

#160631

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes

December 1, 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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160028. Design and Construction of Fire Station 1 Update (B)

This item recommends that the City Commission review and approve the 30% drawings for Fire Station 1 at 525 South Main Street, waive the review at 60%, and receive a presentation at final completion of the drawings.

RECOMMENDATION

The City Commission approve the 30% drawings, but waive the 60% approval in favor of a more complete presentation upon final completion of the construction drawings.

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

AGENDA STATEMENT**INVOCATION**

Prophet George Young

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

Jim Konish and Ray Washington spoke to the matter.

Motion: Move Item No. 150907 and Item No. 160561 to Business Discussion Items.

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

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

Absent: 3 - Commissioner Goston, Commissioner Chase, and Commissioner Hayes-Santos

160504. Assistance to Firefighters Grant FY2016 (NB)

This item requests that the City Commission authorize the City Manager or designee to apply for and, if awarded, accept grant funds from the FY2016 US Department of Homeland Security, Federal Emergency Management Agency Assistance to Firefighters Grant Program.

RECOMMENDATION

The City Commission retrospectively approve the November 17th, 2016 submission of the grant application.

Approved as Recommended

160526.

Annual Contract for Office Paper Recycling Services FY 2017-2021 (B)

This item is a request for approval of the Annual Contract for Office Paper Recycling Services pick up at designated recycling stations.

RECOMMENDATION

The City Commission: 1) approve the Annual Contract for Paper Recycling Services; and 2) authorize the City Manager to execute any necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

160547.

State Housing Initiatives Partnership Program Affordable Housing Advisory Committee Incentives and Recommendations Report (B)

This item provides an informational update on the City's Affordable Housing Advisory Committee (AHAC) Incentives and Recommendations Report for the Report dated November 7, 2016.

RECOMMENDATION

The City Commission: 1) accept the AHAC's Incentives and Recommendations Report dated November 7, 2016; 2) approve the submittal of the AHAC's Incentives and Recommendations Report to the Florida Housing Finance Corporation by December 31, 2016; and 3) authorize the City Manager or his designee to execute all necessary documents required for the submittal of the AHAC's Incentives and Recommendations Report, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

160455.

TEODOSIA ALARCON V. CITY OF GAINESVILLE; EIGHTH JUDICIAL CIRCUIT, CASE NO. 2016-CA-2531 (B)

RECOMMENDATION

The City Commission authorize the City Attorney to represent the City in the case styled Teodosia Alarcon v. City of Gainesville; Eighth Judicial Circuit, Case No. 2016-CA-2531.

Approved as Recommended

160568.

Joint Meeting with Alachua County (NB)

RECOMMENDATION

The City Commission schedule a meeting with the following topics: 1) RTS Building Update; 2) Strategic Plan UF; 3) Fire Station 19; and 4) Gas Tax.

Approved as Recommended

160564.

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of November 14 and November 17, 2016.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Ray Washington spoke to the matter.

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

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

Absent: 3 - Commissioner Goston, Commissioner Chase, and Commissioner Hayes-Santos

Motion by Commissioner Carter, seconded by Commissioner Budd to waive the rules and hear Item No. 160554 after citizen comment. Motion passed 5-0. Commissioner Hayes-Santos and Commissioner Chase absent.

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

*Jim Konish
Ray Washington
Tom Cunilio
Kali Blount
Debbie Martinez*

BUSINESS DISCUSSION ITEMS - GRU and General Government items placed on the agenda by the Charter Officers or moved from Consent.**160554. State and Federal Legislative Agenda (B)**

This is a request for the City Commission to approve the State and Federal Legislative Agenda.

Kelly Ferrel and Marilyn Berry Thompson made presentations.

Commissioner Chase arrived at 1:30 PM.

Motion: Approve the top 4 priorities for the upcoming legislative session: 1) Heartwood/Cornerstone Project; 2) Criminal Justice Element; 3) Road Safety/SW 62nd; and 4) Kelly Ferrel work with Marilyn Berry Thompson on more specific and inclusive language and all of the other items that come at the end of the agenda.

Motion: Draft a congratulation letter to the elected/re-elected members. Motion passed 7-0.

Kali Blount, Donald Shepherd and Perry Clawson spoke to the matter.

RECOMMENDATION

The Commission: 1) hear a presentation on the legislative agenda; 2) select the top four priorities and approve the

legislative agenda; and 3) direct staff to post the legislative agenda on the City's website.

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

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

160548.

General Government Budget Calendar (NB)

This is a request for the City Commission to approve dates for discussion of the FY2018/2019 biennial budget.

April Shuping made a presentation.

RECOMMENDATION

The City Commission: 1) approve the dates requested by staff; 2) waive the City Commission Rules to hear the Resolutions to approve the Preliminary Fire Assessment Rate before 6:00pm on July 18, 2017; and 3) waive the City Commission Rules to hear the Resolutions to Set the Proposed Tentative Millage and Adopt the Proposed Tentative Budgets before 6:00pm on July 18, 2017.

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

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

160531.

Reallocate Project Funds for Door Access Control Improvement Project (NB)

This is a request for the City Commission to reallocate project funds

Ed Gable made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission approve reallocation of project funding to the Door Access Control Project from the listed projects.

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

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

160553.

Request for the Release of a Lien - 1025 NE 5th Place, Tax Parcel

12539-018-000 (B)

The potential new property owner is requesting the City Commission release the administrative lien on 1025 NE 5th Place.

Chris Cooper, Eric Buigas and Manny made presentations.

Perry Clawson and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) receive a request to remove the lien from tax parcel #12539-018-000; and 2) deny the request.

Alternative Recommendation

The City Commission: 1) receive a request to remove the lien from tax parcel #12539-018-000; and 2) consider reducing the lien or rescinding the lien. If either of these options are considered the City will either partially or fully lose the potential to recover the costs associated with the City maintaining the property.

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

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

Nay: 2 - Commissioner Budd, and Commissioner Chase

160575.**Commissioner Charles Goston - Workforce Demographics (NB)**

Torey Alston and Cheryl McBride made presentations.

Motion: Refer to the Special Committee on the Promotion of Minority-Owned and Minority-Oriented Opportunities Committee.

Ray Washington and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission discuss the Workforce Demographics.

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, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 2 - Commissioner Budd, and Commissioner Chase

160604.**Workforce Demographics****RECOMMENDATION**

Refer to Committee

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Goston, that this Matter be Referred to the Special Committee on the Promotion of Minority-Owned and Minority-Oriented Opportunities

Committee, due back on 4/30/2017. 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

160601.

General Policy Committee Meeting Minutes (B)

RECOMMENDATION

The General Policy Committee approve the minutes of November 10, 2016.

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 - 5:03 PM

RECONVENE - 5:35 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

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

*Jim Konish
Telford Cartwright
Gabe Kaimowitz
Mitch Glaeser
Quan Tran
Bruce DeLaney
Kali Blount
John Fleming
Diyonne McGraw
Donald Shepherd*

Chris Cooper made a presentation.

PUBLIC HEARINGS**RESOLUTIONS - ROLL CALL REQUIRED****160519. Resolution for 5310 Grant Application (B)**

This item is a request for the City Commission to pass a Resolution to allow the Regional Transit System (RTS) to apply for a 5310 Grant to purchase paratransit trips and wheelchair securement straps for the fixed route to provide access to transportation for persons with disabilities and ADA service to the disabled citizens of Gainesville.

Paul Folkers made a presentation.

RECOMMENDATION

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

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

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

Absent: 2 - Commissioner Goston, and Commissioner Chase

160520. Resolution for 5311 Grant Application (B)

This item is a request for the City Commission to adopt a Resolution to allow the Regional Transit System (RTS) to apply for a 5311 Grant to purchase Demand Response trips and to continue to provide Route 23 transportation services to the citizens of Gainesville.

RECOMMENDATION

The City Commission: 1) adopt the Resolution to allow the Regional Transit System (RTS) to apply for a 5311 Grant to purchase Demand Response trips; 2) allow RTS to continue to provide Route 23 transportation services to the citizens of Gainesville; and 3) authorize the City Manager to execute related Joint Participation Agreement(s) with the Department of Transportation, 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: 4 - Commissioner Budd, Mayor Poe, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 3 - Commissioner Goston, Commissioner Chase, and Commissioner Hayes-Santos

160521. **Resolution for 5339 Grant Application (B)**

This item is a request for the City Commission to pass a Resolution to allow the Regional Transit System (RTS) to apply for a 5339 Grant to purchase paratransit vans to provide ADA service to the disabled citizens of Gainesville.

RECOMMENDATION

The City Commission: 1) adopt the Resolution; and 2) authorize the City Manager to execute related Joint Participation Agreement(s) with the Department of Transportation, 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: 5 - Commissioner Budd, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 2 - Commissioner Goston, and Commissioner Chase

160562. **RESOLUTION TO AUTHORIZE ISSUANCE OF COMMERCIAL PAPER NOTES FOR CAPITAL PROJECTS (B)**

Justin Locke made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

1) Hear a brief presentation from staff and approve the resolution to authorize the issuance of tax-exempt Commercial Paper Notes from time to time, including payment of the Utility's costs in connection therewith, through the issuance of up to \$20,250,000 in Commercial Paper Notes.

2) Authorize the Clerk of the Commission, the General Manager and any other Authorized Officers to execute such documents as may be necessary to proceed with the transaction authorized above, subject to approval of the City Attorney as to form and legality;

3) Authorize the issuance a reoffering memorandum and such other actions as may be necessary or advisable to proceed with the issuance of Commercial Paper Notes in accordance with this City Commission authorization.

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

Absent: 1 - Commissioner Goston

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

160389.

TEXT CHANGE - ADD VETERINARY SERVICES AND ANIMAL SPECIALTY SERVICES AS PERMITTED USES BY RIGHT IN THE AUTOMOTIVE-ORIENTED BUSINESS ZONING DISTRICT (B)

Ordinance No. 160389, Petition PB-16-101 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-62 - Automotive-oriented business district (BA) of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add veterinary services and animal specialty services (except veterinary) as permitted uses by right within the BA zoning district; 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 Carter, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Goston

PLANNING PETITIONS

160408.

Appeal of Historic Preservation Board decision for after-the-fact COA for installation of 60" aluminum fence (B)

Petition HP-16-89. Carl Nelson, owner. After-the-fact COA for installation of 60" aluminum fence. Located at 301 NW 2nd Street. This building is contributing to the Pleasant Street Historic District. ***Estimated presentation time 5 minutes***

Motion: 1) Fence be cut down to 48"; and 2) applicant comes back to staff and submits a COA for review of the gates that are being installed.

Clair Larkin, Andrew Persons and Carl Nelson made presentations.

RECOMMENDATION

The City Commission either affirm, amend or reverse the Historic Preservation Board's decision.

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

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

Nay: 1 - Commissioner Hayes-Santos

150907.**Draft Rules of the Utility Advisory Board (B)**

Motion by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren to waive the rules and hear Item No. 150907 and Item No. 160561. Motion passed 7-0.

Motion: Send the rules back to the UAB and address at the next available City Commission meeting.

Commissioner Goston read into the record a letter from Ray Washington.

Anne Orlando spoke to the matter.

RECOMMENDATION

Approve proposed rules for the Utility Advisory Board as drafted.

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

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

160561.**Joint Meeting with Utility Advisory Board (NB)**RECOMMENDATION

The City Commission schedule the meeting for January 12th at 1:00 PM at the GRU Administration Building and direct the City Manager (Public Information Officer) to tape and re-broadcast the meeting at future date(s).

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

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

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

*Telford Cartwright
Kali Blount*

Chris Cooper made a presentation.

COMMISSION COMMENT

Commissioner Goston: 1) Football game; and 2) Transformation of East Gainesville.

Commissioner Budd - 1) Garbage pick-up in University area; 2) 43rd Street and Newberry Road needs paving; and 3) Longest Table.

Mayor Poe - 1) Longest Table; and 2) Nutcracker performance

ADJOURNMENT - 8:51 PM