

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

September 15, 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)

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CALL TO ORDER - 1:01 PM

ROLL CALL

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

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

Absent: 1 - Commissioner Goston

[140423.](#)

Fire Station Location Study and Update on Transition of Fire Rescue Services in the SW 20th Avenue Area (NB)

This item recommends referral of the Fire Station Location Study and Update on Transition of Fire Rescue Services in the SW 20th Avenue Area to the General Policy Committee.

RECOMMENDATION *The City Commission refer the Fire Station Location Study and Update on Transition of Fire Rescue Services in the SW 20th Avenue Area to the General Policy Committee.*

Approved as Recommended

[160390.](#)

Fire Station Location Study and Update on Transition of Fire Rescue Services in the SW 20th Avenue Area

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Carter, seconded by Commissioner Budd, 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 Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Goston

[160199.](#)

I-75 Relief Task Force (B)

This item is a referral from the General Policy Committee regarding potential future transportation investments by the Florida Department of Transportation in Alachua County.

RECOMMENDATION *The City Commission authorize the Mayor to sign a letter to the I-75 Relief Task Force chair outlining the City's preference for future transportation investments in the area.*

Approved as Recommended

[160203.](#)

Approval of the Regional Transit System (RTS) Ten-Year Transit Development Plan (TDP) Annual Update for FY 16/17 (B)

This item involves a request for the City Commission to approve the RTS Ten-Year TDP Annual Update for FY 16/17.

RECOMMENDATION *The City Commission approve the RTS Ten-Year Transit Development Plan Annual Update for FY 16/17.*

Approved as Recommended

[160313.](#)

Compensation in the Event of Catastrophic Conditions and Mutual Aid Assistance (B)

This item requests the City Commission to revise how the City compensates exempt City employees in the event of catastrophic conditions and mutual aid assistance and adopt a Human Resources Policy reflecting these changes upon adoption of an ordinance deleting Chapter 2, Article VII, Division 2 of the Code of Ordinances, which currently governs compensation for certain City employees in the event of catastrophic conditions and mutual aid assistance.

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance deleting Chapter 2, Article VII, Division 2 of the Code of Ordinances.*

Approved as Recommended

[160323.](#)

State Homeland Security Grant Program Sub-Recipient Agreement FY2016 (NB)

This item requests that the City Commission authorize the City Manager to enter into an agreement with the State of Florida Division of Emergency Management to support equipment maintenance for Gainesville Fire Rescue's Hazardous Materials Team.

RECOMMENDATION *The City Commission authorize the City Manager or*

designee to enter into a contract with the State of Florida Division of Emergency Management, subject to approval of the City Attorney as to form and legality.

Approved as Recommended

[160358.](#)

Gainesville Creative Series Update (NB)

This is a request for the City Commission to refer an update of the Gainesville Creative Series to the General Policy Committee.

RECOMMENDATION

The City Commission refer an update of the Gainesville Creative Series to the General Policy Committee.

Approved as Recommended

[160391.](#)

Update of the Gainesville Creative Series

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Carter, seconded by Commissioner Budd, 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 Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Absent: 1 - Commissioner Goston

[160357.](#)

Resignation of Betsy Albury from the Historic Preservation Board (B)

RECOMMENDATION

The City Commission accepts the resignation of Betsy Albury, effective immediately.

Approved as Recommended

[160356.](#)

City Commission Minutes (B)

RECOMMENDATION

The City Commission approve the minutes of August 22, 2016.

Approved as Recommended

[160257.](#)

Fiscal Year 2016 Quarterly Monitoring Report and Fund Review Update - Quarter Ending June 30, 2016 (B)

RECOMMENDATION

The Audit and Finance Committee recommends that the City Commission receive the quarterly budget monitoring report and the fund review update for the quarter ended June 30, 2016.

Approved as Recommended

[160259.](#)

Gainesville Regional Utilities Unaudited Internally Prepared Financial

Statements for the Period Ended June 30, 2016 (B)

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept the GRU Unaudited Internally Prepared Financial Statements for the period ended June 30, 2016.*

Approved as Recommended

[160260.](#)

Gainesville Regional Utilities Internally Prepared Budget to Actuals and Supplementary Data for the Period Ending June 30, 2016 (B)

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission accept the GRU Internally Prepared Budget to Actuals and Supplementary Data for the period ended June 30, 2016.*

Approved as Recommended

[160341.](#)

REGIONAL WILSON VS. CITY OF GAINESVILLE, FLORIDA; EIGHTH JUDICIAL CIRCUIT, CASE NO. 16-CA-2191 (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Regional Wilson vs. City of Gainesville, Florida; Eighth Judicial Circuit, Case No. 16-CA-2191.*

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

Absent: 1 - Commissioner Goston

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

Commissioner Goston arrived at 1:04 PM.

Paul Folkers made a presentation regarding the request proposal for the Alcohol Beverage Ordinance.

Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Warren to direct the City Attorney to draft an ordinance for the downtown district right-of-way alcohol beverage ordinance (changing from 48 hours to 72 hours). Motion passed 7-0.

*Jim Konish
Thomas (Dignity Village)
Ann Palvecheck*

Tony Weinbender
Jeremiah Tattersall
Perry Clausen
Jo Beaty

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

[160362.](#) Lot # 10 Status Report (B)

This is a request for the City Commission to hear a status report on Lot #10 and provide appropriate direction.

Motion: 1) Direct staff to further negotiate with the applicant on the Lot 10 project; and 2) continue the item until October 6, 2016.

Erik Bredfeldt, Rodney Long and Avis Butler made presentations.

Jo Beaty and Perry Clausen spoke to the matter.

RECOMMENDATION *The City Commission hear an update from staff and provide appropriate direction.*

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

[160366.](#) Mayor Lauren Poe - Meridian (B)

Motion by Commissioner Chase, seconded by Commissioner Carter to waive the rules and change the order of agenda items to: 1) Meridian; 2) Discussion of Equitable Employment Health; 3) The Longest Table; and 4) Water Stand Up North Florida Resolution. Motion passed 7-0.

Motion: Designate \$75,000 from the undesignated reserves FY 2017, for the Central Receiving Facility Grant, contingent upon the balance of the local match being met by the end of next week.

Maggie Labarta made a presentation.

RECOMMENDATION *The City Commission discuss central receiving for mental health.*

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.

[160375.](#) Mayor Lauren Poe - Discussion of Equitable Employment Health

Benefits (NB)

Steve Varvel made a presentation.

Motion: 1) Make sure that there isn't an exclusion in our current policy on hormone replacement therapy on gender reassignment (identify if they exist); 2) notify the Commission to find out if this is in fact what is going to be handled in the upcoming Affordable Care Act; 3) if it is not, what are the City's steps to include it into the City's policy; and 4) does it conflict with our non-discrimination policy, if it does, the City is in conflict and there would need to be a resolution.

Terry Flemming and Jeremiah Tattersall spoke to the matter.

RECOMMENDATION *The City Commission discuss equitable employment health benefits for city employees.*

A motion was made by Commissioner Carter, 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, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

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**160294. Annual Audit Plan - 2017 (B)**

Action: Continued item until October 6, 2017.

RECOMMENDATION *The Audit and Finance Committee recommends the City Commission approve the Fiscal Year 2017 Annual Audit Plan by resolution.*

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.****

RECOMMENDATION

Hear a presentation from staff.

Continued

RECESS - 4:43 PM

RECONVENE - 5:34 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.

Continued

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

*Beverly Craig
Gabe Kaimowitz
Jim Konish
Walter Willard*

Motion by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren to waive the rules and hear Item No. 160365 and Item No.160342 before Item No. 106294. Motion passed 5-0. Commissioner's Hayes-Santos and Chase absent.

[160365.](#) **Mayor Lauren Poe - Water Stand Up North Florida Resolution (B)**

Nick Loffer made a presentation.

RECOMMENDATION

The City Commission authorize the drafting of a resolution and place on a future agenda.

A motion was made by Commissioner Carter, 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, Mayor Poe, Commissioner Hayes-Santos; Commissioner Carter and Mayor-Commissioner Pro Tem Warren.

Absent: 1 - Commissioner Chase

[160342.](#) **Audit of General Fund Revenue Estimates Included in the Proposed**

Budget for the Fiscal Year Ending September 30, 2017 (B)

Eileen Marzak made a presentation.

Jim Konish spoke to the matter.

RECOMMENDATION *The City Auditor recommends that the City Commission accept the City Auditor's report.*

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

Absent: 1 - Commissioner Chase

BUDGET**ORDINANCES, 2ND READING - ROLL CALL REQUIRED****160253.****REVISIONS TO CHAPTER 27 UTILITIES AND APPENDIX A - SCHEDULE OF FEES, RATES, AND CHARGES FOR UTILITIES; ELECTRICITY, WATER, SEWERAGE, AND NATURAL GAS (B)**

Ordinance No. 160253

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances, relating to Utilities; by creating and adding a new section 27-14.4, to consolidate and standardize billing adjustments throughout the utility systems; amending section 27-31 relating to electric system fuel and purchased power for public streetlight and rental outdoor light services; amending section 27-98 related to restrictions on bill adjustments for certain leaks; repealing section 27-126.2 in its entirety; amending section 27-169.1 by removing apartments from the calculation of the winter maximum for residential dwellings; amending section 27-280.2 and repealing in its entirety section 27-280.3, by consolidating and standardizing provisions for billing adjustments across the multiple utility systems; amending section 27-288.2 relating to quantities of propane fuel purchased; amending Appendix A, Schedule of Fees, Rates and Charges, to revise fees, rates and charges for electricity, water, sewerage and natural gas; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Jim Konish 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 Carter, 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

Nay: 2 - Commissioner Budd, and Mayor Poe

PUBLIC HEARINGS

160343.

FINAL GAINESVILLE REGIONAL UTILITIES BUDGET - FISCAL YEAR 2016-2017 (B)

RESOLUTION NO. 160343

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO THE FINAL BUDGET FOR THE CITY OF GAINESVILLE D/B/A GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROJECTING REVENUES AND ADOPTING A FINAL BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Jim Konish spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Budd, that this Matter be Adopted (Resolution). 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

160304.

FINAL MILLAGE RATE - FISCAL YEAR 2016 - 2017 (B)

RESOLUTION NO. 160304

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE LEVY OF GENERAL MUNICIPAL PURPOSE AD VALOREM TAXES FOR THE 2016-2017 FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; ADOPTING THE FINAL MILLAGE RATE; DIRECTING THE TRANSMITTAL OF CERTIFIED COPIES; AUTHORIZING A SPECIFIED ADJUSTMENT TO THE FINAL MILLAGE RATE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

April Shuping made a presentation.

Jim Konish spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear presentation from City staff regarding the tentative millage rate, the percentage increase in millage over the rolled-back rate and the specific purposes for which ad valorem tax revenues are being increased; 2) hear testimony from all interested persons; 3) discuss the proposed tax increase; and 4) adopt the proposed Resolution.

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

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

Nay: 1 - Commissioner Chase

Absent: 1 - Commissioner Goston

[160305.](#)

FINAL GENERAL GOVERNMENT BUDGET - FISCAL YEAR 2016 - 2017 (B)

RESOLUTION NO. 160305

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE 2016-2017 FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; ADOPTING THE FINAL GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Jim Konish spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed Resolution.

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

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

Nay: 1 - Commissioner Chase

Absent: 1 - Commissioner Goston

RESOLUTIONS - ROLL CALL REQUIRED

[160258.](#)

THIRD BUDGET AMENDMENT TO THE FY 2015-2016 GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET (B)

Resolution No. 160258

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; AMENDING RESOLUTION NO. 150271, AS AMENDED BY RESOLUTION NO. 150744 AND RESOLUTION NO. 160024, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Jim Konish spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter, that this Matter be Adopted (Resolution). 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

[100630.](#)

RESOLUTION NO. 100630 - AMENDING REAL PROPERTY POLICIES (B)

This item is a request to establish uniform procedures for handling parcels of land that are conveyed to the City from the County for non-payment of taxes and to apply these policies to four parcels of land that have been conveyed to the City of Gainesville by Alachua County for non-payment of taxes.

Paul Folkers made a presentation.

Estelle Lens spoke to the matter.

RECOMMENDATION *The City Commission adopt the Resolution.*

Amendment: Added terminology that the City give 90 days notice if it is occupied.

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

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

Absent: 1 - Commissioner Chase

ORDINANCES, 1ST 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 Gerry Dedenbach made presentations.

Patsy Wiley-Lovett, Jancie Vinson, Telford Cartwright, Joyce Ellis, Eric Barker and Pamela Bailey spoke to the matter.

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 First 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

Nay: 1 - Commissioner Goston

160221.**AMENDING LAND DEVELOPMENT CODE DEFINITIONS
REGARDING MEDICAL MARIJUANA DISPENSARIES (B)**

Ordinance No. 160221, Petition PB-16-84 TCH

An ordinance of the City of Gainesville, Florida, relating to regulation of medical marijuana dispensaries; amending Section 30-23 of the Code of Ordinances to update definitions relating to medical marijuana; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) approve Petition PB16-84 TCH, and 2) adopt the proposed ordinance*

A motion was made by Commissioner Budd, seconded by Commissioner Carter, that this Matter be Striken From the Agenda (Ordinance) and referred to the General Policy Committee. 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

[160395.](#)

Amending Land Development Code Definitions Regarding Medical Marijuana Dispensaries

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Budd, seconded by Commissioner Carter, that this Matter be Referred to the General Policy Committee, due back on 4/30/2017. 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

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[160156.](#)

VOLUNTARY ANNEXATION - 0.91 ACRES OF PROPERTY OWNED BY NORTH CENTRAL FLORIDA REGIONAL MEDICAL CENTER (B)

Ordinance No. 160156

An ordinance of the City of Gainesville, Florida, annexing approximately 0.91 acres of property identified as Tax Parcel No. 06340-007-000, which is generally located north of W Newberry Road, south of NW 10th Place, east of NW 69th Terrace and Interstate 75, and west of NW 66th 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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Goston, and Commissioner Hayes-Santos

[160139.](#)

QUASI-JUDICIAL - REZONING - 1217, 1227, 1237 and 1247 SW 11th AVENUE (B)

Ordinance No. 160139; Petition No. PB-16-58 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1.03 acres of property generally located at 1217, 1227, 1237 and 1247 SW 11th Avenue, as more specifically described in this ordinance, from Single-Family Residential District (RSF-1) to Urban Mixed-Use District 1 (UMU-1); providing directions to the City Manager; 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 Commissioner Carter, seconded by Commissioner Budd, 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

[160130.](#)

AMEND THE UTILITY ADVISORY BOARD ATTENDANCE REQUIREMENTS (B)

Ordinance No. 160130

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to the Utility Advisory Board by amending Section 2-359 to revise the attendance requirements for the Utility Advisory Board, 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 Mayor-Commissioner Pro Tem Warren, 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

[160080.](#)

ALLOWING FOR THE SALE, DISPENSING, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT DEPOT PARK

(B)

ORDINANCE NO. 160080

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances related to the sale, dispensing, consumption and possession of alcoholic beverages in Depot Park; by amending Section 4-4; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION

The City Commission: 1) adopt the proposed ordinance; and 2) add Depot Park to the list of city-owned parcels that may be made available for special events produced by private parties in accordance with Section 4-4(b)(4) of the Code of Ordinances.

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

Absent: 1 - Commissioner Goston

[160166.](#)

Non-Ad Valorem Assessment for Solid Waste Management (B)

ORDINANCE NO. 160166

An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville, Florida to be included in the non-ad valorem assessment for the municipal service benefit unit created by Alachua County for certain solid waste management services for the fiscal years 2016-2017 and 2017 - 2018; providing conditions for the consent; providing that the consent is for the two-year period; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION

The City Commission adopt the ordinance.

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

[150994.](#)

VEHICLES FOR HIRE ORDINANCE ALLOWING FOR POSSESSION OF OPEN ALCOHOLIC BEVERAGE CONTAINERS IN MOTORIZED VEHICLES FOR HIRE. (B)

Ordinance No. 150994

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to motorized vehicles for hire; by amending Section 28-8 to remove the prohibition on passengers in a motorized vehicle for hire possessing open containers of alcoholic beverages; 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 Carter, that this Matter be Adopted on Final Reading (Ordinance). 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

PLANNING PETITIONS

[150694.](#)

Amend the Blues Creek Planned Development zoning (B)

Petition PB-15-115 PDA, EDA Engineers-Surveyors-Planners, Inc., agent for New Generation Home Builders, Inc. Amend the Blues Creek Planned Development (single - family subdivision) as it relates to Unit 5 to modify development standards. Located in the 7000-7800 block of NW 58th Street.

Motion: Direct the City Attorney's office to draft an ordinance representing the preferred Option No. 1 alternative.

Andrew Persons, Onelia Lazzari, Sergio Reyes, Russell Ingram, Tom Burgett, and Tom Brown made presentations.

Affected parties were sworn into the record.

Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Budd to waive the rules and extend the meeting until 11:00 PM. Motion carried 7-0.

Affected parties that cross-examined: Barry Goldman, David Edwards, Christy Miller, Margarita and Carlos.

Affected parties that spoke against the petition: Barry Goldman, Tom Kay, Dan Vazquez and Margarita.

Citizen Comment: Telford Cartwright, Roberta, Michael Turco, Al Clark and Paula Stahmer spoke to the matter.

RECOMMENDATION *Staff to City Plan Board - Approve petition.*

A motion was made by Commissioner Carter, 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 Goston, Commissioner Chase, Mayor Poe, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

Nay: 2 - Commissioner Budd, and Commissioner Hayes-Santos

[160364.](#)

Mayor Lauren Poe - The Longest Table (NB)

Motion by Commissioner Carter, seconded by Commissioner Warren to waive the rules and hear Item No. 160364 before Citizen Comment. Motion passed 7-0.

Motion: Support the Longest Table.

RECOMMENDATION *The City Commission discuss.*

A motion was made by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren, 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.

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

Teford Cartwright

COMMISSION COMMENT

Commissioner Budd -Illegal political signs on residential properties (enforce residential sign ordinance).

Commissioner Chase - Message to wife.

Commissioner Hayes-Santos - Election Contract.

Commissioner Carter - Message to Devonia.

[160396.](#)

Enterprize Zone Policies

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Goston, seconded by Commissioner Carter, that this Matter be Referred to the General Policy Committee, due back on 4/30/2017. 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

ADJOURNMENT - 11:00 PM

Kurt Lannon, Clerk of the Commission