

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Final**

**May 5, 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)*

*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.*

**CALL TO ORDER - 1:27 PM**

**Present** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**INVOCATION****PROPHET GEORGE YOUNG****ADOPTION OF CONSENT ITEMS**

*Motion by Commissioner Carter, seconded by Commissioner Goston to move Item No. 150988 to the Regular Agenda. Motion passed 7-0.*

*Kali Blount and Donald Shepherd spoke to the matter.*

**A motion was made by Commissioner Carter, seconded by Commissioner Goston, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**[150940.](#)****Amendment to the FY 2015-2016 Funding Recommendations for the Community Grant Program (B)**

**The City Commission is requested to consider approval of an amendment to the City's FY 2015-2016 Community Grant Program funding allocation.**

**RECOMMENDATION**

*The City Commission: 1) consider approval of the AHAC's revised funding recommendations for the FY 2015-2016 Community Grant Program; and 2) authorize the City Manager or his designee to execute the funding agreements and other related documents with the approved organizations to disburse the grant funds, subject to approval by the City Attorney as to form and legality.*

***Alternative Recommendation***

*The City Commission does not consider approval of the AHAC's revised funding recommendations for the FY 2015-2016 Community Grant Program.*

**Approved as Recommended**

**[150824.](#)****Traveler Information System (GPS System) (B)**

**This item is a request for the City Commission to approve agreements with TransLoc, Inc. and the University of Florida Board of Trustees in order to provide a Traveler Information System.**

RECOMMENDATION

*The City Commission: 1) authorize the City Manager or designee to execute a Technology License and Service Agreement with Transloc, Inc. and all related documents, subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager or designee to execute a Bus Tracking Services Agreement with the University of Florida and all related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[150941.](#)

**2017 City Election (NB)**RECOMMENDATION

*The City Commission direct the City Attorney to prepare and the Clerk of the Commission advertise an ordinance setting March 14, 2017, as the date for the City Election and April 11, 2017, as the date for the run-off election (if needed).*

**Approved as Recommended**

[150960.](#)

**Affirmative Action Plan(s) (B)**RECOMMENDATION

*The City Commission receive and approve both 2016 Affirmative Action Plans for General Government and Gainesville Regional Utilities as prepared.*

**Approved as Recommended**

[150972.](#)

**Meagan Lamothe v. City of Gainesville; Case No. 2015-CA-3399; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)**RECOMMENDATION

*The City Commission 1) approve the terms of the negotiated settlement agreement; and 2) authorize the City Attorney to settle the claim of Meagan Lamothe arising from an accident that occurred on or about June 17, 2014.*

**Approved as Recommended**

[150987.](#)

**General Policy Committee Meetings (NB)**RECOMMENDATION

*The City Commission schedule a General Policy Committee meeting for Thursday, May 12 at 1:00PM in Room 016 and refer the following topics to the committee: 1) Organizational Topics; 2) Key City/County Issues; and 3) Election Services Agreement*

**Approved as Recommended**

**150990.**

## Organizational Topics

RECOMMENDATION

*Refer to Committee*

**A motion was made by Commissioner Carter, 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:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**150991.** Key City/County Issues

RECOMMENDATION      *Refer to Committee*

**A motion was made by Commissioner Carter, 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:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

[150992.](#) Election Services Agreement

RECOMMENDATION      *Refer to Committee*

**A motion was made by Commissioner Carter, 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:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**ADOPTION OF REGULAR AGENDA**

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

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**GENERAL CITIZEN COMMENT**

*Fred Murry and Jesus Gomez made presentations.*

*Jim Konish  
Teresa Lowe  
Kali Blount  
Nancy Daren*

[150993.](#) Bus Provisions for Homeless

RECOMMENDATION      *Refer to Committee*

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

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

## **BUSINESS DISCUSSION ITEMS**

[150221.](#)

### **AMEND THE RETENTION LETTER WITH WINSTON & STRAWN LLP TO CONTINUE REPRESENTATION OF THE CITY IN THE REVIEW OF ISSUES RELATED TO THE BIOMASS POWER PURCHASE AGREEMENT (NB)**

*Jim Konish, Donald Shepherd, Mary Anderson and Walter Williard 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 for the representation of the City d/b/a in the review of issues related to the Biomass PPA to reflect a maximum cap of \$200,000 in legal fees.*

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

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos and Commissioner Carter.

[150898.](#)

### **Request Approval to Contract with vRide, Inc. to provide a Van Pool Program as Requested and Funded by the Florida Department of Transportation (B)**

**This item is to request that the City Commission authorize the Regional Transit System (RTS) to enter into a contract with vRide, Inc. to continue to provide a commuter van pool into the City of Gainesville and Alachua County per a request from the Florida Department of Transportation (FDOT). \*\*Estimated Staff Presentation 5 Minutes\*\***

*Jesus Gomez made a presentation.*

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to execute the contract with vRide, Inc. and related documents, subject to approval by the City Attorney as to form and legality.*

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

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

[130598.](#)

### **Compressed Natural Gas (B)**

**This is a request for the City Commission to hear a presentation on the implications of Compressed Natural Gas (CNG) fueling by the Regional Transit System (RTS).**

**\*\*Estimated Staff Presentation 15 Minutes\*\***

*Jesus Gomez and Matt Muller made presentations.*

*Motion: Approve #2 and bring back to the General Policy Committee for discussion.*

*Donald Shepherd, Mary Anderson, Nancy Daren and Walter Williard spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) hear the presentation; 2) approve RTS to apply for applicable capital grants; and 3) approve RTS to issue a Request for Proposals (RFP) to evaluate implementing CNG fueling through a public-private partnership (P3).*

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

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**160004.**

**RTS to Apply for Applicable Capital Grants for Compressed Natural Gas Fueling**

**RECOMMENDATION**

*Refer to Committee*

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

**Aye:** 7 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, and Commissioner Carter

**150938.**

**Interlocal Agreement with Alachua County for Local Option Fuel Tax (B)**

**This is an informational item. Section 336.025, Florida Statutes allow counties to impose a local option gas tax of one- to eleven-cents on motor fuel sold in a county, with the revenue generated by such tax to be used by county and municipal governments only for transportation expenditures authorized by law. There are three interlocal agreements with Alachua County identifying the formulas for the distribution of these funds.**

*Teresa Scott made a presentation.*

**RECOMMENDATION**

*The City Commission: 1) hear an informational presentation from City staff and 2) provide guidance including direction that the Interlocal Agreement for Distribution of the Local*

Option Gas Tax be placed on the May 19, 2016 City Commission agenda.

Discussed

[150988.](#) **City Manager Employment Agreement (B)**

Cheryl McBride made a presentation.

Motion: Authorize the Mayor to renegotiate the Employment Agreement with Mr. Lyons.

RECOMMENDATION The City Commission approve the employment agreement of Anthony Lyons.

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

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

**COMMITTEE DISCUSSION ITEMS**

**OTHER POLICY DISCUSSION ITEMS**

**INFORMATIONAL PRESENTATIONS**

**RECESS - 4:48 PM**

**RECONVENE - 5:32 PM**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[150957.](#) **Regional Drinking Water Taste Test Winner (NB)**

RECOMMENDATION The City Commission recognize GRU staff for winning the Regional Drinking Water Taste Test.

Heard

[150958.](#) **Drop Savers Water Conservation Contest Winners (NB)**

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

Heard

[150964.](#) **Drinking Water Week - May 1-7, 2016 (B)**

RECOMMENDATION

*Gainesville Regional Utilities Water/Wastewater Officer Tony Cunningham, Utility Engineer 4 Rae Hafer and Murphree Water Treatment Plant Manager Rick Davis and FSAWWA Region XI Chair Kristen Sealey to accept the proclamation.*

Heard

[150922.](#)

**Collins Walter Duncan Day - April 21, 2016 (B)**RECOMMENDATION

*Mr. Collins Walter Duncan to accept the proclamation.*

Heard

[150962.](#)

**Internal Audit Awareness Month - May 2016 (B)**RECOMMENDATION

*North Central Florida Chapter Institute of Internal Auditors Vice President Lisa Dalrymple and Secretary Eileen Marzak to accept the proclamation.*

Heard

[150963.](#)

**Elks National Youth Week - May 1-7, 2016 (B)**RECOMMENDATION

*Gainesville Elks Lodge Exalted Ruler Dayna Miller and Esteemed Leading Knight Linda Califf to accept the proclamation.*

Heard

**GENERAL CITIZEN COMMENT**

*Gabriel Hillel*

**PUBLIC HEARINGS**

[150897.](#)

**Resolution for a Commuter Assistance Grant providing for Oversight of an Existing Van Pool Program (currently provided by vRide) to Transition From the Florida Department of Transportation (FDOT) to the Regional Transit System (RTS) (B)**

**This is a request for the City Commission to adopt a resolution to allow the Regional Transit System (RTS) to apply for and accept a grant to oversee the Van Pool Program currently overseen by the Florida Department of Transportation (FDOT).**

*Paul Folkers made a presentation.*

RECOMMENDATION

*The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager or designee to execute related Joint Participation Agreement(s) with FDOT, subject to approval by the City Attorney as to form and legality.*

**A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by**



**Commissioner Budd, that this Matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Carter

## RESOLUTIONS

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

[150418.](#) **QUASI-JUDICIAL - REZONING TO PLANNED DEVELOPMENT DISTRICT (PD) - 1206 W UNIVERSITY AVENUE (B)**

ORDINANCE NO. 150418, PETITION NO. PB-15-69PDV

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.64 acres of property that is generally located at 1206 W University Avenue, as more specifically described in this ordinance, from Urban Mixed-Use District 2 (UMU-2) to Planned Development District (PD); adopting a PD report with land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Ralph Hilliard, Rick Melzer, Wade Olszewski and Sandra Gorman made presentations.*

*A landowner spoke to the matter.*

**RECOMMENDATION**      *The City Commission adopt the proposed ordinance.*

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

**Aye:** 4 - Mayor-Commissioner Pro Tem Warren, Commissioner Goston, Commissioner Budd, and Mayor Poe

**Nay:** 2 - Commissioner Chase, and Commissioner Hayes-Santos

**Absent:** 1 - Commissioner Carter

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

[150818.](#) **VOLUNTARY ANNEXATION - PROPERTY OWNED BY THE EMORY GROUP, LLC, AND PRAIRIE GROUP TRUST - SOUTH OF SW WILLISTON ROAD AND WEST OF THE GAINESVILLE CITY LIMITS (B)**

Ordinance No. 150818

An ordinance of the City of Gainesville, Florida, annexing certain property

that comprises Tax Parcel No. 07176-002-000 and a portion of Tax Parcel No. 07176-000-000, which are generally located south of SW Williston Road, west of Tax Parcel No. 07176-006-000 and the existing city limits, north of SW 56th Avenue, and east of Interstate 75, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; 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 directions to the Clerk of the Commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Mitch Glaeser made a presentation.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

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

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

**Absent:** 2 - Commissioner Goston, and Commissioner Carter

[150749.](#)

**Ordinance No. 150749; Petition No. PB-15-155 ZON**

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 0.627 acres of property generally located at 1947 N Main Street, as more specifically described in this ordinance, from General Business (BUS) to Automotive-Oriented Business District (BA); 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 Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Budd, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Carter

**PLANNING PETITIONS**

**CITIZEN COMMENT**

**COMMISSION COMMENT**

*Commissioner Goston: 1) Public Works look into the dangerous situation at NE 8th Avenue and NE 9th Street; and 2) Reconstitute the EEO Committee. Torey Alston spoke to the matter.*

*Commissioner Chase: 1) Consolidation; and 2) Assignment of Committees.*

**ADJOURNMENT - 7:08 PM**

---

**Kurt Lannon, Clerk of the Commission**