

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

January 19, 2017

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 - 1:01 PM

Motion by Commissioner Carter, seconded by Commissioner Budd to appoint Commissioner Hayes-Santos as temporary Pro Tem. Motion passed 4-0. Commissioner Goston, Commissioner Chase and Mayor Poe absent.

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

Absent 1 - Mayor Poe

AGENDA STATEMENT

INVOCATION

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

Modification: Waive the rules and hear Item No. 160657 from Consent and place this item after Citizen Comment.

Kali Blount, Jo Beaty and Jim Konish spoke to the matter.

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

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

Absent: 3 - Commissioner Goston, Commissioner Chase, and Mayor Poe

[120305.](#)

Bid Award - Annual Contract for Provision of Plant Mix Asphalt Concrete (B)

This item involves a request for the City Commission to authorize bid awards to Anderson Columbia Co. Inc., Preferred Materials Inc., and V.E. Whitehurst & Sons, Inc., for delivery of asphalt.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute contracts with Anderson Columbia Co. Inc., Preferred Materials Inc., and V.E. Whitehurst & Sons, Inc. for delivery of asphalt, subject to approval of the City Attorney as to form and legality; and 2) authorize the City Manager to execute any and all related documents.

Approved as Recommended

[130266.](#)

Bid Award - Annual Contract for Provision of Asphaltic Concrete Surfacing Services (B)

This item involves a request for the City Commission to authorize bid awards to Anderson Columbia Co. Inc., Preferred Materials Inc., and V.E. Whitehurst & Sons, Inc., for asphaltic concrete surfacing services.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute contracts with Anderson Columbia Co. Inc., Preferred Materials Inc., and V.E. Whitehurst & Sons, Inc. for asphaltic concrete surfacing services, subject to approval of the City Attorney as to form and legality; and 2) authorize the City Manager to execute any and all related documents and extensions.

Approved as Recommended

[150294.](#)

Authorization for Pavement Preservation Treatments (B)

This item is a request for the City Commission to approve the guaranteed maximum price of \$1,749,247 for the Pavement Preservation Treatments project under contract with Oelrich Construction, Inc.

RECOMMENDATION

The City Commission authorize the City Manager to execute the contract and related documents subject to the City Attorney's approval as to form and legality.

Approved as Recommended

[160295.](#)

Wild Spaces Public Places Interlocal Agreement (B)

This item requests the City Commission approve the Interlocal Agreement between Alachua County and the City of Gainesville for distribution of revenue from the Wild Spaces Public Places sales tax.

RECOMMENDATION

The City Commission: 1) approve the Agreement; and 2) authorize the Mayor to execute and the Clerk to attest the Agreement.

Approved as Recommended

[160585.](#)

Bid Award - Annual Services Contract for Right-of-Way Maintenance (B)

This item is a request for the City Commission to approve the bid award to Taylor Maid, Inc. for Right-of-Way Maintenance in the amount of \$266,481.60.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to execute the contract with Taylor Maid, Inc. for Right-of-Way Maintenance in the City, subject to approval of the City Attorney as to form and legality; and 2) authorize the City Manager to execute any and all related documents.

Approved as Recommended

[160658.](#)

Joint Meeting with Alachua County (NB)

RECOMMENDATION

The City Commission schedule joint meetings with Alachua County on March 6, August 14 and December 11, 2017 at 3:00 PM.

Approved as Recommended

[160661.](#)

Resignation of Andrew Kratter from Nature Centers Commission (B)

Recess - 1:43 PM

Reconvene - 1:46 PM

RECOMMENDATION

The City Commission accepts the resignation of Andrew Kratter, effective immediately.

Approved as Recommended

[160663.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of January 5, 2017.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

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

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

Absent: 3 - Commissioner Goston, Commissioner Chase, and Mayor Poe

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

- Jim Konish*
- Jo Beaty*
- Kali Blount*
- Tom Cunillo*
- Nicole Suzette Marshall*
- Scott Hesch*
- Eizel*

Commissioner Goston arrived at 1:16 PM.

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

[160657.](#)

Cities of Service Coalition to Lead Implementation of a Civic Corps of Volunteers (B)

This is a request for the Mayor to sign the Declaration of Service to support Gainesville joining the Cities of Service coalition and lead implementing a Civic Corps of Volunteers.

Carrie Bush made a presentation.

Jo Beaty and Kali Blount spoke to the matter.

RECOMMENDATION *The City Commission support the Mayor in signing the Cities of Service Declaration of Service.*

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: 4 - Commissioner Goston, Commissioner Budd, Commissioner Hayes-Santos and Mayor Pro Tem Warren.

Absent: 3 - Commissioner Chase, Mayor Poe and Commissioner Carter.

[160655.](#)

AMEND THE RETENTION LETTER WITH WINSTON & STRAWN LLP, FOR REPRESENTATION OF THE CITY D/B/A GAINESVILLE REGIONAL UTILITIES (CITY) IN THE GAINESVILLE RENEWABLE ENERGY CENTER, LLC (GREC) ARBITRATION DEMAND AGAINST THE CITY (NB)

Commissioner Chase arrived at 2:08 PM.

RECOMMENDATION *Authorize the Office of the City Attorney, on behalf of the General Manager for Utilities, to amend the retention letter for Winston & Strawn to increase the maximum cap on fees and expenses to \$4,000,000.*

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

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

Absent: 2 - Mayor Poe and Commissioner Carter.

[160645.](#)

Golf View Neighborhood Infrastructure Studio (B)

This item involves a presentation by the Golf View neighborhood on the final report of the Golf View Neighborhood Infrastructure Studio prepared by University of Florida Students in Spring 2016.

Paul Folkers, Kim Tanzer, Tony Cunningham and Phil Mann made presentations.

Jean Chalmers and Corey Adelman spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from the Golf View neighborhood.*

Heard

[160664.](#)

2017 Canvass Board (NB)

Motion: Appoint Commissioner Budd to the 2017 Canvassing Board.

RECOMMENDATION

The City Commission: 1) appoint a City Commissioner to the 2017 Canvass Board; 2) in the absence of a Commissioner, the City Commission appoint the City Auditor to the 2017 Canvass Board; and 3) the City Commission provide recommendations for a citizen member at a future City Commission meeting.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Goston, that this Matter be Approved, as shown above. 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

[160660.](#)

Preventing Sanitary Sewer Overflows in GRU's Wastewater Collection System (B)

Tony Cunningham made a presentation.

RECOMMENDATION

*(1) The City Commission hear a presentation on the public notification rule and preventing sanitary sewer overflows in GRU's wastewater collection system.
(2) GRU Staff recommendation is to use established State Watch Office threshold (62-620, F.A.C.) for reporting sanitary sewer overflows to City Commission and Utility Advisory Board. The City Commission and Utility Advisory Board will be included on written sanitary sewer overflow reports to the Florida Department of Environmental Protection when: a spill is 1,000 gallons or larger, a spill enters a waterbody, and/or there is an impact to public health and safety.*

UAB Recommendation:

*(1) Reporting thresholds should be left to management's discretion.
(2) Add a metric for SSO's to Water/Wastewater's monthly dashboard report that is submitted to the UAB.*

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

Nay: 1 - Commissioner Hayes-Santos

Absent: 1 - Mayor Poe

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 - 4:26 PM

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[160662.](#) **Donna Sutton Day - January 31, 2017 (B)**

RECOMMENDATION *Executive Assistant, Senior Donna Sutton 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
Gabe Kaimowitz
Ray Washington
Nathan Skop
Kali Blount
Walter Williard
Mitch Glaeser
John Fleming
Bruce DeLaney
Dave Ferro
Juan Tran
Diyonne McGraw*

Scott Hesch

Fred Murray made a presentation.

PUBLIC HEARINGS

160633.

Design Plat Review for Heartwood Subdivision (B)

Petition DB-16-78 SUB. DRMP, Inc. (David Sowell), agent for Gainesville Community Redevelopment Agency, owner. Design Plat review for a residential subdivision. Zoned: RMF-5 (12 units/acre single-family/multiple-family residential district). Located at 1717 SE 8th Avenue. * Estimated Time is 10 Minutes*.

Lawrence Calderon and Michael Beard made presentations.

Kali Blount spoke to the matter.

RECOMMENDATION

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

Development Review Board to City Commission - The City Commission approves Petition DB-16-78 SUB with staff conditions and comments, including the wetland mitigation.

Staff to Development Review Board - Forward a recommendation to the City Commission to approve the design plat, Petition DB-16-78 SUB with conditions and recommendations listed in the staff report and the TRC comments.

A motion was made by Commissioner Carter, seconded by Commissioner Goston, that this Matter be Approved (Petition). The motion carried by the following vote:

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

Absent: 2 - Commissioner Chase, and Mayor Poe

160634.

Design Plat Review for a Residential Subdivision, Villas of Buckridge (B)

Petition DB-16-110 SUB. EDA, Inc. agent for Freddie and Dinah Stone, owners. Design plat review for a residential subdivision of Tax Parcels: 06165-000-000 and 06166-000-000 to create eighteen single-family residential lots. Zoned: RSF-4 (8 units/acre single-family residential district). Located at 4811 NW 27th Avenue.

Estimated Presentation Time is 10 minutes

Lawrence Calderon and Clay Sweger made presentations.

Kali Blount spoke to the matter.

RECOMMENDATION

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

Development Review Board to City Commission - The City Commission approves Petition DB-16-110 SUB with staff conditions and comments, including the wetland mitigation.

Staff to Development Review Board - Forward a recommendation to the City Commission to approve the design plat, Petition DB-16-110 SUB with conditions and recommendations listed in the staff report and the TRC comments.

A motion was made by Commissioner Carter, seconded by Commissioner Budd, that this Matter be Approved (Petition). The motion carried by the following vote:

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

Absent: 2 - Commissioner Chase, and Mayor Poe

160635.

Design Plat Review for Wiltshire Cluster Subdivision (B)

Petition DB-16-124 SUB. JBrown Pro Group Inc., agent for Linda Hess, owner. Design plat review for a cluster subdivision. Zoned: RSF-1 (3.5 units/acre single-family residential district.) Located at 5041 NW 23rd Avenue. ***Estimated Presentation Time is 10 minutes*.**

Lawrence Calderon and Jay Brown made presentations.

Kali Blount spoke to the matter.

RECOMMENDATION

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

Development Review Board to City Commission - The City Commission approves Petition DB-16-124 SUB with staff conditions and comments, including the requested modifications of the development standards.

Staff to Development Review Board - Forward a recommendation to the City Commission to approve the design plat, Petition DB-16-124 SUB with conditions and recommendations listed in the staff report and the TRC comments.

A motion was made by Commissioner Carter, seconded by Commissioner Budd, that this Matter be Approved (Petition). The motion carried by the following vote:

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

Absent: 2 - Commissioner Chase, and Mayor Poe

RESOLUTIONS - ROLL CALL REQUIRED

160584. **Resolution to execute a Construction & Maintenance Agreement with the State of Florida Department of Transportation (B)**

This is a request for the City Commission to adopt a Resolution for the City of Gainesville to execute a Construction & Maintenance Agreement with the State of Florida Department of Transportation for safety improvements on certain City Streets intersecting State roadways inside the City Limits.

RECOMMENDATION *The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute the Construction and Maintenance Agreement with the Florida Department of Transportation subject to the City Attorney's approval as to form and legality.*

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

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

Absent: 2 - Commissioner Chase, and Mayor Poe

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

PLANNING PETITIONS

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

COMMISSION COMMENT

Commissioner Carter: School Board meeting update (Paul Folkers made a presentation).

Commissioner Budd: 1) YMCA (Paul Folkers made a presentation); and 2) Annexation meeting.

Motion by Commissioner Budd, seconded by Commissioner Carter: 1) General Manager Ed Bielarski speak at the next Legislative Delegation meeting to educate them about where GRU is and where they are going; and the effectiveness of the UAB; and 2) have private meetings with State Representatives. Motion passed 5-0.

Mayor Poe and Commissioner Chase absent.

Commissioner Hayes-Santos: 1) School Board; and 2) Code revisions for food truck regulations that could provide flexibility for different food types. (Wendy Thomas made a presentation).

Commissioner Goston: Schools

ADJOURNMENT - 7:45 PM

Kurt Lannon, Clerk of the Commission