to sidewalk regulations; by amending Section 30-3.36. Minor Subdivisions; by amending Section 30-3.37. Subdivisions; by amending Section 30-4.11. Generally; by amending Section 30-4.13. Building Form Standards; by amending Section 30-4.21. Design Standards; by amending Section 30-6.3. Level of Service

Standards; by amending Section 30-6.18. Sidewalks and Shared-Use Bicycle Paths; by amending Section 30-6.19. Access Management; 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 Arreola, seconded by Commissioner Goston, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

[160200.](#)

ORDINANCE PROHIBITING THE USE OF CONVERSION THERAPY ON MINORS (B)

ORDINANCE NO. 160200

An ordinance of the City of Gainesville, Florida amending Chapter 17 of the Code of Ordinances, relating to offenses, by creating Article IV, to be entitled "Conversion Therapy," to prohibit licensed professionals from engaging in counseling efforts, practices, or treatments with the goal to change a minor's sexual orientation or gender identity; amending Section 2-339 to provide a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Jim East, Bob Karp, Michelle Adams-Manning, Donald Shepherd and Bruce Blackwell spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

PLANNING PETITIONS

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

*Donald Shepherd
Jim East
Jose Vega*

COMMISSION COMMENT

Motion by Commissioner Hayes-Santos, seconded by Commissioner Ward: City Clerk to schedule a meeting with the University of Florida Student Government. Motion passed 7-0.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Ward: 1) Draft a resolution to support early voting on college campuses in Florida; 2) send a letter to the Legislative Delegation; and 3) add this to the lobbyist agenda. Motion passed 7-0. Donald Shepherd spoke to the matter.

Commissioner Ward - 1) Early Voting locations on campus (impact on faculty, staff and students with parking); 2) Sanctuary City; and 3) Public Safety/Panhandling. Anthony Lyons spoke to the matter.

Commissioner Arreola: Welcoming City status on GPC Referral List; and 2) South Florida cities (join cities w/amicus brief).

Commissioner Goston: 1) Journalism on the campaign race related to District 1.

Commissioner Goston left the meeting at 8:22 PM.

Mayor-Commissioner Pro Tem Budd: 1) Spanish package for GRU/GG - key documents informing customers - translate if needed.

ADJOURNMENT - 8:35 PM (Approx.)