

#1160315

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes

August 18, 2016

1:00 PM

MODIFIED AGENDA

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 - 1:05 PM

- Present** 6 - Commissioner Goston, Commissioner Budd, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren
- Absent** 1 - Commissioner Chase

AGENDA STATEMENT**INVOCATION****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 Goston, Commissioner Budd, Mayor Poe, Commissioner Hayes-Santos, and Mayor-Commissioner Pro Tem Warren
- Absent:** 2 - Commissioner Chase, and Commissioner Carter

160235.**Firehouse Subs Public Safety Foundation Grant (NB)**

This item requests that the City Commission authorize the City Manager to execute a grant, if awarded, from the 2016 Firehouse Subs Public Safety Foundation for the purchase of Thermal Imaging Cameras (TICs).

RECOMMENDATION

The City Commission authorize the City Manager to execute the grant award contract, if awarded, and other necessary documents, pending approval by the City Attorney as to form and legality.

Approved as Recommended

160229.**Award of a Contract for Liability and Worker's Compensation Claims Adjusting Services to Underwriters Safety and Claims, Inc. (B)**

This item involves the selection of a third-party administrator for the City's Self-Insured Liability and Worker's Compensation claims adjusting.

RECOMMENDATION

The City Commission: 1) approve the rankings of the responding third-party administrators; 2) authorize the City Manager or his designee to negotiate with the firms in the ranked order, and execute a contract, according to the terms in the Request for Proposals with the chosen firm subject to approval by the City Attorney as to form and legality; and 3)

authorize the issuance of a purchase order in an amount sufficient to cover the estimated claims administration costs.

Approved as Recommended

160241.

Settlement of Worker's Compensation Claim - Curtis Reese (NB)

This item involves the full and final settlement of Mr. Reese's workers' compensation claim(s), which will include all future medical and indemnity payments. The total settlement amount is \$24,900 and represents a significant cost advantage to the city.

RECOMMENDATION

The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Mr. Reese in the amount of \$24,900.

Approved as Recommended

160287.

Alachua County's Draft Stormwater Treatment Manual (NB)

This item is a request for the City Commission to refer the Alachua County Draft Stormwater Treatment Manual to the General Policy Committee.

RECOMMENDATION

The City Commission refer the Alachua County Draft Stormwater Treatment Manual to the General Policy Committee.

Approved as Recommended

160286.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of July 27 and July 28, 2016 and August 4, 2016.

Approved as Recommended

160285.

Office of Equal Opportunity Policy Revisions (B)

RECOMMENDATION

The City Commission approve recommended revisions by the Equal Opportunity Director to the Office of Equal Opportunity policies.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

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

Absent: 2 - Commissioner Chase, and Commissioner Carter

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

Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Budd to discuss the parking policy and fines at a future meeting. Motion passed 5-0. Commissioner Chase and Commissioner Carter absent.

Paul Folkers and Torey Alston made presentations.

*Jim Konish
Samuel Mutch
Zach Andrews
Garlen Beverage
Thomas Landon
Lynn Palvicheck*

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

150568. **Citizen Centered Gainesville Quarterly Update (B)**

This item is a request for the City Commission to receive a presentation on implementation efforts related to Citizen Centered Gainesville.

****ESTIMATED STAFF PRESENTATION 20 MINUTES****

Carrie Bush, Amber Cabrera, Laura Graetz, Sarit Sela and Lila Stewart made presentations.

Jim Konish spoke to the matter.

RECOMMENDATION *The City Commission receive a presentation from staff.*

Heard

100607. **Purchase and Sale Agreement with Phalanx Defense Systems for Reuse/Development of the Former U.S. Army Reserve Property (B)**

This item seeks City Commission approval of a Purchase and Sale Agreement between the City and Phalanx Defense Systems, including financial and business terms, for the Reuse/Development of the Former U.S. Army Reserve Property. **ESTIMATED STAFF PRESENTATION 5 MINUTES**

Paul Folkers and James Coats made presentations.

RECOMMENDATION *The City Commission: 1) hear a brief presentation on the proposed business terms included in the proposed Purchase and Sale Agreement and 2) authorize the City Manager to execute the proposed Purchase and Sale Agreement subject to approval of the City Attorney as to form and legality.*

Heard

110541.

Proposed FY2017 Water and Wastewater Infrastructure Improvement Area Fees (B)

Rick Hutton made a presentation.

Jim Konish spoke to the matter.

RECOMMENDATION

The City Commission hear a brief staff presentation on the proposed FY2017 Innovation District Infrastructure Improvement Area (IIA) fees and direct the City Attorney to draft and the Clerk of the Commission to advertise an ordinance to adopt the recommended FY2017 fees effective October 2, 2016.

The Utility Advisory voted 6-0 (one member absent) to recommend that the Commission approve staff's recommendation.

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

Absent: 2 - Commissioner Chase, and Commissioner Carter

160310.

General Infrastructure Economic Development in other Parts of the City

RECOMMENDATION

Refer to Committee

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

Aye: 4 - Commissioner Budd, Mayor Poe, Commissioner Hayes-Santos, and Mayor-Commissioner Pro Tem Warren

Absent: 3 - Commissioner Goston, Commissioner Chase, and 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 - 2:53 PM

RECONVENE 5:31 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

160293. **Gainesville Professional Fire Fighters Local #2157 Fill the Boot Days - September 2-4, 2016 (B)**

RECOMMENDATION

Muscular Dystrophy Association Fundraiser Coordinator Jasmyne Stanley, Lieutenant Billie Jackson and Union President Tracey Higdon 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

*Gabe Kaimowitz
Telford Cartwright
Walter Williard
Frank Lineberger*

Commissioner Carter arrived for the 5:31 session.

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

120977. **Resolution for a County Incentive Grant Program (CIGP) Agreement for the SW 40th Blvd Extension Project (B)**

This item is associated with a Resolution authorizing the Mayor to execute the County Incentive Grant Program (CIGP) Agreement between the City of Gainesville, Alachua County, and the Florida Department of Transportation for the SW 40th Blvd Extension Project.

Shawn Webber made a presentation.

Amendment: 1) Request City Commission approval of the 30% plans; and 2)

Request City Commission waiver of future presentations of 60%, 90%, and 100% plans.

RECOMMENDATION *The City Commission: 1) hear a project presentation from staff; 2) approve a roadway cross-section; 3) adopt the Resolution; and 4) authorize the Mayor to execute a CIGP Agreement for the SW 40th Blvd Extension Project, subject to approval by the City Attorney as to form and legality.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Carter, that this Matter be Adopted (Resolution) and recommendation as amended. The motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

160142.

Qualified Target Industry (QTI) Resolution - Project Generation (B)

This item seeks City Commission approval for a QTI Resolution associated with prospective job creation for the location within the City of Gainesville of Project Generation.

Eric Bredfeldt made a presentation.

Susan Davenport spoke to the matter.

RECOMMENDATION *The City Commission: 1) adopt the QTI Resolution; 2) authorize the Mayor to execute and the Clerk to attest to the QTI Resolution regarding Project Generation; and 3) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.*

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

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

Absent: 1 - Commissioner Chase

160143.

Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2017 (B)

This item is a request to adopt a Resolution authorizing the City Manager to execute a Joint Participation Agreement between the City of Gainesville and Florida Department of Transportation (FDOT) to accept the allocation for Gainesville of \$1,843,539 from the State Block Grant Funds for FY 2017.

Teresa Scott made a presentation.

RECOMMENDATION *The City Commission adopt the Resolution.*

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

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

Absent: 2 - Commissioner Budd, and Commissioner Chase

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

160156.

VOLUNTARY ANNEXATION - 0.91 ACRES OF PROPERTY OWNED BY NORTH CENTRAL FLORIDA REGIONAL MEDICAL CENTER (B)

Ordinance No. 160156

An ordinance of the City of Gainesville, Florida, annexing approximately 0.91 acres of property identified as Tax Parcel No. 06340-007-000, which is generally located north of W Newberry Road, south of NW 10th Place, east of NW 69th Terrace and Interstate 75, and west of NW 66th Street, 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.

Lila Stewart made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

ORDINANCES, 2ND 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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Chase

PLANNING PETITIONS

160134.

Special Use Permit Review to Construct a Gas Station with 12 Fueling Positions and a Convenience Store (B)

Petition PB-16-34 SUP. Greenberg Farrow (John Vecchio, P.E.) agent for Walmart Stores East, owner. A special use permit with an intermediate development plan to allow construction of a gas station with a convenience store. Zoned: MU-2 (12-30 units/acre mixed use medium intensity). Located at 1800 NE 12th Avenue.

Estimated presentation time 15 minutes

Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter: 1) staff to look into the Comprehensive Plan to allow for a switch of the gas pumps adjacent to a single-family neighborhood to the front; 2) staff look into the Land Development Code to remove gas stations that are adjacent to single-family neighborhoods; and 3) change the notification process to notify residences of address and property owners . Motion passed 6-0. Commissioner Chase absent.

Lawrence Calderon and Wayne Gibson made presentations.

Telford Cartwright, Edward Earl Young, Juanita Miles-Hamilton, Gilbert Means, Helen Harris, Sheria Fernandez and Pastor Ernestine Butler spoke to the matter.

RECOMMENDATION

City Plan Board to City Commission- Approve Petition PB-16-34 SUP with staff conditions, Technical Review Committee (TRC) comments, the associated development plan , and two additional conditions: 1)relocate the underground tanks from the south side to the west side of the development and; 2) add an oil/water separator to the stormwater management system of the site.

Staff to City Commission - Approve the City Plan Board's recommendation.

Staff to City Plan Board - Approve Petition PB-16-34 SUP with conditions, TRC comments and the associated development plan.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Carter, that this Matter be Denied (Petition). The motion carried by the following vote:

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

Absent: 1 - Commissioner Chase

CITIZEN COMMENT

*Telford Cartwright
Earl Young*

COMMISSION COMMENT

Commissioner Carter - New World Ministries Basketball Court Dedication being held August 28th.

Commissioner Goston - Enterprise Zone - Implementation of a new policy in District 1.

Commissioner Hayes-Santos - 1) Election contract; and 2) enforcement of marijuana.

Commissioner Budd - Auto Zone Package - Ocala.

Mayor-Commissioner Pro Tem Warren - Depot Park Opening.

Mayor Poe - 1) GPC referral list (alcohol ordinance underage) and (demolition by neglect).

160311. Possession of Small Amounts of Marijuana

RECOMMENDATION Refer to Committee

A motion was made by Commissioner Hayes-Santos, 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: 6 - Commissioner Goston, Commissioner Budd, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Chase

ADJOURNMENT - 8:41 PM