

# City of Gainesville

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Minutes - Final**

**April 16, 2019**

**3:00 PM**

**Room 16, Roberta Lisle Kline Conference Room**

## **Rental Housing Subcommittee**

*Commissioner David Arreola (Chair)  
Commissioner Helen Warren (Vice-Chair)  
Commissioner Gigi Simmons (Member)  
Commissioner Adrian Hayes-Santos (Member)*

## CALL TO ORDER - 3:10 PM

## ROLL CALL

**Present** 3 - Hayes-Santos, Vice-Chair Warren, and Chair Arreola

**Absent** 1 - Simmons

## ADOPTION OF THE AGENDA

**A motion was made by Hayes-Santos, seconded by Vice-Chair Warren, that this Matter be Adopted. The motion carried by the following vote:**

**Aye:** 3 - Hayes-Santos, Vice-Chair Warren, and Chair Arreola

**Absent:** 1 - Simmons

## APPROVAL OF MINUTES

[180957.](#)

### Approval of Minutes (B)

**RECOMMENDATION**

*The Rental Housing Subcommittee approve the minutes of April 2, 2019.*

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

**Aye:** 3 - Hayes-Santos, Vice-Chair Warren, and Chair Arreola

**Absent:** 1 - Simmons

## DISCUSSION OF PENDING REFERRALS

[180958.](#)

### Rental Housing Code (B)

*Motion: 1) To get a permit you have to submit self-inspection form to obtain a permit; and also in that same section, remove requirements to hand out Chapter 83, Part II and Article IV of the City code, instead require energy efficiency rating hand out is given; require city tenant bill or rights and responsibilities be handed out; and require State brochure on Chapter 83 be handed out; 2) Rollout - when permits are issued, staff look at alternative times throughout the year; 3) Permit fees: direction for revenue neutral landlord permit; 4) When standards go into effect: Life and Safety Standards be met January, 2020; Minimum Housing Standard and Energy Efficiency Standard be met January, 2021; 5) City Code inspections would go into effect January, 2021 - every four years - goal to inspect all units within 4-year timeframe for energy efficiency and health and safety standards; 6) Staff come back with citations of facts required; 7) Staff come back with an estimate on how many rentals fit within 1, 2,3 and 4 units; 8) Staff come back with financial estimates on the program, and also have cost estimates for inspections every 4 and 5 years; 9) Staff continue to review preemptions for above 4 units, and try to find creative ways to get around those; 10) Bring back more*

information on mold inspections, how current process works; and 11) Clerk schedule an additional meeting in May.

Vice-Chair Warren clarified amending the motion to make it manageable for staff.

Opening remarks given by City Attorney, Nicolle Shalley, introducing the presentation on an outline proposed by staff to guide the development of a Rental Housing Code based on the Subcommittee's discussions to date.

A presentation on a proposed Rental Housing Code was given by Fred Murry, Assistant City Manager; Jeff Look, Interim Code Enforcement Manager; Amy Carpus, Residential Efficiency Program Coordinator and Nicolle Shalley, City Attorney. The ordinance would create a new regulatory framework addressing three separate topics discussed by the Rental Housing Subcommittee: 1) Landlord License Rental (No. 170873); 2) Short-Term Vacation Rentals (No. 180399); and 3) Energy Efficiency (No. 180591).

Mayor-Commissioner Pro Tem Hayes-Santos asked questions about FL State Statute related to preemption - if it would impact the proposed ordinance. City Attorney Nicolle Shalley responded.

Presentation reviewed the regulatory requirements as outlined in the staff memo.

Mayor-Commissioner Pro Tem Hayes-Santos commented about streamlining the current application process. Thanked staff for the memo, asked about ways to address preemption issues. Asked questions about the timing of obtaining permits; maintaining lists of occupant names; landlord permit fee prices; and effective dates of regulations. Staff responded.

Mayor-Commissioner Pro Tem Hayes-Santos spoke in support of giving an energy efficiency rating. Staff responded. Vice-Chair Warren responded. Chair Arreola spoke to the matter. Requested for staff to return with a list of how many 1-4 rental units are in the city.

Vice-Chair Warren spoke about providing education on the responsibility of individuals renting and buying homes. Asked a question about the timing of inspections, possibility of a rolling schedule for licenses and permits. Thanked staff for work on the ordinance. Asked about how to inform people about renter's rights, possibility of working with owners/realtors to develop a standard and posting in every dwelling.

Jeff Look responded.

Chair Arreola thanked staff for the framework. Commission will have to make decisions on budget, who will complete the work. Will require generous timeframe for completing and receiving inspections.

Mayor-Commissioner Pro Tem Hayes-Santos commented about energy efficiency. Would like to give direction today to clarify points so that staff could develop financial projections, be able to make recommendations. Chair Arreola concurred, need estimates of round numbers to bring to the full Commission. Fred Murry asked Budget and Finance to bring recommendations to budget increment subject to Commission's approval. Recommends January implementation date, allowing for window of education before 2021 budget discussions.

Kim Popejoy, Jane Grey, Mary Barr, Robert Carroll, Jesse Cosme, Jacob Loch,

Gordon Clemons, Matthew Hearst, Nancy Daren, Sandy Hartner, Alfredo Ortiz, Christina Joy, Jeremiah Tattersall, Reina Saco, Anthony Mulliness, Matthew Manis, Tommy Chapel, Nkwanda Jah, James Thompson, Sheila Payne, Pat Abbott, Kendra Vincen and Cindy Montel spoke to the matter.

Vice-Chair Warren proposed amendment to break down into phases. Wants to emphasize getting units safe and energy efficient. Concerns about process of implementation, wants to be more specific and clear in directing staff to keep process from stretching on too far.

Chair Arreola spoke to the matter. Clarified that this subcommittee was created to address rental housing; City Commission is addressing affordable housing.

Mayor-Commissioner Pro Tem Hayes-Santos wants to understand preemption law. Nicolle Shalley responded, clarified ability of staff to carry out the direction included in the motion. Staff can return with estimate of units to be regulated.

Vice-Chair Warren wants to look at item on energy efficiency separately. This will be added as an item on the next agenda.

Mayor-Commissioner Pro Tem Hayes-Santos offered to separate energy efficiency rating system item, come back with another format.

Chair Arreola commented that some items require more debate.

Fred Murry confirmed they will include TBD for estimated costs of regulatory program in budget discussions.

RECOMMENDATION Review memorandum and hear a presentation from staff.

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

**Aye:** 3 - Hayes-Santos, Vice-Chair Warren, and Chair Arreola

**Absent:** 1 - Simmons

### [180593.](#)

#### **Rental Housing Subcommittee Referral List (B)**

*Next meeting: 1) Discuss options for energy efficiency framework to include in regulatory housing code; and 2) Keep Rental Housing Code as and agenda item.*

*Mayor-Commissioner Pro Tem Hayes-Santos and Chair Arreola spoke to the matter of direction to staff regarding energy efficiency framework. City staff clarified on energy efficiency – whether a regulation of minimum required standards versus required rating system (with a score) for a landlord license.*

*Vice-Chair Warren spoke to the matter of whether the policy addresses the intention regarding renter safety issues and energy efficiency. Mayor-Commissioner Pro Tem Hayes-Santos responded.*

RECOMMENDATION Discuss

**Discussed**

**MEMBER COMMENT**

**PUBLIC COMMENT**

**NEXT MEETING DATE - May 28, 2019**

*Schedule an additional date before May 28 (quickly to announce to the public).*

**ADJOURNMENT - 5:26 PM**