

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

March 5, 2020

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Helen Warren (At Large)
Commissioner Gail Johnson (At Large)
Commissioner Gigi Simmons (District 1)
Mayor-Commissioner Pro Tem 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

AGENDA STATEMENT

ROLL CALL

Present 7 - Commissioner Arreola, Commissioner Warren, Commissioner Johnson, Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

INVOCATION

Commissioner Arreola arrived at 1:03 PM.

PROPHET GEORGE YOUNG

ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

Gabe Kaimowitz spoke to the matter.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Johnson, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Commissioner Arreola, Commissioner Johnson, Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

Absent: 1 - Commissioner Warren

CA - 1 [191044.](#) **Approval of Minutes from the February 17, and February 20, 2020 City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the minutes of February 17, and February 20, 2020.*

Approved as Recommended

CA - 2 [191046.](#) **Canvassing Board Appointment (NB)**

RECOMMENDATION *The City Commission appoint Gerry Dedenbach as a citizen member to the 2020 Canvassing Board in the event of a City Election run off.*

Approved as Recommended

CA - 3 [191043.](#) **Resignation of Ivor Kincaide from the Tree Advisory Board, and resignations of Terri Weichman, Phimetto Lewis, Sheryl Eddie and Jessica Turner from the Citizens' Advisory Committee for Community**

Development (B)RECOMMENDATION

The City Commission accepts the resignation of Ivor Kincaide from the Tree Advisory Board, and the resignations of Terri Weichman, Phimetto Lewis, Sheryl Eddie and Jessica Turner from the Citizens' Advisory Committee for Community Development effective immediately.

Approved as Recommended

CA - 4 [190996](#).

Nominations - Library District Board of Trustees (B)RECOMMENDATION

The City Commission nominate applicants Jeannine M. Cawthon and Lindsay Y. Jackson for consideration of appointment by the Library District Governing Board.

Approved as Recommended

CA - 5 [191018](#).

Revision of Recorded Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (B)

This item is a request for a revision to the previously approved and authorized Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida over a portion of Depot Park.

RECOMMENDATION

The City Commission: 1) approve the revised Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida over a portion of Depot Park; and 2) authorize the Mayor to execute, and the Clerk to attest, the revised Conservation Easement onto the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida over a portion of Depot Park, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA - 6 [191078](#).

Settlement of Worker's Compensation Claim - Shawn M. Devito (NB)

Commissioner Warren arrived at 1:08 PM.

RECOMMENDATION

The City Commission authorize the Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation indemnity claim of Shawn Devito, in the amount of \$85,000.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

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

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

EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

*Tana Silva
Gabe Kaimowitz*

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Individuals may choose to speak during any one of the General Public Comment periods during the meeting.

*Manisha Ranade
Robert Mounts
Jim Konish
Donald Shepherd
Gabe Kaimowitz
Armando Grundy Gomez*

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

BD - 1 [191012.](#) **GCRA Consolidated Reinvestment Plan (B)**

Motion: Accept recommendation and add attainable housing strategies under community enhancements.

Sarah Vidal-Finn, CRA Director gave a presentation

Kona Gray, EDSA Principal gave a presentation.

Sharon Bauer, Donald Shepherd, Jason Mitchell, Armando Grundy Gomez, Kim Tanzer, Mark Goldstein, Brian O'Brien and Debbie Martinez spoke to the matter.

RECOMMENDATION *Approve the Reinvestment Plan as presented and modified, if applicable, subject to approval by the City Attorney as to form and legality*

A motion was made by Commissioner Arreola, seconded by Commissioner Warren, that this Matter be Approved, as shown above. The motion carried by

the following vote:

Aye: 6 - Commissioner Arreola, Commissioner Warren, Commissioner Johnson, Commissioner Simmons, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

Nay: 1 - Commissioner Hayes-Santos

BD - 5 [191041](#).

Gainesville Police Department and Alachua County Sheriff Office Joint Aviation Unit (B)

Motion: 1) Direct staff to convene our stakeholders with the Joint Aviation Unit and return with an equitable funding option for the future, including a plan to bring our helicopter back to function operation; and 2) Add this item to the next agenda for the Joint City/County meeting (May 19, 2020).

Lee Feldman, City Manager spoke to the matter.

Chief Jones spoke to the matter.

Sheriff Darnell spoke to the matter.

Donald Shepherd, Brian O'Brien, Debbie Martinez, Bob Channing, Ernesto Martinez, and Armando Grundy Gomez spoke to the matter.

RECOMMENDATION

For the City Commission to discuss the termination of the contract on September 30, 2020 to allow Alachua County Sheriff Office to transition to alternative funding; recognizing that if the Aviation Unit remains funded by county-wide dollars, the City of Gainesville would expect equal access to the services of the Aviation Unit as is provided to the other municipalities and the unincorporated portions of the County.

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

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

COMMISSION COMMENT

RECESS - 4:59 PM

RECONVENE - 5:32 PM

PLEDGE OF ALLEGIANCE**PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)**

Commissioner Warren arrived at 5:33 PM.

Mayor-Commissioner Pro Tem Ward arrived at 5:40 PM.

PR - 1 [191048.](#)

Civic Media Center, Diaunte Jenkins, Ashley Ortiz-Diaz and Ilene Silverman Day March 5, 2020 (B)

RECOMMENDATION

Dancer/Teacher Diaunte Jenkins to accept Proclamation. Artist/Curator Ashley Ortiz-Diaz to accept Proclamation. Arts Advocate/Television Host Ilene Silverman to accept Proclamation.

Heard

PR - 2 [191049.](#)

Oaklianna Caraballo Day March 5, 2020 (B)

RECOMMENDATION

Public Art Administrator Oaklianna Caraballo to accept Proclamation.

Heard

PR - 3 [191056.](#)

Nardley Docteur and Shauna Dixon Day March 5, 2020 (B)

RECOMMENDATION

Volunteer Cheer Coach Nardley Docteur to accept Proclamation. Shauna Dixon to accept Proclamation.

Heard

PR - 4 [191057.](#)

Maya Lahti, Steve Boissoneault, Susan Breier, and Florida Department of Juvenile Justice Day March 5, 2020 (B)

RECOMMENDATION

Star Volunteer Maya Lahti to accept Proclamation. Star Volunteer Steve Boissoneault to accept Proclamation. Star Volunteer Susan Breier to accept Proclamation. Representing Florida Department of Juvenile Justice Dollie Danielle Wygant to accept Proclamation.

Heard

PR - 5 [191080.](#)

Census Awareness Month March, 2020 and Census Stand Down Day April 1, 2020 (B)

RECOMMENDATION

City of Gainesville's Communications Department to accept Proclamation.

Heard

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GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Individuals may choose to speak during any one of the General Public Comment periods during the meeting.

Sharon Bauer

Mark Van Soestbergen

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

BD - 4 [190901.](#) Strike Out Hunger Food Drive (B)

The purpose of this agenda item is to provide the City Commission with the results and outcomes of the 2019 Strike Out Hunger Food Drive for Gainesville/Alachua County and ask for continued support from the City during the 2020 Strike Out Hunger Food Drive.

Rodney Long gave a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation on the 2019 Strike Out Hunger Food Drive for Gainesville/Alachua County; 2) consider the request for continued City support of, and participation in, the 2020 Strike Out Hunger Food Drive; and 3) waive any City building use fees for the 2020 Strike Out Hunger Food Drive meetings.

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

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

RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE - 1 [191008.](#) Public Hearing and Resolution for the Regional Transit System (RTS) Program of Projects (POP) FY 2020 (B)

This item is a request to accept comments at a Public Hearing on the Regional Transit System Program of Projects (POP) FY 2020, and adopt a Resolution authorizing the filing of grant applications with the Federal Transit Administration and Florida Department of Transportation.

RECOMMENDATION

The City Commission: 1) accept comments at a Public Hearing on the Regional Transit System Program of Projects for FY 2020; and 2) adopt the Resolution authorizing the Regional Transit System to file grant applications with the Federal Transit Administration and Florida Department of Transportation as outlined in the Program of Projects for FY 2020.

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

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

PUBLIC HEARINGS (PH)

ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)

ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)

FR - 1 [180115](#). Ordinance Regulating Micromobility Services (B)

Ordinance No. 180115

An ordinance of the City of Gainesville, Florida, amending Chapter 26 of the City Code of Ordinances to create Article VII Micromobility Services, to regulate micromobility services within the City of Gainesville, Florida; establishing permit requirements; establishing operational requirements; establishing revocation, appeals and suspension processes; amending Appendix A - Schedule of Fees, Rates and Charges to establish regulatory fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Motion: Eliminating the curfew. Motion failed 3-4. Mayor-Commissioner Pro Tem Ward, Mayor Poe, Commissioner Arreola and Commissioner Simmons in dissent.

Modification: 1) Approve ordinance as presented; 2) Staff look at the vehicle license plates for e-scooters; and 3) Staff look at areas and put

boxes for e-scooter park in high use areas.

Matt Williams and Scott Fox spoke to the matter.

Dan Hoffman, Assistant City Manager spoke to the matter.

Malisa McCreedy, Director of Mobility spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

FR - 2 [190998.](#)

Ordinance Adding 2020 Election Early Voting Date (B)

Ordinance No. 190998

An ordinance of the City of Gainesville, Florida, amending Section 1 of Ordinance No. 190885 to add an additional day to the early voting period for the 2020 runoff city election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

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

BD - 2 [191032.](#)

Request for Proposal (RFP) Staff Ranking City of Gainesville, FL - Comprehensive Plan Update (B)

This item involves a request for the City Commission to approve staff's ranking of proposals associated with the City of Gainesville, FL - Comprehensive Plan Update.

Erik Bredfeldt, Economic Development and Innovation Director gave a

presentation.

Lee Feldman spoke to the matter.

George Kramer and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; 2) approve staff's recommended ranking of the firms; 3) authorize the City Manager or designee to negotiate a contract and any related documents with HR&A Advisors, Inc. subject to approval from the City Attorney as to form and legality; and, 4) return to the City Commission for final review and approval of the contract.

A motion was made by Commissioner Arreola, seconded by Commissioner Simmons, that this Matter be Approved as Recommended. The motion carried by the following vote:

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

BD - 3 [191047.](#)

City Parking Lot # 10 - Status Report (B)

This item involves a recommendation to the City Commission to hear a status report on City Parking Lot #10 and to consider a contract amendment per Buyer request.

Erik Bredfeldt gave a presentation.

Reid Fogler spoke to the matter.

Dan Hoffman spoke to the matter.

RECOMMENDATION

The City Commission: 1) hear a presentation from staff; 2) consider an amendment to the Contract for Sale and Purchase of Lot #10 per Buyer request extending the performance requirements to September 1, 2020; and 3) direct the City Manager to execute the amendment and any related documents.

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

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

BD - 6 [190904.](#)

Small-Box Discount Retailer Restrictions (B)

Motion: Refer to Policy team to research how to better encourage and sustain locally-owned businesses and increase access to nutritional food (working with the Healthy Neighborhood Market Network); and 2)

Clerk to schedule a special City Commission meeting to discuss and take action.

Andrew Persons, Interim Director of Sustainable Development gave a presentation.

RECOMMENDATION

The City Commission provide direction to the City Manager to begin drafting regulations establishing a minimum separation distance between small-box discount retailers for Plan Board and City Commission consideration.

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

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

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COMMISSION COMMENT

Commissioner Arreola - Wants to hear Municipal Healthcare Options at the next GPC quarter.

Mayor-Commissioner Pro Tem Ward - Early voting starts tomorrow.

Mayor Poe - 1) Thank you to the GPD officers; and 2) Sent a letter to the Department of State to accept legally vetted and approved refugees. Courts struck down the executive order. Wants legal to stay-tuned if the opportunity arises again.

Commissioner Hayes-Santos - 1) Remember Granny at Bo Diddley tomorrow at 1:00 PM; 2) Wants update on Coronavirus. Mr. Feldman stated that the Health Department is taking the lead in our area and will push through our media outlets. Ed Bielarski spoke to the matter.

Commissioner Simmons - Wants update on SW 4th Avenue.

Commissioner Warren - SE 4th Street construction, when expected to open up.

Mayor Poe - Karen Clark visit on 1/21/20. Thanks to the City for being

willing to assist with City's youth. Four things we can help with: 1) Release time for City employees to volunteer and mentor at schools; 2) Assistance with student homeless population, tracking them to be prepared everyday, stability on where they go to school; 3) Greater coordination during the summer time with free food and City programming; and 4) Better attendance and help with truancy problems.

Mayor Poe - Congratulations to City Auditor Bigbie on making it through her second week and first Commission meeting.

ADJOURNMENT - 8:16 PM