

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

August 17, 2017

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Mayor-Commissioner Pro Tem Harvey Budd (At Large)
Commissioner Helen Warren (At Large)
Commissioner Charles Goston (District 1)
Commissioner Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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ROLL CALL - 1:02 PM

Present 7 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

CALL TO ORDER -

AGENDA STATEMENT

INVOCATION

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

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

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

[170291.](#) **City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of July 18 (2 sets) and July 20, and August 3, 2017.*

Approved as Recommended

[170286.](#) **Resignation of Mary Held from the Nature Centers Commission (B)**

RECOMMENDATION *The City Commission accepts the resignation of Mary Held, effective immediately.*

Approved as Recommended

[170290.](#) **Ruthie Arad v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2015-CA-3231(NB)**

RECOMMENDATION *The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Ruthie Arad v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2015-CA-3231, on behalf of the City.*

Approved as Recommended

[170011.](#) **Recommendation for Bid Award and Contract Negotiations with FLEET REPSONSE (B)**

RECOMMENDATION

The City Commission award bid and Contract Negotiations with FLEET RESPONSE and authorize the City Manager or his designee to execute the contract pending approval by the City Attorney as to form and legality.

Approved as Recommended

[170247.](#)

Appropriation of Unobligated Fund Balance of the Gainesville Police Department's State Law Enforcement Contraband Forfeiture Trust Fund (NB)

This item requests that the City Commission approve the appropriation of \$30,000.00 of unobligated fund balance in the Gainesville Police Department's Florida Law Enforcement Contraband Forfeiture Trust Fund for use of authorized crime prevention programs, or for other law enforcement purposes providing additional equipment.

RECOMMENDATION

The City Commission approve the appropriation of \$30,000 from the State Law Enforcement Contraband Forfeiture Trust Fund for future expenditures of crime prevention programs, or for other law enforcement purposes providing additional equipment.

Approved as Recommended

[170252.](#)

Amend the Interlocal Agreement for Public School Facility Planning (B)

Amended Interlocal Agreement for Public School Facility Planning between the School Board of Alachua County and the local governments in Alachua County.

RECOMMENDATION

Staff to City Commission - The City Commission approve: 1) the amended Interlocal Agreement for Public School Facility Planning; and 2) authorize the Mayor to execute and the Clerk of the Commission to attest same on behalf of the City, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[170256.](#)

Approval to Begin Process of Voluntary Annexation Petition for Property Owned By David L Duncan (B)

This is the submission of petition for voluntary annexation of parcel 06675-006-000, owned by David L. Duncan. The property is 8.33 acres and located along SW 20th Avenue.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Approved as Recommended

[170137.](#)

Federal Lobbying and Advocacy Services (B)

This is a request for the City Commission to approve the contract federal lobbying and advocacy services.

RECOMMENDATION

The City Commission: 1) approve the contract with Van Scoyoc Associates, Inc., subject to approval of the City Attorney as to form and legality.

Approved as Recommended

[170138.](#)

State Lobbying and Advocacy Services (B)

This is a request for the City Commission to approve the contract for state lobbying and advocacy services.

RECOMMENDATION

The City Commission: 1) approve the contract with Peebles & Smith, Inc., subject to approval of the City Attorney as to form and legality.

Approved as Recommended

[170226.](#)

Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY 17/18 (B)

This item involves a request for the City Commission to approve the RTS Ten-Year TDP Annual Update for FY 17/18.

RECOMMENDATION

The City Commission approve the RTS Ten-Year Transit Development Plan Annual Update for FY 17/18.

Approved as Recommended

[170310.](#)

Removal of William Brian Smith from the Gainesville/Alachua County Cultural Affairs Board (B)**RECOMMENDATION**

The City Commission approve the removal of William Brian Smith from the Gainesville/Alachua County Cultural Affairs

Board, effective immediately.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

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

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

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

- Jim Konish*
- Douglas Jones*
- Darcie MacMahon*
- Debbie Martinez*
- Beverly Craig*
- Marcia Bentham*
- Belinda Smith*
- Jo Beaty*
- Ernesto Martinez*

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

[170302.](#)

UPDATE REGARDING REGULATION OF COMMUNICATIONS FACILITIES (NB)

Lisa Bennett and Gary Resnick made presentations.

Mike Ryan Simonovich spoke to the matter.

RECOMMENDATION *Hear a presentation from City staff and outside legal counsel.*

Heard

[160876.](#)

PROPOSED CHARTER AMENDMENTS TO MOVE CITY ELECTIONS TO THE FALL OF EVEN-NUMBERED YEARS AND TO TRANSITION TO FOUR (4) YEAR CITY COMMISSION TERMS (B)

Motion: Direct City Attorney's office to draft an ordinance and ballot language (with no advertisement) for moving City elections.

Kali Blount, Mike Ryan Simonovich, Judy Esler, Walter Williard, Kristen Bryant, Jeremiah Tattersall, James Thompson, Ben Nema, Jason Fults, Susan Bottcher, Bryan Eastman Jo Beaty, Debbie Martinez, Cody Patton and Ernesto Martinez spoke to the matter.

RECOMMENDATION *The City Commission review the proposed charter amendment*

for further discussion.

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

Aye: 6 - Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Nay: 1 - Commissioner Goston

[170254.](#)

Appointment of City Commissioner for Annual Meetings of Elected Officials regarding Coordination of Land Use and School Facilities Planning (B)

Dean Mimms made a presentation.

Motion: Appoint Commissioner Warren to represent the City Commission to the annual meetings of elected officials regarding the coordination of land use and school facilities planning.

RECOMMENDATION *The City Commission appoint a member of the City Commission to represent the City of Gainesville at the Annual Meetings of Elected Officials.*

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

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

Absent: 1 - Commissioner Ward

[170318.](#)

Appointment of City Commissioner for Annual Meetings of Elected Officials regarding Coordination of Land Use and School Facilities

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

Absent: 1 - Commissioner Ward

[170258.](#)

City Auditor's Report of the GPD Use of Force (B)

Ronald Ison, Chief Jones and Terrence Pierce made presentations.

RECOMMENDATION *The City Auditor recommends that the City Commission*

accept the City Auditor's report and the City Manager's response.

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

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

[170303.](#)

Mayor Lauren Poe - Bloomberg's Mayors Challenge (NB)

Motion: Indicate participation in the Bloomberg's Mayors Challenge.

RECOMMENDATION *The City Commission hear remarks and take action deemed appropriate.*

A motion was made by Commissioner Ward, seconded by Commissioner Warren, that this Matter be Approved, as shown above. The motion carried by the following vote:

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

[170311.](#)

Mayor Lauren Poe - Richard Spencer Event (NB)

Chief Jones and Chief Lane made presentations.

Motion: Authorize the Mayor to sign a declaration of emergency and take any appropriate action necessary (work with UF, Santa Fe College and other government entity).

RECOMMENDATION *The City Commission discuss and receive an update on security issues surrounding the Richard Spencer event.*

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

Aye: 6 - Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Absent: 1 - Commissioner Goston

[160958.](#)

Institute for Workforce Innovation Donation for Banks-Cosby Building Renovation (B)

Acceptance of a donation valued in an amount up to \$120,000 from the Institute for Workforce Innovation (IWI) to be used toward the cost of renovations of the Banks-Cosby Building located at 635 NW 6th Street, Gainesville, FL.

Ed Gable made a presentation.

Jo Beaty spoke to the matter.

RECOMMENDATION *The City Commission approve and accept a mix of cash and in kind donations valued in an amount up to \$120,000 from the Institute for Workforce Innovation to be used toward the cost of renovations of the Banks-Cosby Building located at 635 NW 6th Street, Gainesville, FL.*

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

Aye: 6 - Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Absent: 1 - Commissioner Goston

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 - 4:28 PM

RECONVENE - 5:31 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[170309.](#) **Labor Daze Weekend - September 1-3, 2017 (B)**

RECOMMENDATION *Trish Ingle to accept the proclamation.*

Heard

[170312.](#) **Special Recognition - City of Gainesville (NB)**

RECOMMENDATION

The City Commission recognize the City of Gainesville as Most Valuable Partner by the Greater Duval Neighborhood Association.

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*
- Beverly Craig*
- Nathan Skop*
- Debbie Martinez*
- Harold Saive*
- Telford Cartwright*
- Jo Beaty*
- Wilbur Holloway*
- Ernesto Martinez*
- Kali Blount*

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

[170224.](#)

Resolution for a Joint Participation Agreement - State Block Grant Funds for RTS Operating Assistance for FY 2018 (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 \$1,871,517 from the State Block Grant Funds for FY 2018.

Jesus Gomez made a presentation.

Kali Blount spoke to the matter.

RECOMMENDATION

The City Commission adopt the Resolution.

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

Aye: 6 - Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Absent: 1 - Commissioner Goston

[170260.](#)

Resolution for Joint Participation Agreement (JPA) - Service Development

Grant Funds for Regional Transit System (RTS) for the Gainesville Autonomous Transit Shuttle (GAToRS) Project with Florida Department of Transportation (FDOT) (B)

This item is a request for a Resolution authorizing the City Manager or his authorized designee to execute a Joint Participation Agreement between the City of Gainesville and FDOT to receive Service Development Grant Funds for the GAToRS Project.

Jesus Gomez made a presentation.

RECOMMENDATION *The City Commission adopt the Resolution.*

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

Aye: 6 - Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Mayor-Commissioner Pro Tem Budd

Absent: 1 - Commissioner Goston

[170288.](#)

Reimbursement Resolution related to the Heartwood Infrastructure Borrowing (B)

This is request for the City Commission to adopt a resolution related to the Heartwood Project infrastructure financing.

Mark Benton made a presentation.

RECOMMENDATION *The City Commission adopt the Reimbursement Resolution related to the Heartwood Project infrastructure financing.*

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

Aye: 6 - Commissioner Goston, Mayor Poe, Commissioner Hayes-Santos, Commissioner Ward, Commissioner Arreola, and Commissioner Warren

Absent: 1 - Mayor-Commissioner Pro Tem Budd

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[170179.](#)

AMEND REGISTRATION REQUIREMENTS FOR USE OF PUBLIC RIGHTS-OF-WAY COMMUNICATIONS SERVICES PROVIDERS AND WIRELINE USERS (B)

Ordinance No. 170179

An ordinance of the City of Gainesville, Florida repealing and replacing Article VI, Chapter 23, of the City Code and setting forth requirements for the registration, permitting, insurance coverage, indemnification, construction bonds, security funds, force majeure, abandonment, liability, warranties and compensation for placing or maintaining communications service facilities and wireless support structures in the public rights-of-way; providing for severability, repealing clauses; and an effective date.

Lisa Bennett and Kelly McGriff made presentations.

Nathan Skop and Harold Saive spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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

*Nathan Skop
Debbie Martinez
Ernesto Martinez
Jo Beaty*

COMMISSION COMMENT

Mayor-Commissioner Pro Tem Budd - 1) Decorum.

Commissioner Ward - 1) Public involved in the process; and 2) Editorial about legislation to change CRA's.

Commissioner Hayes-Santos - 1) Phosphate mine (Bradford/Union County) - offer support.

Commissioner Goston - Citizen comment.

Motion by Commissioner Arreola, seconded by Commissioner Ward: City staff to draft a resolution regarding texting and driving, and adding this to the City's legislative priorities. Motion passed 7-0. Nathan Skop and Debbie Martinez spoke to the matter.

Commissioner Warren - 1) Empowerment Advisory Board discussions - re: CRA funding, housing needs; and 2) Medical building at Grace Marketplace. Staff will schedule a community workshop before the end of the year to discuss affordable housing.

[170320.](#)

Discussion and Creation of a Green Ribbon Panel

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Ward, seconded by Commissioner Warren, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

[170321.](#)

Irrigation Ordinance

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

[170322.](#)

Electrification of Fleet

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Referred to the General Policy Committee, due back on 4/30/2018. The motion carried by the following vote:

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

ADJOURNMENT - 8:35 PM

Kurt Lannon, Clerk of the Commission