

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

January 16, 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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19080 CALL TO ORDER - 1:00 PM
5

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

MOMENT OF SILENCE

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

Modifications: Moved to afternoon for discussion Item No. 190791 and Item No. 190801. Remove Item No. 180816.

A motion was made by Commissioner Johnson, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on the Consent Agenda with Modifications. The motion failed by the following vote:

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

Absent: 1 - Commissioner Arreola

[190762.](#)

Approval of Minutes from the December 2, December 3, December 5, December 11 and December 18, 2019 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the minutes of December 2, December 3, December 5, December 11, and December 18, 2019.*

Approved as Recommended

[190728.](#)

Appointments to City Commission Advisory Boards and Committees (B)

RECOMMENDATION *The City Commission appoint: Jonathan Coron to the Bicycle Pedestrian Board for a term to expire 12/31/2020.*

Marylin Prado to the Nature Centers Commission for a term to expire 11/1/2022.

Approved as Recommended

[190819.](#)

Resignation of Eric Barkhurst from the Historic Preservation Board (B)

RECOMMENDATION

The City Commission accepts the resignation of Eric Barkhurst from the Historic Preservation Board, effective immediately.

Approved as Recommended

[190793.](#)

City to Negotiate with CRM (Community Relationship Manager) Vendor (B)

RECOMMENDATION

It is recommended that the City Commission:

- 1. Approve Invitation To Negotiate Award (ITN SIDX-190047-DM) to Rock Solid Technologies to create a CRM (Community Relationship Manager) platform for the City of Gainesville.*
- 2. Authorize the City Manager to execute and procure all related documents, including contract, amendments, and extensions, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

[190860.](#)

Ostreicher v. City of Gainesville; Case No. 2019-CA-991; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

RECOMMENDATION

The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claims of Sarah Ostreicher, arising from an accident that occurred on or about October 31, 2017.

Approved as Recommended

[190758.](#)

Bid Award - Westside Park Improvements (B)

This item is a request for the City Commission to authorize the bid award to Hicks Seal Coating and Striping, LLC dba Hicks Asphalt Paving & Concrete Company for the construction of improvements at Albert "Ray" Massey Westside Park, a regional park located at 1001 NW 34th Street.

RECOMMENDATION

The City Commission: 1) award the bid to Hicks Seal Coating and Striping, LLC dba Hicks Asphalt Paving & Concrete for the improvements at Westside Park; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[190768.](#)

Authorization for the Construction of Electrical Improvements at Depot Park (B)

This item is a request for the City Commission to approve the Guaranteed Maximum Price in the amount of \$456,991 for the construction of electrical

improvements at Depot Park with Oelrich Construction, Inc.

RECOMMENDATION

The City Commission: 1) approve the project task; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modification: Remove Item No. 180816.

A motion was made by Commissioner Warren, seconded by Commissioner Johnson, that this Matter be Adopted with Modification. The motion carried by the following vote:

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

Absent: 1 - Commissioner Arreola

EARLY PUBLIC COMMENT - For items on the agenda, limited to 3 minutes per citizen for one item or up to 5 minutes for multiple items.

Commissioner Arreola arrived at 1:07 PM.

- Tom Lane*
- Adele Franson*
- Jeremiah Tattersall*
- Robert Arnold*
- Mark Van Soestbergen*

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

- Jim Konish*
- Donald Shepherd*
- Virginia Grant*
- Kali Blount*
- Sandra Brady*
- Elizabeth Hauk*
- Mark Van Soestbergen*
- Scott Hesch*

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

190790.**Appointments to the Historic Preservation Board, Regional Transit System Advisory Board, Student Community Relations Advisory Board and the Utility Advisory Board (B)**

Elizabeth Hauk spoke to her application for the Historic Preservation Board.

Motion by Mayor-Commissioner Pro Tem Ward, seconded by Commissioner Arreola to appoint Elizabeth Hauk to the Historic Preservation Board. Motion passed 7-0. Donald Shepherd spoke to the matter.

Motion by Commissioner Arreola, seconded by Mayor-Commissioner Pro Tem Ward to appoint Daniel Clifft to the Regional Transit System Advisory Board. Motion passed 7-0.

Motion by Commissioner Arreola, seconded by Commissioner Simmons to appoint Megan Lopez to the Student Community Relations Advisory Board. Motion passed 7-0.

Motion by Mayor-Commissioner Pro Tem Ward to readvertise for a period of two weeks to make a choice on February 20, 2020, and those two choices will have the opportunity to serve 4-year terms plus the balance. Motion died for a lack of second.

Motion by Mayor-Commissioner Pro Tem Ward, seconded by Commissioner Hayes-Santos to readvertise for a period of one month, and to include the next full 4-year terms following the expiration of the current terms. Motion failed 2-4. Commissioner Hayes-Santos and Commissioner Simmons in support. Commissioner Arreola absent.

Motion by Mayor-Commissioner Pro Tem Ward, seconded by Commissioner Hayes-Santos to extend the advertisement to the end of January, to include the partial terms and the next full 4-year terms in the advertisement for the applicants. Motion passed 6-0.

Commissioner Arreola absent. Kristen Bryant, Donald Shepherd, Nancy Daren and Elizabeth Hauk spoke to the matter.

RECOMMENDATION

The City Commission discuss appointments to the Historic Preservation Board, Regional Transit System Advisory Board, Student Community Relations Advisory Board and the Utility Advisory Board and take appropriate action.

Approved, as shown above

[190803.](#)**Canvassing Board Appointment (NB)**

Motion: Appoint Commissioner Warren to serve on the Canvassing Board if a run-off election is required.

RECOMMENDATION

The City Commission: 1) appoint a City Commissioner to the 2020 Canvassing Board if a run-off election is required; and 2) in the absence of a Commissioner, the City Commission appoint the City Auditor to the 2020 Canvassing Board.

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

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

Absent: 1 - Commissioner Arreola

[190816.](#)**City Auditor Employment Agreement (B)**

Lisa Jefferson, Human Resources Director spoke to the matter.

Recess - 2:30 PM

Reconvene - 2:35 PM

RECOMMENDATION

The City Commission approve the employment agreement with Virginia Bigbie for the Charter Office of City Auditor.

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

Nay: 1 - Commissioner Johnson

[190804.](#)**GRU Generation Transition Plan 2020 to 2022 (B)**

****This item was presented to the UAB on January 9, 2020.****

Motion: Continue to next City Commission meeting and bring back: 1) Pros/Cons of keeping balancing authority; 2) Tariff Connection Changes since 1990 from FPL and from others in state; 3) Long, short, mid-term risks; 4) Impacts of Climate Change; 5) GRU to meet with employees and bring back a transition plan for employees; 6) Provide a communications plan; and 7) Repurpose joint meeting with UAB to discuss (January 28, 2020).

Ed Bielarski, General Manager for Utilities gave a presentation.

Matt Pawlowski spoke to the matter.

Jim Konish, Jeff Shapiro, Gabe Kaimowitz, Debbie Martinez, Clavin Camps, Nathan Skop, Donald Shepherd, Nancy Daren, Robbie Matheny, Ernesto Martinez, Wilbur Holloway, Rick Santos, Gary Baysinger and Melvia spoke to the matter.

RECOMMENDATION

Staff Recommendation:

The City Commission authorize the General Manager of the Utility to:

- 1) submit a request to FPL for transmission interconnection;*
- 2) negotiate the terms of and execute the System Impact Study Agreement and Cost Reimbursement, subject to approval by the City Attorney as to form and legality*
- 3) if required, negotiate the terms of and execute the Facilities Study Agreement, subject to approval by the City Attorney as to form and legality;*
- 4) negotiate the terms of a Network Services Agreement and Network Operating Agreement with FPL, provided that there are no increases in or additions to the costs or rates described in this agenda item and in the responses by FPL and GRU included in the back-up. If there are additional or increased costs, or if the General Manager cannot successfully negotiate the terms of the Network Agreements, the General Manager will bring the Network Agreements back to the Commission for consideration. The Network Agreements are, subject to approval by the City Attorney as to form and legality;*
- 5) Direct GRU to use the savings resulting from the Network Agreements to reduce GRU debt, which would be the basis for future base rate reductions, and/or reduce GRU's fuel adjustment depending on the classification of the Network Services agreement payment as a base cost or a fuel cost.*

UAB Recommendation:

The UAB voted 4-0, with Member Jacobson absent, to recommend that the City Commission approve staff's recommendations numbers 1 through 4. In place of staff's fifth recommendation, the UAB recommends that the Commission direct GRU to bring back recommendations to the UAB and City Commission on how to use the savings resulting from the network services agreement.

A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward, 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

[180816.](#)

Immigration Policy for Gainesville Police Department (B)

RECOMMENDATION

The Commission hear 1) an immigration policy update via Gainesville Police Department (GPD) and 2) take action as deem appropriate.

Withdrawn

RECESS - 5:00 PM

RECONVENE - 5:30 PM

COMMISSION COMMENT

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

190797

John Henry Spencer Day-January 1, 2020 (B)

RECOMMENDATION

John Henry Spencer to accept Proclamation.

Withdrawn

[190798](#)

Zeta Phi Beta Sorority Incorporated Centennial Celebration Day-January 16, 2020 (B)

RECOMMENDATION

Zeta Phi Beta Sorority Incorporated Centennial Celebration to accept Proclamation.

Heard

[190799](#)

African American Studies Day-February 21, 2020 (B)

RECOMMENDATION

African American Studies Professor Emeritus Dr. Jacob U'Mofe Gordon to accept proclamation.

Heard but will also be on next meeting as well.

[190829](#)

Zero Waste Week Jan 26 through Feb 1, 2020 (B)

RECOMMENDATION

Nina Bhattacharyya representing Zero Waste Gainesville to accept Proclamation.

Heard

EARLY PUBLIC COMMENT - For items on the agenda, limited to 3 minutes per citizen for one item or up to 5 minutes for multiple items.

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

- John Davies*
- Gabe Kaimowitz*
- Debbie Martinez*
- Bob Chumning*
- Robert Mounts*
- Tana Silva*
- Kali Blount*
- Lizzy Linear*
- Jess Larsen*
- Christine Larsen*
- Tamara Robbins*

Commissioner Arreola arrived at 6:03 PM.

RESOLUTIONS - ROLL CALL REQUIRED

PUBLIC HEARINGS

[170427.](#) **Order - Application to Rezone Certain Property Owned by Weyerhaeuser NR Company (B)**

RECOMMENDATION

The City Commission approve the written Order and authorize the Mayor to execute and the Clerk of the City Commission to attest the Order.

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

Aye: 5 - Commissioner Warren, Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

Absent: 2 - Commissioner Arreola, and Commissioner Johnson

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[190264.](#) **Ordinance Amending Sections Related to City Beautification Board (B)**

Ordinance No. 190264

An ordinance of the City of Gainesville, Florida, amending sections of the Code of Ordinances relating to the City Beautification Board; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) adopt the proposed ordinance; and 2) approve the revised Rules for the City Beautification Board.*

A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on Final Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: 1 - Commissioner Johnson

[190289.](#)

Land Use Change - 20.74 Acres of Property Located at 6400 SW 20th Avenue (B)

Ordinance No. 190289

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 approximately 20.74 acres of property generally located at 6400 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County High Density Residential to City of Gainesville Residential Medium-Density (RM); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Donald Shepherd 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 Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Johnson

[190290.](#)

Quasi-Judicial - Rezoning 20.74 Acres of Property Located at 6400 SW 20th

Avenue (B)

Ordinance No. 190290

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 20.74 acres of property generally located at 6400 SW 20th Avenue, as more specifically described in this ordinance, from Alachua County Multiple-Family Medium-High Density (R-2a) district to City of Gainesville Multi-Family Residential (RMF-8) district; 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 Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Johnson

ORDINANCES, 1ST READING - ROLL CALL REQUIRED**[190129.](#)****Ordinance Amending Regulations for Utility Use of Public Rights-of-Way (B)**

Ordinance No. 190129

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville Code of Ordinances Chapter 23, Article VI - Public Rights-of-Way Use by Utilities and Appendix A, Schedule of Fees, Rates, and Charges, relating to regulations that apply to public rights-of-way use by utilities, including communications facilities and small wireless facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Sean McDermont, Assistant City Attorney gave a presentation.

Courtney Barnes spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Johnson

[190308.](#)

Ordinance Amending Chapter 18 of the Code of Ordinances Relating to Parks, Recreation and Cultural Affairs (B)

Ordinance No. 190308

An ordinance of the City of Gainesville, Florida, amending portions of Chapter 18 of the City Code of Ordinances relating to Parks, Recreation and Cultural Affairs, by amending the title of Chapter 18; by amending Section 18-1 regarding the Director of Parks, Recreation and Cultural Affairs; by amending Section 18-18 to update the list and names of parks; by amending Sections 18-20 and 18-21 relating to prohibited activities; 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 Commissioner Simmons, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Arreola, Commissioner Warren, Commissioner Simmons, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

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

[190419.](#)

Voluntary Annexation - 86.64 Acres of Property Located Near SW Williston Road & SW 34th Street (B)

Ordinance No. 190419

An ordinance of the City of Gainesville, Florida, annexing approximately 86.64 acres of privately-owned property generally located south of SW Williston Road, west of SW 29th Drive, north of SW 56th Avenue, and east of SW 34th 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.

Juan Castillo, Planner gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Simmons

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

[190791.](#)

General Government Budget Calendar (NB)

The City Commission approves dates for discussion of the FY2021 annual budget.

RECOMMENDATION *The City Commission: 1) Approve the dates requested by staff.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Simmons, that this Matter be Continued to Next Meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Johnson

[190801.](#)

First Amendment to Agreement with EDSA, Inc. for Planning Services (B)

Sarah Vidal-Finn spoke to the matter.

RECOMMENDATION *City Manager to City Commission: 1) Approve the "First Amendment to Agreement for Services" as described, and 2) Authorize the City Manager to execute all necessary documents after approved as to form and legality by the City Attorney's Office.*

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

Absent: 1 - Commissioner Johnson

[190802.](#)

Gainesville Community Reinvestment Area (GCRA) DRAFT Reinvestment Plan (B)

Sarah Vidal-Finn gave a presentation.

Christina Torres, Kali Blount, Lizzy Lanier, Patricia Lee, Donald Shepherd and Ellie Chisom spoke to the matter.

RECOMMENDATION

City Manager to the City Commission: Hear presentation and provide feedback on the draft Reinvestment Plan

Heard

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

*Christina Torres
Patricia Lee
Ellie Chisom*

COMMISSION COMMENT

Motion by Commissioner Warren, seconded by Commissioner Simmons: Request Commission support or Part 2 of Housing Summit for February 11, 2020 from 5:00 PM to 9:00 PM. Motion passed 6-0. Commissioner Johnson absent.

Mayor-Commissioner Pro Tem Ward: County Commission voted to keep Camp McConnell. Very good for Alachua County and the City of Gainesville. They are having a community charette in the next 90 days. Wants the City involved.

Motion by Mayor-Commissioner Pro Tem Ward, seconded by Commissioner Simmons: Direct staff to find a way to be involved in the community charette for Camp McConnell. Motion passed 6-0. Commissioner Johnson absent. Donald Shepherd and Patricia Lee spoke to the matter.

Commissioner Simmons: 4th Avenue Food Park had a great turnout. She's concerned about the parking and cars. She previously asked staff to come back with some options. A memo was sent out, but it didn't address what she was looking for. Requesting that staff look at this again. Mayor Poe will work with the City Manager and provide an update at the next meeting.

Commissioner Hayes-Santos: Previously asked staff to look at what it would take to do paid parking on Newberry Road and N.W 43rd Street. City Manager responded that staff to bring back information at the

Mobility Workshop.

ADJOURNMENT - 7:37 PM