

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

March 2, 2017

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 - 1:04 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**

Prophet George Young

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 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

[160782.](#)**City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of January 31, February 2, and February 16, 2017.*

Approved as Recommended

[160786.](#)**Resignation of Debi Martinez from the Gainesville/Alachua County Cultural Affairs Board (B)**

RECOMMENDATION *The City Commission accepts the resignation of Debi Martinez, effective immediately.*

Approved as Recommended

[160768.](#)**FCHR CHARGE - NICOLE MARSHALL V. CITY OF GAINESVILLE; FCHR CHARGE No. 2017-00135 (NB)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Nicole Marshall v. City of Gainesville; FCHR CHARGE No. 2017-00135.*

Approved as Recommended

[160743.](#)**Professional Services Agreement Extension for Financial Advisory Services (NB)**

****This item was presented to the Utility Advisory Board on 2/15/17.****

RECOMMENDATION

The City Commission: 1) authorize the General Manager, or his designee, to negotiate and execute up to five (5) years of contract amendments with Public Financial Management, Inc. for Financial Advisory Services, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders to Public Financial Management, Inc. in amounts not exceeding \$120,000 for each year of the contract amendment pending final appropriation of funds for each fiscal year.

UAB Recommendation: The UAB recommends that the Commission approve the contract amendment.

Approved as Recommended

[150907.](#)

Rules of the Utility Advisory Board (B)**RECOMMENDATION**

Approve the rules of the Utility Advisory Board as drafted.

Approved as Recommended

[150085.](#)

Implementation for Parks, Recreation & Cultural Affairs Master Plan and Continued Acquisition of Conservation and Park Land (B)

This item requests that the City Commission review and approve additions to the priority list of the Land Conservation and Park Acquisition Program.

RECOMMENDATION

The City Commission: 1) review the Land Conservation and Acquisition Table; and 2) approve this update to the priority list of the Land Conservation and Park Acquisition Program.

Approved as Recommended

[160594.](#)

Revision to the Regional Transit System (RTS) Employee Bus Pass Program (B)

This item is a request for the City Commission to approve the continuation of the Employee Bus Pass Program as a routine RTS program, authorize the City Manager or designee to execute service agreements with local agencies for the Employee Bus Pass Program, and authorize approval authority to the City Manager or designee for future minor program modifications

RECOMMENDATION

The City Commission: 1) approve the continuation of the Employee Bus Pass Program as a routine RTS program, 2) authorize the City Manager or his designee to execute service agreements with local agencies for the Employee Bus Pass Program, subject to approval by the City Attorney as to form and legality; and 3) authorize approval authority for the City Manager or designee for future minor program modifications.

Approved as Recommended

[160744.](#)

Voluntary Annexation Petitions for 100+ Acres Owned by Multiple Property Owners South of Archer Road and West of I-75 (B)

This is the submission of petitions for voluntary annexation of parcels 06943-002-000, 06944-000-000, 06944-001-000, 06949-000-000, 06949-001-000, 06949-002-000, a portion of 06951-000-000, 06952-000-000, 06952-001-000, 06952-002-002, and 06952-003-000, which are owned by multiple property owners. There are 11 total parcels, six (6) of which have single family homes and five (5) of which are vacant. The total annexation area is approximately 107.7+/- acres and is located south of Archer Road and West of I-75.

RECOMMENDATION

The City Commission: 1) receive the petitions 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 Alachua County 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

[160805.](#)

Joint Meeting with Utility Advisory Board (NB)

RECOMMENDATION

The City Commission schedule a joint meeting with the Utility Advisory Board on March 23, 2017 at 1:00 p.m. at the Gainesville Regional Utilities Administration Building.

Approved as Recommended

[160760.](#)

Nominations - Library District Board of Trustees (B)

RECOMMENDATION

The City Commission nominate the applicants for consideration of appointment by the Library District Governing Board.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

A motion was made by Commissioner Carter, seconded by Commissioner Hayes-Santos, 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

*Debbie Martinez
Jim Konish
Nathan Skop
Sean McCoy
Joseph Floyd
Gabe White
Ernesto Martinez
Jo Beaty
Ray Hughes*

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

[160267.](#)

Murphree Water Treatment Plant Electrical Upgrade (B)

****This item was presented to the UAB on 2/15/17.****

Tony Cunningham made a presentation.

RECOMMENDATION

Staff recommends that the City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Ortega Industrial Contractors, Inc., subject to approval by the City Attorney, for the construction of the Murphree Water Treatment Plant Electrical System Upgrade Project; and 2) approve the issuance of a purchase order to Ortega Industrial Contractors, Inc. for the project in the amount of \$7,937,885 subject to approval of the City Attorney as to form and legality, subject to the final appropriation of funds.

UAB Recommendation: The UAB is in agreement with staff's recommendation.

A motion was made by Commissioner Carter, seconded by Commissioner Budd, 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

[160496.](#)

Special Event Support Policy for General Government (B)

This item relates to City Commission consideration and approval of a policy addressing City support for non-profit and government agency special events. **ESTIMATED STAFF PRESENTATION 10 MINUTES**

Steve Phillips and Amy Spitzer made presentations.

Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from City staff on revisions to the draft policy; 2) provide additional input and guidance on the draft policy; and 3) direct staff to finalize the policy and return to the City Commission with a resolution for adoption of the policy.

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

Nay: 1 - Commissioner Chase

160739.

Grant Funding to Retrofit the Martin Luther King, Jr. Facility as an Emergency Shelter (NB)

This item recommends that the City Commission authorize the City Manager to accept grant funds from the FY2016/17 State of Florida Division of Emergency Management Hurricane Shelter Retrofit Project program.

Chief Lane made a presentation.

RECOMMENDATION

The City Commission authorize the City Manager to apply for, accept, and execute any and all related documents regarding the FDEM Shelter Retrofit Project subject to approval by the City Attorney as to form and legality.

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

Absent: 1 - Mayor Poe

160789.

Commissioner Todd Chase - Gainesville Candidate and Commissioner Oath (NB)

Motion: Refer to the GPC the discussion on the Code of Ethics for potential candidates.

RECOMMENDATION

The City Commission discuss and take action deemed appropriate.

A motion was made by Commissioner Chase, seconded by Commissioner Budd, that this Matter be Approved, as shown above. 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

160816.

Discuss the Code of Ethics for Potential City Commission Candidates

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Chase, 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: 7 - Commissioner Goston, Commissioner Budd, Commissioner Chase, Mayor Poe, Commissioner Hayes-Santos, Commissioner Carter, and Mayor-Commissioner Pro Tem Warren

160799.

Draft Memorandum of Understanding with GREC (B)

Justin Locke made a presentation.

*Mark Goldstein
Nathan Skop
Jim Konish
Ernesto Martinez
Jo Beaty
Debbie Martinez
Ray Hughes*

RECOMMENDATION

The City Commission and staff discuss:

- 1. The draft MOU, inherent risks of a purchase and how GRU weighed the risks*
- 2. Future steps*

Discussed

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 - 5:15 PM

RECONVENE - 5:43 PM**PLEDGE OF ALLEGIANCE****PROCLAMATIONS/SPECIAL RECOGNITIONS****160777. Jean Lansford, Carson Bell, John Jopling, Thomas Fasulo, Green Clean Homes and Searchlight Yoga Day - March 2, 2017 (B)**

RECOMMENDATION *Star Good Neighbor Thomas Fasulo and John Jopling, Star Volunteer Carson Bell and Jean Lansford and Star Green Business Searchlight Yoga and Green Clean Homes to accept the proclamation.*

Heard

160778. Shawn Harrigan Day - March 2, 2017 (B)

RECOMMENDATION *Shawn Harrigan to accept the proclamation.*

Heard

160779. Tom Hart and Leela Corman, Hector Puig and Hector Framing and Gallery and Angela Terrell Day - March 2, 2017 (B)

RECOMMENDATION *Artists/Educators Tom Hart and Lela Corman, Hector Framing and Gallery Owner Hector Puig and Educator Angela Terrell to accept the proclamation.*

Heard

160780. Ken and Linda McGurn Day - March 2, 2017 (B)

RECOMMENDATION *Citizens and Business Owners Ken and Linda McGurn to accept the proclamation.*

Heard

160783. Florida Municipal Electric Association Day - March 2, 2017 (B)

RECOMMENDATION *GRU General Manager Ed Bielarski to accept the proclamation.*

Heard

160784. Perry C. McGriff, Jr. Lifetime Blood Donor Week - March 6-10, 2017 (B)

RECOMMENDATION *Family of Perry C. McGriff, Jr. 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

*Kali Blount
Jim Konish
Nathan Skop
Gabe Kaimowitz
Ernesto Martinez
Don Glendening
Farzad Pakdel
Marilyn
Debbie Martinez
John Davies
Florence Turcotte
Donald Shepherd*

Motion by Commissioner Carter, seconded by Commissioner Goston to waive the rules and extend Citizen Comment for an additional 15 minutes. Motion passed 7-0.

[160819.](#)

Roam Towing Issues

RECOMMENDATION

Refer to Committee

A motion was made by Commissioner Carter, seconded by Commissioner Hayes-Santos, that this Matter be Referred to the General Policy Committee, due back on 4/30/2017. The motion carried by the following vote:

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

PUBLIC HEARINGS

[160684.](#)

Restricted Decal Parking Area Zone 9 Expansion (B)

This item is a request to expand the existing Zone 9 restricted decal parking area to cover the area to the west side of SW 5th Terrace between West University Avenue and SW 2nd Avenue. The existing Zone 9 currently stops on SW 6th Street, one block to the west.

Phil Mann made a presentation.

RECOMMENDATION

The City Commission: 1) hold a public hearing; 2) consider the findings of the study, the recommendation of the City Manager, the results of the vote of the property owners, and any other information the Commission deems relevant; and 3) decide whether to approve the expansion of Zone 9.

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

Absent: 1 - Commissioner Budd

RESOLUTIONS - ROLL CALL REQUIRED

TRANSMITTAL HEARING

[160486.](#)

COMPREHENSIVE PLAN AMENDMENT - TRANSPORTATION MOBILITY ELEMENT (B)

Ordinance No. 160486, Petition No. PB-16-143 CPA

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by amending the Transportation Mobility Element to provide spacing requirements for the placement of fueling pumps and other accessory automotive uses in Policies 10.3.2 and 10.4.9; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-16-143 CPA; and 2) adopt the proposed ordinance.

A motion was made by Commissioner Carter, seconded by Commissioner Hayes-Santos, that this Matter be Approved (Petition) and Adopted (Resolution) on Transmittal Hearing. The motion carried by the following vote:

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

Absent: 2 - Commissioner Goston, and Commissioner Budd

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[160484.](#)

TEXT CHANGE - AMENDING GASOLINE AND ALTERNATIVE FUEL SERVICE STATIONS (B)

Ordinance No. 160484, Petition PB-16-144 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-93 Gasoline and alternative fuel service stations (GN-554), and food stores (MG-54) with accessory gasoline and alternative fuel pumps of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to provide compatibility requirements; providing directions to the

codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons made a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission approve Petition No. PB-16-144 TCH; and 2) adopt the proposed ordinance.*

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

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

Absent: 2 - Commissioner Goston, and Commissioner Budd

[150406.](#)

ORDINANCE PROHIBITING SMOKING IN CITY PARKS AND RTS BUS FACILITIES (B)

Ordinance No. 150406

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to prohibit smoking outdoors in all City parks and RTS bus facilities; by amending Article II and Article IV of Chapter 11.5; by amending Article II of Chapter 18; by amending Section 2-339 to provide a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Paul Folkers made a presentation.

Donald Shepherd, Nathan Skop, Lisa Chacko, Leonna King, Elizabeth Wood, Greg King and Courtney Evans spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren, that this Matter be Adopted on First 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

[160725.](#)

INFRASTRUCTURE IMPROVEMENT AREAS FOR WATER AND WASTEWATER GRAVITY COLLECTION SYSTEMS (B)

Ordinance No. 160725

An ordinance of the City of Gainesville, Florida, amending Section 6 of Ordinance No. 110541 and amending the Code of Ordinances, Appendix A, Schedule of Fees, Rates and Charges, to revise infrastructure improvement area user fees for water and wastewater gravity collection in the Innovation District Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Rick Hutton made a presentation.

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 First Reading (Ordinance). 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, 2ND READING - ROLL CALL REQUIRED

150694.

BLUES CREEK PLANNED DEVELOPMENT AMENDMENT (B)

ORDINANCE NO. 150694, PETITION NO. PB-15-115 PDA

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning to Planned Development District (PD) approximately 36.7 acres of property located at 7000-7800 block of NW 58th Street, as more specifically described in this ordinance and commonly referred to as Blues Creek Unit 5, Phase 2; adopting PD maps, a PD report, and development conditions; providing for enforcement; 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 Goston, seconded by Commissioner Carter, that this Matter be Adopted on Final Reading (Ordinance). 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

160398.

LAND USE CHANGE - BETWEEN THE 1300 - 1800 BLOCK OF TOWER ROAD (75TH STREET) AND THE 1800 BLOCK OF SW 20TH AVENUE (B)

Ordinance No. 160398; Petition No. PB-16-107- LUC

An ordinance amending the Future Land Use Map of the City of Gainesville Comprehensive Plan by changing the land use category of approximately 157 acres of property that is generally located between the 1300-1800 block of Tower Road (75th Street) and the 1800 block of SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Medium High Density Residential (8-14 DU/acre) and Low Density Residential (1-4 DU/acre) to City of Gainesville Mixed-Use Medium Intensity (12-30 units per

acre) (MUM), Mixed-Use Low Intensity (8-30 units per acre) (MUL), Residential Medium-Density (8-30 units per acre) (RM), Residential Low-Density (up to 12 units per acre) (RL), and Single-Family (up to 8 units per acre) (SF); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION

The City Commission: (1) receive letters from the Florida Department of Economic Opportunity, Alachua County Growth Management Department, Florida Department of Transportation, Suwannee River Water Management District, Florida Department of Environmental Protection, St. Johns River Water Management District, and North Central Florida Regional Planning Council; and (2) adopt the proposed ordinance.

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

Nay: 1 - Commissioner Budd

Absent: 1 - Commissioner Carter

160399.**QUASI-JUDICIAL - REZONING - BETWEEN THE 1300 - 1800 BLOCK OF TOWER ROAD (75TH STREET) AND THE 1800 BLOCK OF SW 20TH AVENUE (B)**

Ordinance No. 160399; Petition No. PB-16-108 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 157 acres of property that is generally located between the 1300-1800 block of Tower Road (75th Street) and the 1800 block of SW 20th Avenue, as more specifically described in this ordinance from Alachua County Multiple-family, medium-high density district (8-14 units per acre) (R-2A), and Single-family low density district (1-4 units per acre) (R-1A) to City of Gainesville Mixed use medium intensity district (12-30 units per acre) (MU-2); Mixed use low intensity district (8-30 units per acre) (MU-1); Multiple-family medium density residential district (8-21 units per acre) (RMF-7); Residential low density district (up to 12 units per acre) (RMF-5), and Single-family residential district (up to 8 units per acre) (RSF-4); 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 Goston, that this Matter be Adopted on Final Reading (Ordinance). The motion

carried by the following vote:

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

Absent: 1 - Commissioner Budd

160482.

LAND USE CHANGE - 916 NW 66TH STREET (B)

ORDINANCE NO. 160482; PETITION NO. PB-16-141 LUC

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of property generally located at 916 NW 66th Street, as more specifically described in this ordinance, from Alachua County Office/Medical (O/M) to City of Gainesville Office (O); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons made a presentation.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-16-141 LUC; and 2) adopt the proposed ordinance.

A motion was made by Commissioner Carter, seconded by Commissioner Goston, that this Matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Budd

160483.

REZONING - 916 NW 66TH STREET (B)

Ordinance No. 160483; Petition No. PB-16-142 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning property generally located at 916 NW 66th Street, as more specifically described in this ordinance, from Alachua County Hospital Medical (HM) district to City of Gainesville Medical Services district (MD); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons made a presentation.

RECOMMENDATION

The City Commission: 1) approve Petition No. PB-16-142 ZON; and 2) adopt the proposed ordinance.

A motion was made by Commissioner Carter, seconded by Commissioner Goston, that this Matter be Approved (Petition) and Adopted on First 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

[160685.](#)

Amend the Land Development Code to update definitions relating to the dispensing of medical marijuana, delete Medical marijuana dispensary from the list of permitted uses in certain zoning districts, and add Medical marijuana dispensary as a specially regulated use (Article VI) (B)

Petition PB-16-185 TCH. City Plan Board. Amend the definition of Medical marijuana dispensary, delete the definition of Low-THC cannabis, and delete Medical marijuana dispensary from the list of permitted uses in certain zoning districts. Add Medical marijuana dispensary as a specially regulated use (Article VI), and establish requirements including but not limited to minimum distance requirements between medical marijuana dispensaries and certain other uses.

*** Expected presentation time 10 minutes***

Dean Mimms, Andrew Persons, Wendy Thomas and Captain Campos made presentations.

David Coffey, Robert Wallace, Kim Rivers, Joel Davis and Donald Shepherd spoke to the matter.

Motion by Commissioner Carter, seconded by Mayor-Commissioner Pro Tem Warren to waive the rules and extend the meeting to 10:30 PM. Motion passed 7-0.

Amendment: Approve staff recommendation for the approved zoning districts, separations, and the reference to State Statute, and before coming back for first reading, there will be a recommendation on how to resolve the non-conforming status of the facilities that have already received approval for the 2014 standard.

RECOMMENDATION

City Plan Board to City Commission - The City Commission approve Petition PB-16-185 TCH with the following revisions:

- Allow all cannabis products legally established now or in the future by the State of Florida.*
- Continue to allow Medical marijuana dispensary as a permitted use in all of the zoning districts (OR, OF, BUS, MU-1, MU-2, UMU-1, UMU-2, CCD; MD and CP) in which it is currently a permitted use.*
- Limit the proposed Specially Regulated Use Requirements (Article VI) for Medical marijuana dispensary to a 1,320-ft. minimum distance between Medical marijuana dispensaries, and to a 750-ft. minimum distance to schools (accredited public or private school offering any grades from kindergarten through 12th grade).*

The Plan Board voted 4-2 (Nay: Clark, Tecler).

Staff to City Commission - Approve Petition PB-16-185 TCH.

Staff to City Plan Board - Approve Petition PB-16-185 TCH.

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

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

Nay: 1 - Commissioner Budd

160811.

House Bill 759 regarding governance and management of certain of the City's utility assets (B)

Motion: Direct staff to do an impact study.

Nathan Skop and Donald Shepherd spoke to the matter.

Commissioner Goston left the meeting at 10:28 PM.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter to waive the rules and extend the meeting to 10:45 PM. Motion passed 6-0. Commissioner Goston absent.

RECOMMENDATION

Direct the City Attorney to work with the City Manager, General Manager for Utilities, Equal Opportunity Director, Clerk of the Commission and the City Auditor, to prepare and distribute an impact statement as described in this agenda item.

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

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

Absent: 1 - Commissioner Goston

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

*Donald Shepherd
Nathan Skop*

COMMISSION COMMENT

Commissioner Chase - Memorandum of Understanding story in the Gainesville Sun.

Commissioner Carter - Transparency; and 2) Connect Free

Motion by Mayor-Commissioner Pro Tem Warren, seconded by Commissioner Carter to draft a resolution in support of Rebuilding Together with North Central Florida. Motion passed 6-0. Commissioner Goston absent.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Carter to waive the rules and extend the meeting to 10:50 PM. Motion passed 6-0. Commissioner Goston absent.

ADJOURNMENT - 10:50 PM

Kurt Lannon, Clerk of the Commission