

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Final**

October 20, 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 - 1:08 PM**

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

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

*Motion: Remove from the consent agenda - Item No. 160393 for discussion.*

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

**160415.****Supplemental Joint Participation Agreements (SJPA) for Florida Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) Projects (B)**

**This item requests that the City Commission authorize the City Manager to execute SJPAs for Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) projects.**

**RECOMMENDATION**

*The City Commission authorize the City Manager or his designee to execute SJPAs for the aforementioned projects, subject to review and approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**160443.****RFP Award - Enterprise Resource Planning (ERP) Consulting Services for the Technology Project (B)**

**This item is a request for the City Commission to authorize the RFP award to Plante & Moran, PLLC to provide consulting services for the Enterprise Resource Planning Project.**

**RECOMMENDATION**

*The City Commission: 1) accept the selection in order of ranking; 2) authorize the City Manager to initiate contract negotiations with Plante & Moran, PLLC as the Consulting Services provider for the Enterprise Resource Planning*

*Project; and 3) authorize the City Manager to execute all related documents, including contract amendments and extensions, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[160402.](#)

**Implementation of the “OUTPOST” Program for Students Attending the A. Quinn Jones Center (B)**

**This is a request for the City Commission to approve a Memorandum of Support and Understanding between the School Board of Alachua County and the City of Gainesville for the implementation of the “OUTPOST” at the A. Quinn Jones Center.**

**RECOMMENDATION**

*The City Commission: 1) accept the School Board offer to continue to fund the “OUTPOST” model at the A. Quinn Jones; and 2) authorize the continuance of a temporary position; and 3) authorize the City Manager or designee to execute the agreement subject to approval of the City Attorney as to form and legality.*

**Approved as Recommended**

[150762.](#)

**Extension of Tolling Agreement for City's claims against Jones Edmunds regarding the design and engineering of the Sediment Basin of the Sweetwater Branch/Paynes Prairie Sheetflow Restoration Project (B)**

**RECOMMENDATION**

*Approve the Third Amendment to Tolling.*

**Approved as Recommended**

[160458.](#)

**EEOC CHARGE - ALFRED HOLMES V. CITY OF GAINESVILLE;  
EEOC CHARGE No. 846-2016-19182 (NB)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Alfred Holmes v. City of Gainesville; EEOC CHARGE No. 846-2016-19182 (NB)*

**Approved as Recommended**

[160477.](#)

**Joint City/County Commission Meeting (NB)**

**RECOMMENDATION**

*The City Commission approve a joint meeting with the Alachua County Commission on Monday, November 14, 2016 from 3:00 - 5:00pm in the Jack Durrance Auditorium with one of the topics regarding Gas Tax.*

**Approved as Recommended**

**ADOPTION OF REGULAR AGENDA**

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

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

*Scott Hesch*

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

[160466.](#)

**Appointments to the Historic Preservation Board, Development Review Board and Board of Adjustment (B)**

*Jeff Knee, Aner Sela, Marian Arias Sanz and Dejeon Cain introduced themselves as applicants for Advisory Boards/Committees.*

*Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter to: 1) appoint Mark Stern to the Historic Preservation Board for a 3-year term. Motion passed 7-0. 2) Readvertise the other opening. Motion failed.*

*Motion by Commissioner Chase, seconded by Commissioner Carter to appoint Danielle Masse to the Historic Preservation Board for a 3-year term. Motion passed 6-1. Commissioner Hayes-Santos voting no.*

*Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren to appoint David Enriquez to the Student Seat for the Historic Preservation Board for a 1-year term. Motion passed 7-0.*

*Motion by Commissioner Chase, seconded by Commissioner Goston to reappoint Jeffrey Knee to the Development Review Board for a 3-year term and to appoint a new member at the next City Commission meeting. Motion passed 6-1. Commissioner Hayes-Santos voting no.*

*Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter to appoint Marian Arias Sanz to the Student Seat of the Development Review Board for a 1-year term. Motion passed 7-0.*

*Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter to appoint Darrell Murray to the Board of Adjustment for a 3-year term. Motion passed 7-0.*

*Motion by Commissioner Goston, seconded by Mayor-Commissioner Pro Tem Warren to reconsider the previous motion for the Development Review Board. Motion passed 7-0.*

*Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Goston to reappoint Dejeon Cain to the Development Review Board for a 1-year term. Motion passed 7-0.*

*Jancie Vinson, Donald Shepherd and Wendy Noonsong spoke to the matter.*

**RECOMMENDATION**

*The City Commission discuss appointments to the Historic Preservation Board, Development Review Board and Board of Adjustment and take appropriate action.*

**Approved, as shown above**

[130847.](#)

**Lot # 10 - Amended and Restated Contract for Sale and Purchase (B)**

**This is a request for the City Commission to review a proposed Amendment and Restated Contract for Sale and Purchase for Lot #10.**

*Erik Bredfeldt and Avis Butler made presentations.*

*Perry Clausen, Donald Shepherd, Telford Cartwright and Wendy Noonsong spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) hear a brief presentation from staff on the proposed Amended and Restated Contract for Sale and Purchase; and 2) approve the Amended and Restated Contract for Sale and Purchase.*

*Alternative Recommendation*

*The City Commission: 1) hear a brief presentation from staff on the proposed Amended and Restated Contract for Sale and Purchase; and 2) deny the Amended and Restated Contract for Sale and Purchase and direct staff to cancel the Contract for Purchase.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Carter, that this Matter be Approved as Recommended. 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

[160441.](#)

**Oversight Board Recommendation to the City Commission and the County Commission on the use of the Former Drug Treatment Building at the Empowerment Center (B)**

**This item is a recommendation from the Gainesville-Alachua County Oversight Board to the Gainesville City Commission requesting approval and use of the Former Drug Treatment Building.**

*Fred Murry and Jon DeCarmine made presentations.*

*Wendy Noonsong, Telford Cartwright, Arthur Stockwell and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The Oversight Board recommends to the City Commission of Gainesville that ACCHH be granted approval to renovate and utilize the building and assume all costs associated with the*

*renovation and operation of the building; and 2) authorize the City Manager to amend the licensure agreement subject to the City Attorney's approval of the licensure agreement as to form and legality.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Carter, that this Matter be Approved as Recommended. 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

150406.

**PROHIBITING SMOKING IN ALL CITY PARKS (B)**

**This item provides a draft ordinance prohibiting smoking in all City parks for City Commission guidance. Based on City Commission guidance, the ordinance will be finalized and brought to the City Commission for 1st reading.**

*Steve Phillips, Paul Folkers and Andrew Romero made presentations.*

*Amendment: Change the fine from \$75.00 to \$25.00 and to look into the possibility of volunteering hours in lieu of the fine.*

*Wendy Noonsong, Victoria Hunter, Barry Murphy and Scott Hesch spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) review the draft language and provide final direction, and 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise an Ordinance.*

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

160440.

**Selection of Agency Chair & Pro Tempore (NB)**

*Motion: Appoint Commissioner Carter as Chair and Commissioner Hayes-Santos as Pro Tempore for the CRA Board.*

**RECOMMENDATION**

*The City Commission select an Agency Chair and Chair Pro Tempore for the Community Redevelopment Agency.*

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

**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.**

[160267.](#)            **Murphree Water Treatment Plant Electrical Upgrade (B)**

*\*\*This item is informational.\*\**

*Tony Cunningham made a presentation.*

RECOMMENDATION            *Hear a presentation from staff.*

**Heard**

**RECESS - 4:25 PM**

**RECONVENE - 5:32 PM**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[160368.](#)            **Gainesville Area Community Tennis Association (GACTA) (NB)**

RECOMMENDATION            *The City Commission recognize Addison Staples, Executive Director of GACTA.*

**Heard**

[160450.](#)            **United Nations Day - October 21, 2016 (B)**

RECOMMENDATION            *UN Programmes Coordinator Brian Mitchell, President Anita Spring and Masuma Downie to accept the proclamation.*

**Heard**

[160451.](#) **White Cane Safety Awareness Month - October 2016 (B)**

RECOMMENDATION *Council of the Blind President Spencer Morton to accept the proclamation.*

Heard

[160452.](#) **National Federation of the Blind Meet the Blind Month - October 2016 (B)**

RECOMMENDATION *Gainesville Chapter NFBFL President Judith Hamilton to accept the proclamation.*

Heard

[160453.](#) **Hunger Awareness Month - November 2016 (B)**

RECOMMENDATION *Martin Luther King, Jr. Commission of Florida, Inc. President Rodney Long 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**

*Commissioner Chase arrived at 6:03 PM.*

*Motion by Commissioner Budd, seconded by Commissioner Chase to appoint Commissioner Carter as Mayor-Commissioner Pro Tem for the remainder of the meeting. Motion passed 6-1. Mayor Poe absent.*

- Donald Shepherd*
- Gabe Kaimowitz*
- Darlene Pifalo*
- Wilbur Holloway*
- Debbie Martinez*
- Barbara Sharpe*
- Telford Cartwright*
- Jim Konish*
- Ernesto Martinez*
- Scott Hesch*

**PUBLIC HEARINGS**

**RESOLUTIONS - ROLL CALL REQUIRED**

[160409.](#) **Resolution for Joint Participation Agreement (JPA) - Service Development Grant Funds for Regional Transit System (RTS) for Bus Stop Amenities, Holiday Service and Routes 62, 300 Enhanced Operations, and 125 Enhanced Operations (B)**



**This item is a request for adoption of a resolution authorizing the City Manager to execute Joint Participation Agreements between the City of Gainesville and the Florida Department of Transportation to receive Service Development Grant Funds for Bus Stop Amenities and for operation of Holiday Service and Routes 62, 125 Enhanced Operations and 300 Enhanced Operations.**

RECOMMENDATION            *The City Commission adopt the Resolution.*

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

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

**Absent:** 1 - Mayor Poe

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

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

#### [160216.](#)

#### **VOLUNTARY ANNEXATION - 100 ACRES OF PROPERTY SOUTHWEST OF THE CURRENT CITY BOUNDARY (B)**

Ordinance No. 160216

An ordinance of the City of Gainesville, Florida, annexing approximately 100 acres of city-owned and privately-owned property that is generally located south of Tax Parcel No. 07240-049-000 and the existing City of Gainesville boundary, west of SW 41st Boulevard and Interstate 75, north of SW Williston Road, and east of SW 75th 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 and Ben Chumley made presentations.*

*Joyce Ellis, Telford Cartwright and Donald Shepherd spoke to the matter.*

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

Continued to a date certain of November 3, 2016. No roll call vote. Passed 6-0.  
Mayor Poe absent.

[160381.](#)

**AN ORDINANCE INCREASING THE MAXIMUM NUMBER OF HOURS FOR AN ALCOHOL EVENT ON PUBLIC RIGHT-OF-WAY WITHIN THE DOWNTOWN DISTRICT (B)**

Ordinance No. 160381

An Ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to alcohol event permits; by amending Section 4-4 to increase the maximum number of hours for an alcohol event on public right-of-way within the downtown district; providing directions to the codifier; and providing an effective date.

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

**A motion was made by Commissioner Carter, seconded by Commissioner Budd, that this Matter be Adopted on Final Reading (Ordinance). 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

[160240.](#)

**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 306 NE 7th AVENUE (B)**

Ordinance No. 160240

An ordinance of the City of Gainesville, Florida, finding that property located at 306 NE 7th Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2017, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**            *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) 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) 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

[160228.](#)**QUASI-JUDICIAL - HISTORIC PROPERTY TAX EXEMPTION - 405  
NE 10th AVENUE (B)**

Ordinance No. 160228

An ordinance of the City of Gainesville, Florida, finding that property located at 405 NE 10th Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2017, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

*Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Budd, that this Matter be Adopted on Final Reading (Ordinance) 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

[160401.](#)**MORATORIUM ON CONSTRUCTION OF WIRELESS  
COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)**

Ordinance No. 160401

An ordinance of the City of Gainesville, Florida, enacting a 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 Commissioner Carter, seconded by Commissioner Goston, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**Absent:** 2 - Commissioner Budd, and Mayor Poe

[160393](#)

**Extend Hippodrome State Theatre, Inc. Contract (B)**

**This is a request to extend the Hippodrome State Theatre, Inc. Contract with the City by ten years in order to be eligible for Cultural Facilities Program Funds.**

*April Shuping, Steve Phillips and Jessica Hurvor made presentations.*

*Motion: Approve and extend the current lease agreement through July 1, 2027 and work with the Hippodrome in preparing a new long-term agreement.*

*Donald Shepherd spoke to the matter.*

*Motion by Commissioner Carter, seconded by Commissioner Hayes-Santos to waive the City Commission rules and hear Item No. 160454 before Citizen Comment. Motion passed 6-0. Mayor Poe absent.*

**RECOMMENDATION**      *The City Commission: 1) approve a ten year contract extension to the lease agreement with the Hippodrome State Theatre, Inc.; and 2) authorize the City Manager or his designee to execute the appropriate documents.*

**Motion by Commissioner Chase, seconded by Commissioner Carter, that this Matter be Approved as Shown Above. The motion carried by the following vote:**

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

**Absent: 2 - Mayor Poe and Commissioner Goston.**

[160454.](#)

**Commissioner Charles Goston - MedCare One (B)**

*Darrell Johnson and Abraham Tenah made presentations.*

**RECOMMENDATION**      *The City Commission hear a presentation from Darrell Johnson & Abraham Tenah regarding MedCare One.*

**Heard**

**PLANNING PETITIONS**

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

*Debbie Martinez  
Ernesto Martinez  
Telford Cartwright*

**COMMISSION COMMENT**

*Commissioner Hayes-Santos - One cohesive strategic plan for the City and GRU to save the citizens money.*

*Commissioner Chase - 1) Strategic direction; and 2) Relationship between the City Commission and County Commission (Anthony Lyons and Paul Folkers provided the motions from the County).*

*Commissioner Carter - Breaking down the silos.*

*Commissioner Budd - Day retreat with the City and County.*

*Mayor-Commissioner Pro Tem Warren - 1) Disciplined budget; and 2) Value of Wild Spaces/Public Places.*

*Motion by Commissioner Carter, seconded by Commissioner Chase to waive the City Commission rules and extend the meeting to 10:10 PM. Motion passed 6-0.*

*Commissioner Goston - Wild Spaces/Public Places*

**ADJOURNMENT - 10:04 PM**

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**Kurt Lannon, Clerk of the Commission**