

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

August 4, 2016

1:00 PM

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 6 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Mayor-Commissioner Pro Tem Warren

Absent 1 - Commissioner Carter

AGENDA STATEMENT

INVOCATION

Prophet George Young

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 Budd, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

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

Absent: 2 - Commissioner Goston, and Commissioner Carter

[160174.](#)

Regional Transit System (RTS) Procurement of Buses (Federal Assets) and Components from the Central Florida Regional Transit Authority (LYNX) (B)

This item is a request for the City Commission to approve the procurement of buses, paint services and parts inventory from the Central Florida Regional Transit Authority (LYNX).

RECOMMENDATION

The City Commission: 1) approve the transfer of eleven (11) Gillig buses and components from Central Florida Regional Transit Authority (LYNX) to the City of Gainesville Regional Transit System (RTS) for a cost of \$3,600; 2) authorize painting services in the amount of \$11,989.32 as part of the aforementioned bus acquisition from Central Florida Regional Transit Authority (LYNX); and 3) authorize the City Manager or his designee to execute any documents necessary to facilitate this transaction, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[160196.](#)

CRA - City option Agreement for City owned properties - Tax Parcels #13956, #13911, #13913-001(B)

RECOMMENDATION

City Manager to City Commission: Authorize the City

Manager to execute the proposed CRA - City option Agreement for City owned properties - Tax Parcels #13956, #13911, #13913-001.

Approved as Recommended

[160202.](#)

Regional Transit System (RTS) Proposed Fall 2016 Transit Service Changes (B)

This is a request for the City Commission to review and approve the proposed Regional Transit System (RTS) fall 2016 Service Changes.

RECOMMENDATION

The City Commission: 1) approve the proposed fall 2016 service changes effective August 15, 2016; and 2) authorize the City Manager to execute any related documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[160207.](#)

Release of Phosphate, Mineral, Metal and Petroleum Rights at the Gainesville Hampton Inn (B)

This item requests the approval and authorization to release the phosphate, mineral, metal and petroleum rights reserved by the City at the Hampton Inn property located at 101 SE 1st Street, parcel number 14589-000-000. (B)

RECOMMENDATION

The City Commission: 1) approve the release of phosphate, mineral, metal and petroleum rights pursuant to Section 270.11, Florida Statutes, for the Gainesville Hampton Inn; and 2) authorize the Mayor to execute, and the Clerk to attest a Release of same, releasing all City interests including the right of entry, in and to the phosphate, minerals, metals and petroleum, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[160214.](#)

Edward Byrne Memorial Justice Assistance Grant Application (JAG countywide - State Solicitation) (NB)

This item involves a request to the City Commission for authorization to accept the Edward Byrne Memorial Justice Assistance Grant funds (State Solicitation)

RECOMMENDATION

The City Commission: authorize the City Manager to accept and execute the grant award and all other necessary documents, subject to review by the City Attorney as to form and legality.

Approved as Recommended

[160216.](#)

Voluntary Annexation Petition for Property Owned by WWB Real Estate

**Investments LLC, the Henderson Land Trust, and the City of Gainesville
(B)**

This item is a submission of petition for voluntary annexation of multiple parcels, owned by WWB Real Estate Investments LLC, the Henderson Land Trust, and the City of Gainesville. The total annexation area is approximately 90+ acres and is located west of I-75 and north of Williston Road.

RECOMMENDATION

The City Commission: 1) authorize the Mayor, as agent for the City of Gainesville, to sign the petition for voluntary annexation; 2) receive the petition for annexation and make findings that it contains the signature of the property owners or authorized agents; 3) authorize the Mayor to provide notice to the Alachua County Board of County Commissioners; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Approved as Recommended

[160210.](#)

**Contract Amendment for Grounds Maintenance Services at various GRU
Water/Wastewater Facilities (B)**

RECOMMENDATION

Staff recommends that the City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute up to three (3) years of contract amendments with E.W. Reshard, Inc. for grounds maintenance services for various GRU Water/Wastewater facilities, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to E.W. Reshard, Inc. in amounts not exceeding \$90,000 for each year of the contract amendment pending final appropriation of funds for each fiscal year.

The Utility Advisory Board recommends approval of this contract.

Approved as Recommended

[160247.](#)

Gainesville Creative Series: Design Session (NB)

This is a request for the City Commission to approve August 30, 2016 from 4:00 PM to 7:00 PM to host the Design Session workshop as part two of the three-part Gainesville Creative Series.

RECOMMENDATION

The City Commission host part two of the Gainesville Creative Series, the Design Session, on August 30, 2016 from 4:00 - 7:00PM.

Approved as Recommended

[160215.](#)**SONIA GEEVARUGHESE VS. CITY OF GAINESVILLE, A MUNICIPAL SUBDIVISION OF THE STATE OF FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2016-CA-1057 (B)****RECOMMENDATION**

The City Commission authorize the City Attorney to represent the City in the case styled Sonia Geevarughese vs. City of Gainesville, a municipal Subdivision of the State of Florida; Eighth Judicial Circuit, Case No. 2016-CA-1057.

Approved as Recommended

[160237.](#)**City Commission Minutes (B)****RECOMMENDATION**

The City Commission approve the minutes of July 7, July 13, July 14, July 21 and July 25, 2016.

Approved as Recommended

[160254.](#)**Appointments to City Commission Advisory Boards and Committees (NB)****RECOMMENDATION**

The City Commission appoint:
Angela Tharpe and Arthur Stockwell to the Gainesville Housing Authority for a term to expire 8/1/20
Jennifer Powell, John Paul Fiore, Wallace Mazon, Greg Larvenz and Jessica Gomez to the Citizens Advisory Committee for Community Development for a term to expire 11/1/19
William Smith and Leslie Ladendorf to the Gainesville/Alachua County Cultural Affairs Board for a term to expire 9/30/19
Sheryl Eddie to the Regional Transit System Advisory Board for a term to expire 9/30/19
Quintina Walker, Leslie Suskin, Jennifer Powell and Tavarous Parks to SHIP Affordable Housing Advisory Committee for a term to expire 7/1/19
John Paul Fiore, Jacquelyne Smith and Daniel Christophy to the City Beautification Board for a term to expire 11/1/19
Dave Miller to the Nature Centers Commission for a term to expire 11/1/19
Valery Raymond Student Seat to the Student Community Relations Advisory Board for a term to expire 9/30/17 and Clarinda Choice and Sarah Blanc as Non-voting Administrators from postsecondary educational institutions to the Student Community Relations Advisory Board for a term to expire 9/30/18.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Commissioner Goston arrived at 1:06 PM.

Jim Konish and Donald Shepherd spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Budd, that this Matter be Adopted. The motion carried by the

following vote:

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

Absent: 1 - Commissioner Carter

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

Teresa Scott made a presentation.

*Jim Konish
Annette Kennedy
Marsha Conwell*

BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.160234.**Appointments to the Historic Preservation Board, Development Review Board and Gainesville/Alachua County Regional Airport Authority (B)**

Motion by Commissioner Budd, seconded by Commissioner Goston, to appoint William Smith to the Historic Preservation Board. Motion passed 6-0.

Motion by Commissioner Budd, seconded by Commissioner Chase, to appoint David Norton, Peter Johnson and Grace Horvath to the Gainesville/Alachua County Regional Airport Authority. Motion passed 6-0.

William Breeze, Peter Johnson, Grace Horvath and Donald Shepherd spoke to the matter.

Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren, to appoint Barbara Vandermeer, Ewen Thompson and Allison Reagan to the Development Review Board and to waive the probationary period for Barbara Vandermeer and Allison Reagan. Motion passed 5-1, Commissioner Budd voting no.

Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren to appoint Ewen Thompson to the Development Review Board. Motion passed 6-0.

Ralph Hilliard presented and Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission discuss appointments to the Historic Preservation Board, Development Review Board and Gainesville/Alachua County Regional Airport Authority and take appropriate action.*

160063.**Cornerstone (Former GTEC) Expansion (B)**

Mike Beard made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION *City Manager to City Commission Authorize the City*

Manager to execute the land lease with an option to purchase for pads C and D of the Cornerstone Expansion Master Plan subject to the City Attorney as to form and legality.

A motion was made by Commissioner Hayes-Santos, 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, Commissioner Hayes-Santos, and Mayor-Commissioner Pro Tem Warren

Absent: 2 - Mayor Poe, and Commissioner Carter

[160245.](#)

INCREASE THE SCOPE AND MAXIMUM FEES FOR WINSTON & STRAWN LLP, TO CONTINUE REPRESENTATION OF THE CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES (GRU) IN GAINESVILLE RENEWABLE ENERGY CENTER, LLC'S ARBITRATION AGAINST THE CITY D/B/A GRU (B)

Justin Locke made a presentation.

Jim Konish and Donald Shepherd spoke to the matter.

RECOMMENDATION *Authorize the Office of the City Attorney, on behalf of the General Manager for Utilities, to amend the retention letter with Winston & Strawn LLP to provide for the increased scope of representation and increased maximum fees.*

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

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

Nay: 1 - Commissioner Budd

Absent: 1 - Commissioner Carter

[160222.](#)

Tree Mitigation Fund Allocation for the NW 1st Avenue Streetscape Project (B)

Sarit Sela and Steve Phillips made presentations.

RECOMMENDATION *City Manager to City Commission: Approve the Tree Advisory Board recommendation to dedicate an amount of \$285,000 of Tree Mitigation Fund to support tree installation and related infrastructure as part of the NW 1st Avenue Streetscape project.*

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

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

Nay: 1 - Commissioner Chase

Absent: 1 - Commissioner Carter

[160210.](#)

Contract Amendment for Grounds Maintenance Services at various GRU Water/Wastewater Facilities (B)

Donald Shepherd spoke to the matter.

RECOMMENDATION

Staff recommends that the City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute up to three (3) years of contract amendments with E.W. Reshard, Inc. for grounds maintenance services for various GRU Water/Wastewater facilities, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to E.W. Reshard, Inc. in amounts not exceeding \$90,000 for each year of the contract amendment pending final appropriation of funds for each fiscal year.

The Utility Advisory Board recommends approval of this contract.

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

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

Absent: 1 - Commissioner Carter

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 - 4:16 PM

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[160232.](#) **Lifeguard Appreciation Day - August 4, 2016 (B)**

RECOMMENDATION *City of Gainesville Pool Supervisor Drew Shimansky, Pool Supervisor Stefan Guire, Lifeguard Harold Pan and Lifeguard Minh Nguyen 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
John Davies
Donald Shepherd
Don Glendening
Pamela Mincey
Gabe Kaimowitz
Kali Blount
Sherri Dupree*

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

ORDINANCES, 2ND READING/ADOPTION READING

[150844.](#) **LAND USE CHANGE - 2200 NE WALDO ROAD (B)**

Ordinance No. 150844; Petition No. PB-16-27 LUC
An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 3.7 acres of property generally located at 2200 NE Waldo Road, as more specifically described in this ordinance, from Residential Low-Density (RL) to Education (E); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms made a presentation.

RECOMMENDATION *The City Commission: (1) approve Petition No. PB-16-27 LUC; and (2) adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Chase, and Commissioner Carter

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

150845.

QUASI-JUDICIAL - REZONING - 2200 NE WALDO ROAD (B)

Ordinance No. 150845; Petition No. PB-16-28 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 3.7 acres of property generally located at 2200 NE Waldo Road, as more specifically described in this ordinance, from Mobile Home Residential District (MH) to Educational Services District (ED); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms made a presentation.

RECOMMENDATION

The City Commission: (1) approve Petition No. PB-16-28 ZON; and (2) adopt the proposed ordinance.

A motion was made by Mayor-Commissioner Pro Tem Warren, 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 Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Carter

150942.

UPDATE OF THE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS IN THE CITY OF GAINESVILLE COMPREHENSIVE PLAN (B)

Ordinance No. 150942; Petition No. PB-16-26 CPA

An ordinance updating Table 14: 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the City of Gainesville Comprehensive Plan; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Dean Mimms and Rick Melzer made presentations.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-16-26 CPA; and 2) adopt the proposed ordinance.

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

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

Absent: 1 - Commissioner Carter

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

[150694.](#)

Amend the Blues Creek Planned Development zoning (B)

Petition PB-15-115 PDA. EDA Engineers-Surveyors-Planners, Inc., agent for New Generation Home Builders, Inc. Amend the Blues Creek Planned Development (single - family subdivision) as it relates to Unit 5 to modify development standards. Located in the 7000-7800 block of NW 58th Street.

RECOMMENDATION

Staff to City Plan Board - Approve petition.

COMMISSION COMMENT

Commissioner Budd - Affordable housing (pursuing mobile home parks).

Torey Alston spoke to the matter of affordable housing.

Commissioner Goston - 1) Affordable Housing; and 2) Donald Shepherd.

Commissioner Chase - Depot Park parking (email from Cade Museum).

Mayor-Commissioner Pro Tem Warren - Depot Park parking assessment (look at policy on towing zones).

Commissioner Hayes-Santos - 1) Recognition of Officer White; and 2) staff report on co-sponsoring events.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Budd to direct staff to evaluate a feasibility study of using the RTS site for overflow parking. If staff determines that it is feasible for overflow parking, notify the County that they will use this as temporary parking. Motion passed 6-0.

Mayor Poe - 1) Staff analysis on signage of SR 441 (MLK Boulevard).

Motion by Commissioner Chase, seconded by Commissioner Budd for the Mayor to send a letter to the County Commission asking for a fiscal impact study on the proposed stormwater treatment ordinance (asking for information). Motion passed 6-0.

Motion by Commissioner Budd, seconded by Commissioner Hayes-Santos for the City to co-sponsor - 1) Humana Senior Prom; 2) Heart Walk (getting City employees to participate); 3) Hispanic Heritage Festival; and 4) Strike out Hunger event. Motion passed 6-0.

160276.

Underground Utilities

This item has also been referred to the UAB.

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Goston, that this Matter be Referred to the General Policy Committee, due back on 4/30/2017. The motion carried by the following vote:

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

Absent: 1 - Commissioner Carter

160277.

Setbacks/Sidewalks

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Chase, that this Matter be Referred to the General Policy Committee, due back on 4/30/2017. The motion carried by the following vote:

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

Absent: 1 - Commissioner Carter

ADJOURNMENT - 8:01 PM

Kurt Lannon, Clerk of the Commission