

# 160894

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes

March 16, 2017

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 - 1:02 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****ADOPTION OF CONSENT ITEMS - GRU, General Government, Audit & Finance Committee and General Policy Committee Items**

*April Shuping and William Johnston made presentations.*

*Commissioner Goston arrived at 1:03 PM.*

*1st Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren to approve Diane Wilson to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan. Motion failed 3-3. Commissioner Warren, Mayor Poe and Commissioner Goston voting yes. Commissioner Chase, Commissioner Budd and Commissioner Hayes-Santos voting no. Commissioner Carter absent.*

*2nd Motion by Commissioner Chase, seconded by Commissioner Budd to readvertise the position of the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan and advertise (Public Information Office) to assist as much as possible and use normal process and deadlines. Motion passed 6-0. Commissioner Carter absent.*

*3rd Motion: 1) Motion by Commissioner Chase, seconded by Commissioner Budd to approve Consent as modified. Motion passed 6-0. Commissioner Carter absent.*

*Donald Shepherd spoke to the matter.*

**This Matter be Approved as Shown Above.**

160767.

**Human Resources Policy L-8, Military Leave (B)**

**This item is a request for the City Commission to approve amending HR Policy L-8, to renew Military Leave benefits through March 2018.**

**RECOMMENDATION**

*The City Commission approve revision to Human Resources Policy L-8, Military Leave.*

**Approved as Recommended**

160823.

**Ratification of Amendments to the Agreement between the Amalgamated Transit Union (ATU) Bargaining Unit and the City of Gainesville for October 1, 2015 through September 30, 2018 (B)**

**This item is a request for the City Commission to ratify amendments to the three year collective bargaining agreement between the City and the ATU Bargaining Unit.**

RECOMMENDATION      *The City Commission ratify amendments to the Agreement between the ATU Bargaining Unit and the City of Gainesville.*

**Approved as Recommended**

160841.      **City Commission Minutes (B)**

RECOMMENDATION      *The City Commission approve the minutes of March 2, and March 6, 2017.*

**Approved as Recommended**

160822.      **Resignation of Michael Aquilia from the City Beautification Board (B)**

RECOMMENDATION      *The City Commission accepts the resignation of Michael Aquilia, effective immediately.*

**Approved as Recommended**

160837.      **Appointments to City Commission Advisory Boards and Committees (NB)**

RECOMMENDATION      *The City Commission appoint:*  
*Mary Lou Hildreth to the City Beautification Board for a term to expire 11/1/20*  
*E.J. Bolduc, III reappointed to the Tree Advisory Board for a term to expire 1/1/20*  
*James Tyger and Thomas D. Rider reappointed to the Student Community Relations Advisory Board as Voting Non-Student Members for a term to expire 9/30/19*  
*Melissa D. Causey Harris and Richard S. Fulmer to the Nature Centers Commission for a term to expire 11/1/19*  
*Brandon M. Morris, Jameel Brannon and Jamie S. Bell to the SHIP Affordable Housing Advisory Committee for a term to expire 7/1/20*  
*Diane M. Wilson to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for a term to expire 4/19/19.*

**Continued**

160813.      **FCHR CHARGE - DENISE BURNS V. CITY OF GAINESVILLE; FCHR CHARGE No. 2017-00520 (NB)**

RECOMMENDATION      *The City Commission authorize the City Attorney to represent the City in the case styled Denise Burns v. City of Gainesville; FCHR CHARGE No. 2017-00520.*

**Approved as Recommended**

160824.      **DEREK K. WILLIAMS VS. CITY OF GAINESVILLE; EIGHTH**

**JUDICIAL CIRCUIT, CASE NO. 2017-CA-382 (B)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Derek K. Williams vs. City of Gainesville; Eighth Judicial Circuit, Case No. 2017-CA-382.*

**Approved as Recommended**

**ADOPTION OF REGULAR AGENDA**

*Michelle Hazen, Tana Silver 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 as Modified. The motion carried by the following vote:**

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

**Nay:** 1 - Commissioner Hayes-Santos

**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**

*Donald Shepherd  
Kali Bount  
Scott Hesch  
Commissioner-Elect Harvey Ward*

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

**160751. Strike Out Hunger Food Drive (B)**

**The purpose of this agenda item is to provide the City Commission with the results and outcomes of the 2016 Strike Out Hunger Food Drive for Gainesville/Alachua County and request continued support from the City during the 2017 Strike Out Hunger Food Drive. \*\* ESTIMATED PRESENTATION 10 MINUTES\*\***

*Rodney Long made a presentation.*

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation on the 2016 Strike Out Hunger Food Drive for Gainesville/Alachua County; and 2) consider the request for continued City support and participation in the 2017 Strike Out Hunger Food Drive.*

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

**Absent:** 1 - Commissioner Carter

160295.

**Wild Spaces Public Places: Alachua County Joint Project Grant Application (B)**

**This is a request for the City Commission to approve the City's proposed list of grant submissions for the Wild Spaces Public Places, Alachua County Joint Project Grant Application.**

*Steve Phillips, Michelle Park and Paul Folkers made presentations.*

*Amendment: Submit competitive projects to the County with the order of rankings as follows: 1) Construction of the Prairie Tower at Sweetwater Wetlands Park; 2) Improvements to Split Rock Preserve; and 3) Transformation of the Hartman House into a Nature Center at the Hogtown Creek Headwater Nature Park*

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission approve the proposed projects for submission to the Alachua County Joint Project Grant.*

**A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Approved, as shown above. 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

150908.

**License Agreement for Parking for City Parking Lot #2 (B)**

**RECOMMENDATION**      *The City Commission continue this item to the April 6, 2017 City Commission meeting.*

**Continued to April 6, 2017.**

160831.

**Cornerstone Lease Modification Request (B)**

*Mike Beard made a presentation.*

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *City Manager to City Commission: Authorize the City Manager or his designee to do all things necessary to accomplish the terms in the Letter of Intent, including executing the Ground Lease with option to purchase subject to review as to form and legality by the CRA Attorney.*

**A motion was made by Commissioner Goston, seconded by Commissioner Budd, that this Matter be Approved as Recommended. 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

160838.

**Appointment to the Bicycle/Pedestrian Advisory Board (B)**

*Motion: Appoint Jennifer Meiselman Titus to the Bicycle/Pedestrian Advisory Board.*

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission discuss one appointment to the Bicycle/Pedestrian Advisory Board and take appropriate action.*

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

160842.

**Mayor-Commissioner Pro-Tem Helen Warren - Community Involvement Agreement (NB)**

*Motion: City Commission authorize staff to prepare a memo of recommendation for Mayor-Commissioner Pro Tem Warren (to participate but not be an official designee) for the Health Promotion and Wellness Coalition representing the grant proposal from the City Commission.*

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *The City Commission discuss and take action deemed appropriate.*

**A motion was made by Commissioner Budd, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Approved, as shown above. 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

160846.

**GREC Update (B)**

*Justin Locke made a presentation.*

*Commissioner Budd left the meeting at 3:50 PM.*

*Jim Konish and Donald Shepherd spoke to the matter.*

RECOMMENDATION*Receive update from staff.*

Heard

**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 - 4:33 PM****RECONVENE - 5:31 PM****PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS**160820. **Doctor's Day - March 30, 2017 (B)**RECOMMENDATION*Alachua County Medical Alliance Past President Roslyn Levy and President Arlene Colon to accept the proclamation.*

Heard

160821. **American Legion Week - March 12-18, 2017 (B)**RECOMMENDATION*Gerald F. Zagaiski 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**

*Donald Shepherd*

*Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Hayes-Santos to waive the rules and hear Commission Comment after Citizen Comment. Motion passed 5-0. Commissioner Goston and Commissioner Carter*

*absent.*

## COMMISSION COMMENT

*Mayor-Commissioner Pro Tem Warren - 1) Gainesville for All; and 2) Advertising at bus shelters. Paul Folkers made a presentation.*

*Commissioner Chase - GRU Bill*

*Commissioner Goston - 1) Advertising at bus shelters; 2) GRU Bill*

*Commissioner Hayes-Santos - Email on upcoming Subcommittee meetings.*

### **160876.** Gainesville City Elections

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**      *Refer to Committee*

**A motion was made by Commissioner Budd, seconded by Commissioner Hayes-Santos, 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

## PUBLIC HEARINGS

## RESOLUTIONS - ROLL CALL REQUIRED

## ORDINANCES, 1ST READING - ROLL CALL REQUIRED

### **160798.      EXTENSION OF MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)**

Ordinance No. 160798

An ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 160401, and extending time period of the temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction of wireless communication facilities in the public right-of-way within the city limits; providing a severability clause; providing repealing clauses; and providing an effective date.

*Donald Shepherd spoke to the matter.*

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



**A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on First Reading (Ordinance). 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

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

### **150406. ORDINANCE PROHIBITING SMOKING IN CITY PARKS AND RTS BUS FACILITIES (B)**

Ordinance No. 150406

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to prohibit smoking outdoors in all City parks and RTS bus facilities; by amending Article II and Article IV of Chapter 11.5; by amending Article II of Chapter 18; by 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.

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

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

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

**Absent:** 3 - Commissioner Goston, Commissioner Budd, and Commissioner Carter

### **160725. INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER GRAVITY COLLECTION SYSTEMS (B)**

Ordinance No. 160725

An ordinance of the City of Gainesville, Florida, amending Section 6 of Ordinance No. 110541 and amending the Code of Ordinances, Appendix A, Schedule of Fees, Rates and Charges, to revise infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; 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.*

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

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

**Absent:** 3 - Commissioner Goston, Commissioner Budd, and 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  
Scott Hesch  
Telford Cartwright*

**160879.** Community Food Security

RECOMMENDATION Refer to Committee

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

**Absent:** 1 - Commissioner Carter

**ADJOURNMENT - 6:36 PM**