### **City of Gainesville**

City Hall 200 East University Avenue Gainesville, Florida 32601



### **Minutes - Final**

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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### **CALL TO ORDER - 1:00 PM**

### **ROLL CALL**

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

### AGENDA STATEMENT

### INVOCATION

### **Prophet George Young**

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

Motion by Commissioner Budd, seconded by Commissioner Goston: Amendment to the motion to pull Item No's 170460 and 170531 and move to the regular agenda. Motion failed 2-5 (Mayor-Commissioner Pro Tem Budd and Commissioner Goston voting yes).

Jo Beaty spoke to the matter.

A motion was made by Commissioner Warren, seconded by Commissioner Arreola, that this Matter be Adopted on the Consent Agenda. 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

### <u>170467.</u> City Commission Minutes (B)

RECOMMENDATION The City Commission approve the minutes of October 3, and

October 5, 2017.

### Approved as Recommended

### 170460. Perpetual Transportation Easement to Alachua County (B)

### RECOMMENDATION Staff:

The City Commission: 1) approve the granting of a perpetual transportation easement to Alachua County for transportation purposes across a portion of the City of Gainesville electric transmission right-of-way; and 2) authorize the Mayor and the Clerk of the Commission to execute the Easement,

substantially in the form as attached, subject to approval by the City Attorney as to form and legality.

UAB:

Approve the staff recommendation.

#### Approved as Recommended

# 170450. Request for Statement of Qualifications for Recruitment Services for Professional Engineer and Technical Positions at a Municipal Multi-Service Utility (NB)

### RECOMMENDATION Staff:

The City Commission: 1) accept the qualified firms; 2) authorize the General Manager or designee to initiate contract negotiations and execute a contract for recruiting services with each of the firms; and 3) authorize the General Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

UAB:

Approve staff's recommendation.

### Approved as Recommended

### 170466.

The Florida Department of Transportation's Safety Office Subgrant Funding for the City Of Gainesville Motorcycle/Scooter Safety and Education Program, Gainesville Police Department (GPD) Occupant Protection Enforcement Program and the City Of Gainesville Safe Gator Program (NB)

This is a request for City Commission's approval to accept a grant through the Florida Department of Transportation Safety Office.

### RECOMMENDATION

The City Commission authorize the City Manager to accept, and execute the grant awards subject to approval by the City Attorney as to form and legality and approve the expenditures as outlined in the approved grant awards.

Alternative Recommendation

The City Commission decline the three proposals in the total amount of \$70,500 and advise staff not to accept these funds.

Approved as Recommended

170482. Workshop to Discuss Implementation of the Strategic Framework (NB)

This is a request for the City Commission to approve hosting and participating in a workshop on November 21, 2017 from 1:30-5:30pm to discuss implementation of the Strategic Framework.

RECOMMENDATION The City Commission 1) approve hosting and participating in a

workshop on November 21, 2017 from 1:30-5:30pm to discuss implementation of the Strategic Framework.

Approved as Recommended

170441. Request to Reallocate Wild Spaces Public Places 2017 Project Funds to Balance Project Expenses (B)

This item involves a request to reallocate projects from FY 2017 Wild Spaces Public Places Project (WSPP) List and reallocate these to other WSPP 2017 Projects.

RECOMMENDATION The City Commission direct the Budget Office to reallocate

the 2017 WSPP Shade over Playgrounds funds to address

other WSPP projects as described above.

Approved as Recommended

**170519.** Employee Total Rewards Discussion (NB)

RECOMMENDATION The City Commission refer the Employee Total Rewards

Discussion to the General Policy Committee.

Approved as Recommended

<u>170542.</u> Employee Total Rewards Discussion

RECOMMENDATION Refer to Committee

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

170531. Authorized Officials to Close the Purchase of the Biomass Facility (NB)

<u>RECOMMENDATION</u> The City Commission authorize the Mayor (or, in his absence,

the Mayor-Commissioner Pro-Tempore); the General Manager for Utilities (or his designee); the Chief Financial Officer for Utilities (or his designee); the Clerk of the Commission (or his designee); the City Attorney (or her designee); and the Utilities Attorney to execute and deliver all Transaction Documents and any other necessary documents and to perform all other

actions necessary to close on the purchase of the Biomass Facility in accordance with the terms of the Asset Purchase Agreement.

#### Approved as Recommended

170075.

EXTENSION OF TOLLING AGREEMENT FOR CITY'S CLAIMS AGAINST JONES EDMUNDS REGARDING THE DESIGN AND ENGINEERING OF CERTAIN ELEMENTS OF THE SWEETWATER BRANCH/PAYNES PRAIRIE SHEETFLOW RESTORATION PROJECT **(B)** 

RECOMMENDATION The City Commission approve the Seventh Amendment to

Tolling Agreement.

Approved as Recommended

#### ADOPTION OF REGULAR AGENDA

Jo Beaty, Don Fields and Ernesto Martinez spoke to the matter.

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

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.

> Debbie Martinez Abner Williamson Jo Beatv Don Fields Christina Fields Kali Blount

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

170475. **Selection of Interim Clerk of the Commission (B)** 

Eugenia Allen made a presentation.

Motion: Appoint Sharon Williams to the Interim Clerk of the Commission.

Don Fields spoke to the matter.

RECOMMENDATION The City Commission make a final selection for the position

of Acting Clerk of the Commission and take any other action

deemed necessary.

A motion was made by Commissioner Arreola, 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

Absent: 1 - Commissioner Goston

### 170476. Full-time Clerk of the Commission Hiring Update (B)

Eugenia Allen and Art Davis made presentations.

Motion: Continue to November 16, 2017.

Jo Beaty and Don Fields spoke to the matter.

RECOMMENDATION The City Commission receive an update and select 3-5

candidates to interview for the full-time Clerk of the

Commission position.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Arreola, that this Matter be Continued. 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

### 170456. Audit of Regional Transit System Farebox and Bus Pass Revenues (B)

Brecka Anderson and Ron Ison made presentations.

Don Fields spoke to the matter.

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 Warren, 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

# 170494. Request to Schedule a Joint City Commission/Utility Advisory Board Workshop (B)

Motion: Schedule a joint CCOM/UAB workshop for November 28, 2017 at 6:00 p.m and discuss GRU rates after the GREC purchase, to talk about governance, rate distribution and Commission/UAB priorities for the upcoming year.

Jo Beaty and Don Fields spoke to the matter.

### RECOMMENDATION

Direct the Clerk of the Commission to schedule a joint workshop of the City Commission and UAB on November 28, 2017 at 6:00 p.m.

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

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

### 170495. Commissioner Harvey Ward - Richard Spencer Expenses (NB)

Motion: City Manager's office to provide a detailed report on how much of the City resources (financial and otherwise) were spent and how much it cost Texas A&M to not have Mr. Spencer speak.

Christina Fields and Don Fields spoke to the matter.

RECOMMENDATION

The City Commission discuss the City's expenses regarding Richard Spencer's appearance and take action deemed appropriate.

A motion was made by Commissioner Ward, seconded by Commissioner Goston, 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

170527.

Update on Gainesville Renewable Energy Center Acquisition Financing (B)

Justin Locke made a presentation.

Jo Beaty, Don Fields and Christina Fields spoke to the matter.

RECOMMENDATION The City Commission hear an update on the GREC

acquisition financing.

**Discussed** 

# COMMITTEE DISCUSSION ITEMS - Items placed on the agenda by the Audit & Finance Committee or General Policy Committee or moved from Consent

160396. Bi

**Business Energy Retention/Expansion Program (B)** 

This is a request for the City Commission to provide feedback on a prospective approach in dealing with recent issues raised by Double Envelope.

Erik Bredfeldt, Wayne Honeycutt and Bill Shepherd made presentations.

Motion: 1) Direct staff to draft an ordinance with a 20 percent discount with a (1) 4-year

extension to create an ordinance for this program and direct staff to come back with funding sources; 2) consider the 12-month ruling average of 400 kilowats; 3) Economic Development Director will notify any companies that qualify if there are any plan changes; and 4) report back to the City Commission on December 7, 2017.

Don Fields and Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; and

2) direct staff as deemed appropriate.

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: 7 -

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

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 - 5:19 PM

**RECONVENE - 5:48 PM** 

PLEDGE OF ALLEGIANCE

**Bob Gasche** 

### PROCLAMATIONS/SPECIAL RECOGNITIONS

**170501.** Veterans Day - November 11, 2017 (B)

RECOMMENDATION Gator Detachment of the Marine Corp League Bob Gasche to

accept the proclamation.

Heard

**170502. DECA Month - November 2017 (B)** 

RECOMMENDATION Buchholz DECA Michelle Weintraub to accept the

proclamation.

Heard

170503. Florida Native Plant Month - October 2017 (B)

RECOMMENDATION Paynes Prairie Chapter Florida Native Plant Society Chapter

Representative Sandi Sauers to accept the proclamation.

Heard

170504. American Pharmacists Month - October 2017 (B)

RECOMMENDATION Alachua County Association of Pharmacists President

William Garst to accept the proclamation.

Heard

170505. The Bicentennial Birthday of Baha'u'llah - October 22, 2017 (B)

RECOMMENDATION Spiritual Assembly of Baha'is of Gainesville Mr. Samuel

Stafford and Dr. Taraneh Darabi to accept the proclamation.

Heard

<u>170506.</u> Character Counts Week - October 16-22, 2017 (B)

<u>RECOMMENDATION</u> PRCA Foundations Academy to accept the proclamation.

Heard

170307. Recognition of Board of Adjustment Members for their Service to the City

of Gainesville (NB)

RECOMMENDATION The City Commission present a plaque to each standing

member of the Board of Adjustment.

Heard

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

Meg Neiderhofer Debbie Martinez Scott Austin

### **PUBLIC HEARINGS**

### **RESOLUTIONS - ROLL CALL REQUIRED**

**170457.** Annual Audit Plan 2018 (B)

RECOMMENDATION

The City Auditor recommends the City Commission approve the Fiscal Year 2018 Annual Audit Plan by resolution.

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

### 170445. FINAL PLAT - FINLEY WOODS, PHASE 1C (B)

Resolution No. 170445

A resolution of the City of Gainesville, Florida, approving the final plat named "FINLEY WOODS, PHASE 1C, A PLANNED DEVELOPMENT" located in the vicinity of 4491 SW 62nd Avenue, as more specifically described in this resolution; authorizing the City Manager to execute a Security Agreement to secure the construction of subdivision improvements; providing directions to the Clerk of the Commission; providing conditions and restrictions; and providing an immediate effective date.

Lawrence Calderon made a presentation.

<u>RECOMMENDATION</u> The City Commission adopt the proposed resolution.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Arreola,that this Matter be Adopted (Resolution). 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

# 170477 Resolution related to the City of Gainesville's Capital Improvement Revenue Note, Series 2017 (B)

Resolution No. 170477

A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA AUTHORIZING A LOAN IN A PRINCIPAL AMOUNT OF UP TO \$10,500,000 TO FINANCE THE COSTS OF CERTAIN CAPITAL IMPROVEMENTS AND OTHER ITEMS DESCRIBED HEREIN AND TO PAY THE COSTS OF SUCH LOAN; APPROVING THE FORM OF A CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2017, AND A LOAN AGREEMENT; PROVIDING OTHER DETAILS WITH RESPECT THERETO; AND PROVIDING AN EFFECTIVE DATE.

Mark Benton made a presentation.

RECOMMENDATION The City Commission: 1) adopt the Resolution authorizing the

Loan from CenterState Bank, N.A., including without

limitation, entering into a loan agreement and delivering the Capital Improvement Revenue Note, Series 2017, and 2) authorize the Mayor (or Mayor Pro-Tempore), Clerk of the Commission, City Attorney, City Manager, and Finance Director to execute documents and take all other actions necessary to close the Loan.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward,that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

### 170512. Resolution - Phosphate Mine (B)

Motion: 1) Direct staff to draft a resolution in opposition to the proposed phosphate mining plant; and 2) send out a letter from the City Commission to Bradford and Union County stating the opposition.

Marihelen Wheeler spoke to the matter.

<u>RECOMMENDATION</u> The City Commission adopt the resolution.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Warren,that this Matter be Adopted (Resolution) and Approved the Recommendation. 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, 1ST READING - ROLL CALL REQUIRED**

### 170057. QUASI-JUDICIAL - REZONING - 1145 E UNIVERSITY AVENUE (B)

Ordinance No. 170057; Petition No. PB-17-01 ZON

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.25 acres of property that is generally located at 1145 E University Avenue at the intersection of SE 12th Street, as more specifically described in this ordinance, from Mixed-Use Low-Intensity (MU-1) district to Public Services and Operations (PS) district; specifying uses permitted by right; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Florence Buaku made a presentation.

RECOMMENDATION The City Commission: (1) approve Petition No. PB-17-01

ZON; and (2) adopt the proposed ordinance.

A motion was made by Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Budd,that this Matter be Approved (Petition) and

### 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

170410.

### APPENDIX A - SCHEDULE OF FEES, RATES AND CHARGES - STORMWATER (B)

Ordinance No. 170410

An ordinance of the City of Gainesville, Florida, amending the fee for stormwater management in Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

<u>RECOMMENDATION</u> The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Arreola, seconded by Commissioner Goston,that this Matter be Adopted on Final 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

170256.

### VOLUNTARY ANNEXATION - 8.33 ACRES OF PROPERTY ALONG SW 20TH AVENUE (B)

Ordinance No. 170256

An ordinance of the City of Gainesville, Florida, annexing approximately 8.33 acres of privately-owned property that is generally located south of Sugarfoot Oaks Subdivision, west of SW 61st Terrace, north of SW 20th Avenue, and east of Parcel 06675-004-000, as more specifically described in this ordinance, as petitioned for by the property owners 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 Commissioner Goston, seconded by Commissioner Warren, that this Matter be Adopted on Final 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

#### 170195. General Leave Policies/Paid Parental Leave (NB)

This item is to amend Human Resources Policy L-2: General Leave Policies.

Eugenia Allen and Lisa Jefferson made presentations.

Jo Beaty spoke to the matter.

RECOMMENDATION

The City Commission approve amendments to Human Resources Policy L-2: General Leave Policies.

A motion was made by Commissioner Goston, seconded by Commissioner Arreola, 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

#### PLANNING PETITIONS

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

Armando Grundy

### COMMISSION COMMENT

Commissioner Goston: 1) District One; 2) 4th Street; and 3) City employees not being able to talk to any City Commissioners.

Commissioner Hayes-Santos: Talking to City employees.

Motion by Commissioner Hayes-Santos, seconded by Commission Arreola: 1) direct staff to draft a resolution to reaffirm our committment to keeping 441 (13th Street) named after Martin Luther Junior King highway; and 2) direct staff to look at how we can more prominently show the road is named after MLK in the City limits (Armando Grundy spoke to the matter). Motion passed 7-0.

Commissioner Ward: 1) CRA Conference - A Quinn Jones award; 2) Future Town Hall meeting to talk about the Spencer event; and 3) contract for GRACE Marketplace (Fred Murry spoke to the matter).

Commissioner Warren: 1) MTPO look at an auxiliary route around Gainesville.

<u>170543.</u> Create a Strategic, 100% Renew Energy Portfolio timetable for GRU

RECOMMENDATION Refer to Committee

A motion was made by Commissioner Arreola, seconded by Commissioner Goston, 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 - 8:36 PM** 

Kurt Lannon, Clerk of the Commission