

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

February 7, 2019

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)

Commissioner Harvey Ward (District 2)

Commissioner David Arreola (District 3)

Mayor-Commissioner Pro Tem Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 1:00 PM

AGENDA STATEMENT

ROLL CALL

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

INVOCATION

PROPHET GEORGE YOUNG

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

Amendment: 1) Continue Item No. 180693 to next meeting.

Jo Beaty, Nathan Skop and Gabe Kaimowitz spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Warren, that this Matter be Adopted on the Consent Agenda with Amendments. The motion carried by the following vote:

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

Absent: 1 - Commissioner Arreola

[180685.](#) **City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of January 10, January 16, January 17,(2), January 22, and January 23, 2019.*

Approved as Recommended

[180700.](#) **City Commission Workshops (NB)**

RECOMMENDATION *Approve City Commission workshop - Gainesville Food Systems: A Community Conversation at 5:00 pm on February 12th and City Commission workshop on February 20th Affordable Housing Engagement Plan at 6:00 pm.*

Approved as Recommended

[180689.](#) **Cancellation of February 28, 2019 General Policy Committee Meeting (NB)**

RECOMMENDATION *The City Commission cancel the February 28th General Policy Committee meeting and schedule a 2nd General Fund Transfer Workshop from 1:00 - 5:00 pm at the Gainesville Regional Utilities Multi-purpose Room.*

Approved as Recommended

[180691.](#)

Cancellation of July 4, 2019 City Commission Meeting (NB)

RECOMMENDATION *The City Commission cancel the July 4th City Commission Meeting.*

Approved as Recommended

[180692.](#)

Canvassing Board Appointment (NB)

RECOMMENDATION *The City Commission appoint Commissioner Gigi Simmons to the 2019 Canvassing Board.*

Approved as Recommended

[180695.](#)

Resignation of Karen Rerra from the City Beautification Board (B)

RECOMMENDATION *The City Commission accepts the resignation of Karen Rerra, effective immediately.*

Approved as Recommended

[180693.](#)

GRU's Budget Calendar (NB)

RECOMMENDATION *The City Commission:*

- 1) Approve the schedule of joint workshops with the UAB for discussion of GRU's proposed FY2020 budget;*
- 2) Approve the requested special meeting with the City Commission for approval of GRU's budget.*

Continued

[180642.](#)

GRU Operational Update for the Month of December 2018 (B)

RECOMMENDATION *Receive report.*

Approved as Recommended

[180672.](#)

Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the Year Ended September 30, 2018 (B)

RECOMMENDATION *The City Commission accept the GRU Unaudited Internally Prepared Financial Statements for the year ended September 30, 2018.*

Approved as Recommended

[180673.](#)**Gainesville Regional Utilities Internally Prepared Budget to Actuals for the Year Ended September 30, 2018 (B)**

Commissioner Arreola arrived at 1:45 PM.

RECOMMENDATION *The City Commission accept the GRU Internally Prepared Budget to Actuals for the year ended September 30, 2018.*

Approved as Recommended

[180674.](#)**Gainesville Regional Utilities Internally Prepared Supplementary Data for the Year Ended September 30, 2018 (B)**

RECOMMENDATION *The City Commission accept the GRU Internally Prepared Supplementary Data for the year ended September 30, 2018.*

Approved as Recommended

[180630.](#)**Letter of Intent (LOI) - Airport Industrial Park (B)**

This item seeks City Commission approval of a Letter of Intent (LOI) regarding the sale of property in the City's Airport Industrial Park to facilitate the relocation of a small package and sorting distribution center.

RECOMMENDATION *The City Commission direct staff to prepare a Contract for Sale and Purchase to be brought back for final City Commission consideration.*

Approved as Recommended

[180662.](#)**Reallocation of Wild Spaces Public Places (WSPP) funds for Lincoln Yard Trail Project (B)**

This item is a request to reallocate Wild Spaces Public Places funds for park construction at the Lincoln Yard Trail Project (tax parcels #16085 and 16107)

RECOMMENDATION *The City Commission: 1) Approve the reallocation of \$90,000 from the WSPP Thomas Center renovation project to be used for Lincoln Yard Trail construction. 2) Approve the allocation of \$75,000 from unappropriated WSPP funds to be used for Lincoln Yard Trail construction.*

Approved as Recommended

[180684.](#)**General Government Budget Calendar (NB)
The City Commission approves dates for discussion of the FY2020/2021 biennial budget.**

RECOMMENDATION *The City Commission: 1) Approve the dates requested by staff; 2) Waive the City Commission Rules to hear the*

Resolution to approve the Preliminary Fire Assessment Rate before 6:00pm on July 18, 2019; and 3) Waive the City Commission Rules to hear the Resolution to Set the Proposed Tentative Millage and Adopt the Proposed Tentative Budgets before 6:00pm on July 18, 2019.

Approved as Recommended

[180716.](#)

Request to Approve & Participate in “Gainesville Food Systems: A Community Conversation” Workshop (NB)

This is a request for the City Commission to approve hosting and participating in a workshop on February 12, 2019 to engage with residents and local stakeholders in a discussion about food accessibility issues in Gainesville.

RECOMMENDATION

The City Commission 1) approve hosting and participating in a workshop on February 12, 2019, to discuss issues of food accessibility and brainstorm ideas for possible next steps in addressing these issues.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modification: Move Item No. 180615 to the first item after public comment.

A motion was made by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Warren, that this Matter be Adopted on the Regular Agenda with Modifications. The motion carried by the following vote:

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

Absent: 1 - Commissioner Arreola

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

*Jim Konish
Nathan Skop
Roberta Vantavinski
Gabe Kaimowitz
Jo Beaty
Kim Friendz
Wilbur Holloway*

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

[180615.](#)**Bid Award - Reserve Park (B)**

This item is a request for the City Commission to authorize the bid award to Anglin Construction Company for the construction of Reserve Park, a new neighborhood park located at 700 NE 11th Street.

Betsy Waite spoke to the matter.

RECOMMENDATION

The City Commission: 1) award the bid to Anglin Construction Company for the construction of Reserve 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.

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

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

[180640.](#)**Gainesville Regional Utilities Cash Balance Study (B)**

Motion: Approve staff recommendation & UAB recommendation and request CPI information (across all systems) to be brought back to the Commission during rates discussions and as part of the cash balance study discussion.

Claudia Rasnick introduced the item.

Chris Lover and Claudia Rasnick made a presentation.

Ed Bielarski spoke to the matter.

Nathan Skop, Harvey Budd, Gabe Hillel, Brian O'Brien and Jo Beaty spoke to the matter.

RECOMMENDATION

*The City Commission
1) receive a presentation on the Cash Balance Study and
2) approve the range of cash levels to be maintained by GRU as identified in the Cash Balance Study.
The UAB voted unanimously to recommend that the Commission approve the staff recommendation. Their statement of justification is included in the back-up.*

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

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

[180694.](#)**Appointments to the Utility Advisory Board, Development Review Board**

and Gainesville Human Rights Board (B)

Motion by Commissioner Ward, seconded by Mayor-Commissioner Pro Tem Hayes-Santos: Appoint Tim Rockwell to the Utility Advisory Board. Motion passed 7-0.

Motion by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Warren: Appoint Brent Hartman to the Development Review Board. Motion passed 7-0.

Motion to Commissioner Warren, seconded by Mayor-Commissioner Pro Tem Hayes-Santos: Appoint Debra Krawcykiewicz to the Gainesville Human Rights Board. Motion passed 7-0.

RECOMMENDATION *The City Commission interview and appoint members to the Utility Advisory Board, Development Review Board and Gainesville Human Rights Board.*

Approved, as shown above

180690.**Appointment to the Utility Advisory Board (B)**

Modification: Mayor to send a letter to the County thanking/informing them of appointment.

RECOMMENDATION *Accept the Alachua County Commission's nomination of Citizen Don Davis as a non-voting member of the Utility Advisory Board and formally appoint Mr. Davis to the Board.*

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

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

180701.**Canvassing Board Appointment (NB)**

Motion: Appoint Harvey Budd to the Canvassing Board.

Harvey Budd introduced himself.

Daniel Nee spoke to the matter.

Gabe Hillel, Nathan Skop and Christina Fields spoke to the matter.

RECOMMENDATION *The City Commission appoint a citizen member to the 2019 Canvassing Board.*

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

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

180632.**Ratification of Agreement between the Communications Workers of**

America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville for January 1, 2019 through December 31, 2021 (B)

Steve Varvel spoke to the matter.

Gabe Hillel, Nathan Skop and Brian O'Brien spoke to the matter.

RECOMMENDATION *The City Commission ratify the Agreement between the Communications Workers of America (CWA), Local 3170, Non-Supervisory Unit and the City of Gainesville, extending the Agreement through December 31, 2021.*

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

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

[180633.](#)

Ratification of Agreement between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville for January 1, 2019 through December 31, 2021 (B)

Steve Varvell spoke to the matter.

Nathan Skop and Gabe Hillel spoke to the matter.

RECOMMENDATION *The City Commission ratify the Agreement between the Communications Workers of America (CWA), Local 3170, Supervisory Unit and the City of Gainesville, extending the Agreement through December 31, 2021.*

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

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

[180612.](#)

City Manager Executive Search (NB)

This is a request for the City Commission to initiate a search for a City Manager.

Motion: Have City Manager search process initiated with consideration that the interviews and selection of candidates is made after the swearing in (on May 16th).

Lisa Jefferson spoke to the matter.

Jo Beaty, Gabe Hillel, Nathan Skop and Don Fields spoke to the matter.

RECOMMENDATION *The City Commission authorize the Human Resources Department to engage the services of an Executive Search Firm to initiate the search.*

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

Aye: 5 - Mayor Poe, Commissioner Arreola, Commissioner Warren, Commissioner Johnson, and Commissioner Simmons

Nay: 2 - Commissioner Ward, and Mayor-Commissioner Pro Tem Hayes-Santos

[180504.](#) **City of Gainesville 150th Anniversary Project (NB)**

Provide an update on the Gainesville 150th Anniversary project and introduce the Project Coordinator.

Russell Etling introduced the item.

Nicolle Yucht spoke to the matter.

RECOMMENDATION *The City Commission 1) receive an update on the 150th Anniversary Project and provide feedback to staff; and 2) introduce the project coordinator.*

Heard

COMMISSION COMMENT

RECESS - 4:42 PM

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[180687.](#) **Menagerie in Motion (MiM) Kinetic Derby Day (B)**

Commissioner Ward arrived at 5:32 PM.

RECOMMENDATION *Mr. Joseph Floyd to accept the proclamation.*

Heard

[180688.](#) **Local Food Week (B)**

RECOMMENDATION *Ms. Anna Prizzia to accept the proclamation.*

Heard

[180725.](#) **Black History Month Proclamation (B)**

RECOMMENDATION *A representative to accept the proclamation.*

Heard

[180743.](#) **International Clash Day 2019 (B)**

RECOMMENDATION *Representative to receive proclamation.*

Heard

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

- Jim Konish*
- Wilbur Holloway*
- Nathan Skop*
- Robert Mounts*
- John Davies*
- Gabe Hillel*
- Lee Malis*
- Darlene Pifalo*

RESOLUTIONS - ROLL CALL REQUIRED

PUBLIC HEARINGS

[180488.](#) **Quasi-Judicial - Design Plat Review Finley Woods Phase II (B)**

CHW, Inc., agent for WWB Real Estate Investments, Owners of Finley Woods, Phase II. Design plat review for Finley Woods, Phase II Subdivision, a residential subdivision of approximately 66.65 acres to create 215 detached single-family residential lots. Zoned: Alachua County Planned Unit Development (PUD). Located 5711 & 5915 SW 43rd Terrace, north of SW 62nd Avenue.

Megan Echols made a presentation.

Gerry Dedenbach made a presentation.

Joyce Ellis, Jancie Vinson and Nathan Skop spoke to the matter.

Commissioner Arreola arrived at 6:35 PM.

RECOMMENDATION *Staff to Development Review Board - Staff recommends approval of Petition DB-18-104 SUB with conditions included*

in the staff report and the TRC Comments and Conditions. Development Review Board- approved it with staff recommendations and additional recommendations of increased vehicular circulation.

Staff to City Commission -Staff recommends approval of Petition DB-18-104 SUB with conditions included in the staff report and the TRC Comments and Conditions.

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

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

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[180482.](#)

Quasi-Judicial - Rezoning 0.987 Acres Bounded by NW 13th Terrace, NW 14th Terrace, NW 5th Avenue, and NW 6th Avenue (B)

Ordinance No. 180482

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.987 acres of property generally located and bounded by NW 13th Terrace, NW 14th Terrace, NW 5th Avenue, and NW 6th Avenue, as more specifically described in this ordinance, from Urban 2 (U2) to Urban 5 (U5); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Robert Mounts spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

[180412.](#)

Quasi-Judicial - Historic Property Tax Exemption - 430 NE 9th Avenue (B)

Ordinance No. 180412

An ordinance of the City of Gainesville, Florida, finding that property located at 430 NE 9th Avenue, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2019, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax

Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

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

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

[180471.](#)

Ordinance Amending Landlord Permit Regulations (B)

Ordinance No. 180471

An ordinance of the City of Gainesville, Florida, amending section 14.5-1 of the Code of Ordinances relating to landlord permits; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Jeff Look spoke to the matter.

Mark Goldstein, Nathan Skop, Donald Shepherd and Darlene Pifalo spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[171078.](#)

Ordinance Amending Local Business Tax Code Provisions (B)

Ordinance No. 171078

An ordinance of the City of Gainesville, Florida, amending sections 25-45, 25-50 and 25-50.1 of the Code of Ordinances related to the Local Business Tax to conform to statutory amendments and sunset provisions; 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 Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Simmons, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

Absent: 1 - Commissioner Arreola

[170970.](#)

Ordinance Eliminating Limit of Six Entertainment Permits per Property per Year (B)

Ordinance No. 170970

An ordinance of the City of Gainesville, Florida, amending Chapter 15 - Noise in the City of Gainesville Code of Ordinances to eliminate the regulation that only six entertainment permits may be issued per property per calendar year; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Motion: Strike the change to this ordinance and work on updating the noise ordinance and enforcement of policies to better protect our neighborhoods.

Andrew Persons made a presentation.

Mark Goldstein, Nathan Skop, Debbie Martinez, Gabe Hillel, Darlene Pifalo, Janice Garry, Paula Stahmer, Tamara Robbins, Maria Huff-Edwards, Karen Katle, Sharon Bauer, Jo Beaty, Kim Tanzer, Anthony Backeral, Leslie Gamble, Gabe Wilson, Robert Mounts and John Moran spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Approved as Shown Above.

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

[170971.](#)

Text Change - Amending the Land Development Code Relating to Tree Regulations (B)

Ordinance No. 170971

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to tree regulations; by amending Section 30-4.9 and Section 30-4.13 to incentivize the preservation of trees with bonus residential density; by amending Section 30-8.7 relating to tree mitigation; by amending Section 30-8.9 to clarify tree size required with development; providing directions to the codifier; providing a severability

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

Andrew Persons made a presentation.

Darlene Pifalo, Scott Winsler, Donald Shepherd, Maria Huff-Edwards and Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Commissioner Simmons

[170974.](#)

Text Change - Amending Urban Standards in the Land Development Code (B)

Ordinance No. 170974

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to urban development standards; by amending definitions in Section 30-2.1; by amending Section 30-3.49 to clarify the review and approval of master plans; by amending Section 30-3.56 to clarify the selection of hearing officers; by amending Section 30-4.3 relating to parcels divided by district boundaries; by amending Section 30-4.8 to eliminate a provision on rounding the calculation for maximum bedrooms limit; by amending Section 30-4.13 to eliminate a first floor elevation standard for buildings within the transect zoning districts; by amending Section 30-4.15 to add a standard for active ground-floor uses in buildings with ground-floor parking on local streets; by amending Section 30-4.20 to correct a scrivener's error regarding the bonus height limit for buildings within the Office (OF) zoning district; by amending Section 30-4.24 to make building height limits within the Medical Services (MD) zoning district consistent with the Comprehensive Plan; by amending Section 30-5.37 to correct scrivener's errors relating to home occupation permits; by amending Section 30-5.40 relating to form standards for outdoor cafes; by amending Section 30-5.44 relating to form standards for sidewalk cafes; by amending Section 30-7.7 to add regulations to residential parking during University of Florida events; by amending Section 30-8.3 to correct an outdated reference to the Gainesville Regional Airport master plan; by amending Section 30-8.29 to correct a scrivener's error relating to floodplain inspections; by amending Section 30-9.2 to clarify the applicability of the sign code; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Amendment: Approve ordinance on first reading and have a larger conversation around mobile food vending ordinances. Bring back information to Commission regarding

mobile food vending vehicles and refer to GPC.

Donald Shepherd, Robert Mounts, Nathan Skop and Debbie Martinez spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

180750.

Mobile Food Vending Vehicles

RECOMMENDATION *Refer to Committee*

A motion was made by Commissioner Arreola, seconded by Commissioner Warren, that this Matter be Referred to the General Policy Committee, due back on 4/30/2019. The motion carried by the following vote:

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

170975.

Text Change - Amending the Land Development Code to Allow Certain Uses in the U4, U6, U7, U8, U9, and DT Zoning Districts and to Correct Scriveners Errors (B)

Ordinance No. 170975

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add outdoor recreation as a permitted use by right in the Downtown (DT) zoning district, to add health services as a permitted use by right in the Urban 6 (U6), Urban 7 (U7), Urban 8 (U8), Urban 9 (U9), and Downtown (DT) zoning districts, to change Personal Services from a use allowable by Special Use Permit to a use allowable by right in the Urban 4 (U4) zoning district, and to correct scriveners errors; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

180416.**Voluntary Annexation - 5.07 Acres Located SW of the Intersection of NW 43rd ST and NW 39th AVE (B)**

Ordinance No. 180416

An ordinance of the City of Gainesville, Florida, annexing approximately 5.07 acres of privately-owned property that is generally located south of NW 39th Avenue, west of NW 45th Street, north of parcel number 06111-007-000, and east of parcel number 06112-010-046, as more specifically described in this ordinance, as petitioned for by the property owner 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.

Amendment: Adopt Ordinance 180416 plus County recommendations in the letter – to work with the County on the annexation of Pinewood Apartments as well

Megan Echols made a presentation.

Gerry Dedenbach spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

180538.**Voluntary Annexation - 3.987 Acres of Property North of SW Archer Road and East of SW 50th Street (B)**

Ordinance No. 180538

An ordinance of the City of Gainesville, Florida, annexing approximately 3.987 acres of privately-owned property that is generally located south of Oak Park Village and tax parcel 06916-000-000, west of SW 47th Street, north of SW Archer Road, and east of SW 50th 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.

Jason Simmons made a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

[180657.](#)

Charter Officers' Annual Performance Evaluations and Consideration of Pay Increases (B)

The City Commission evaluate the performance of the Charter Officers from October 1, 2017 - September 30, 2018, and consider pay increases for the Charter Officers.

Motion by Commissioner Warren, seconded by Commissioner Arreola: Recognize the performance ratings provided, approve rate increases in budget. Motion failed 3-4- Mayor Poe, Mayor Commissioner Pro Tem Hayes-Santos, Commissioner Ward and Commissioner Simmons in dissent

Motion by Commissioner Warren, seconded by Commissioner Ward: Continue performance review process to the next City Commission meeting. Motion passed 7-0

Lisa Jefferson spoke to the matter.

Gabe Hillel, Debbie Martinez, Nathan Skop, Jo Beaty and Telford Cartwright spoke to the matter.

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

RECOMMENDATION *The City Commission: 1) review the performance of each Charter Officer and establish appropriate performance ratings; 2) consider pay increases for 2018; 3) Human Resources provide evaluation rubric/criteria for Commissioners and provide consistency and clarity to the Charter Officer evaluation process.*

Approved, as shown above

[180680.](#)

Alachua County Tobacco 21 Ordinance (B)

RECOMMENDATION *The City Commission "opt-in" on the Alachua County Tobacco 21 Ordinance*

A motion was made by Commissioner Arreola, seconded by Commissioner Ward, that this Matter be Continued to the next meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Ward, Commissioner Arreola, Commissioner Warren, Commissioner Johnson, and Mayor-Commissioner Pro Tem Hayes-Santos

Absent: 2 - Mayor Poe, and Commissioner Simmons

[180703.](#)

Annual Follow-up on Outstanding Recommendations from Previous Engagements (B)

Gabe Hillel spoke to the matter.

RECOMMENDATION *The City Auditor recommends that the City Commission accept the City Auditor's report.*

A motion was made by Commissioner Arreola, seconded by Commissioner Ward, that this Matter be Continued to the next meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Ward, Commissioner Arreola, Commissioner Warren, Commissioner Johnson, and Mayor-Commissioner Pro Tem Hayes-Santos

Absent: 2 - Mayor Poe, and Commissioner Simmons

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

*Debbie Martinez
Nathan Skop
Larry Green*

COMMISSION COMMENT

Commissioner Simmons left the meeting at 10:02 PM.

Mayor Poe left the meeting at 10:02 PM.

Commissioner Ward – Department of Doing – thanks to staff. Supports Green New Deal resolution introduced in Congress and would like the Commission to resolve in two weeks to support it.

Motion by Commissioner Ward, seconded by Commissioner Arreola: Create an agenda item for the Green New Deal resolution for the next City Commission meeting. Motion passed 5-0. Mayor Poe and Commissioner Simmons absent. Telford Cartwright and Nathan Skop spoke to the matter.

Commissioner Arreola - Approached by Students Demand Action chapter to have a tree planting memorial and create a plaque in honor of the students who lost their lives at the Marjory Stoneman Douglas High School.

Motion by Commissioner Arreola, seconded by Commissioner Ward: Direct staff to plan an appropriate memorial for February 14, 2019 in honor of the Marjory Stoneman Douglas students that lost their lives in the school shooting. Motion passed 5-0. Mayor Poe and Commissioner Simmons absent.

ADJOURNMENT - 10:24 PM

