

#180534 (A)

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Draft

November 1, 2018

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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**1:00pm - CALL TO ORDER - Afternoon Session**

**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**

A motion was made by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Warren, that this Matter be Adopted on the Consent Agenda. 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

[180484.](#)

**City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of October 17 and October 18, 2018.*

**Approved as Recommended**

[180424.](#)

**Purchase from Motorola Solutions, Inc. for Two-Way Radios for Regional Transit System (B)**

**RECOMMENDATION**      *The City Commission authorize the purchase with Motorola Solutions, Inc. for thirty three (33) P25 compliant two-way radios for the Regional Transit System, subject to approval by the City Attorney as to form and legality.*

[180460.](#)

**Acceptance of City Beautification Board Annual Report for FY 18 (B)**

This is a request to have the FY18 Annual Report of the City Beautification Board accepted by the Clerk of the Commission.

**RECOMMENDATION**      *The City Commission accepts the FY18 Annual Report of the City Beautification Board.*

**ADOPTION OF REGULAR AGENDA**

**A motion was made by Commissioner Warren, seconded by Commissioner Ward, that this Matter be Adopted as Modified. 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

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

*Jim Konish  
Gabe Kaimowitz*

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

180459. **ConnectFree Program Funds for an Affordable Rental Housing Project (B)**

**This item requests the City Commission to consider approving the use of ConnectFree Program funding to assist an Affordable Rental Housing Project.**

*Motion: Approve the recommendation with a corrected amount of \$469,313.*

*John Wachtel made a presentation.*

*Jamie Bell spoke to the matter.*

*Fred Murry spoke to the matter.*

*Ryan Hoover made a presentation about Andrew Landing.*

*Mack Ross made a presentation about Arbor Trail 2.*

*Corey Harris and Steve Kurk made a presentation about Deer Creek.*

*Stacey Bannock and Clay Swager made a presentation about Madison Pines.*

*Gabe Kaimowitz, Stacey Bannock and Rebecca Hightower spoke to the matter.*

**RECOMMENDATION**

*The AHAC recommends that the City Commission: 1) Hear a presentation from the AHAC and staff; 2) Approve funding the Deer Creek Senior Housing Affordable Rental Housing Project in the form of a loan in the amount of \$463,313.00 from the ConnectFree Program; the terms of which shall be a no interest 24-month construction loan, with an automatic conversion to a permanent non-amortizing 15 year loan at 1% interest; and 3) Authorize the City Manager or designee to execute any documents necessary to such funding, subject to City Attorney approval as to form and legality.*

**A motion was made by Commissioner Simmons, seconded by Commissioner**

Warren, 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

[180389.](#)

### **CRA Discussion (B)**

*Sarah Vidal-Finn made a presentation.*

*Anthony Lyons spoke to the matter.*

*County Commissioner Cornell spoke to the matter.*

*Gabe Kaimowitz and Rebecca Hightower spoke to the matter.*

**RECOMMENDATION** 1) *The City Commission hear a presentation from the GCRA;* 2) *Authorize City Manager to execute Agreement once approved as to form and legality by the City Attorney; and 3) transmit the Interlocal Agreement to the Alachua County Board of County Commissioners for its consideration.*

**A motion was made by Commissioner Ward, 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

[180471.](#)

### **Landlord Permits (ordinance change to 14.5-1) (B)**

**This item is a request for the Commission to consider revisions to the City's Code of Ordinances related to Landlord Permits.**

*Jeff Look made a presentation.*

**RECOMMENDATION** *Code Enforcement recommends the City Commission direct the City Attorney to draft an ordinance revising Chapter 14.5-1 of the City Code of Ordinances as stated in the back-up to this agenda item.*

**A motion was made by Commissioner Warren, seconded by Commissioner Simmons, 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

[170667.](#)

### **Equal Opportunity Director Employment Agreement (B)**

*Lisa Jefferson spoke to the matter.*

*Gabe Kaimowitz spoke to the matter.*

**RECOMMENDATION**      *The City Commission approve the employment agreement of Teneeshia Marshall.*

**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

## **COMMISSION COMMENT**

*Commissioner Ward: Should have a discussion about the process of the Reef Development 3rd Avenue and 6th Street. Received lots of emails about it with regard to processes and knowing what was followed and where we might be able to improve. Follow-up with a Commission meeting.*

*Commissioner Warren: Changes builders go through when building affordable housing. Look into incentives for builders regarding tree mitigation funds/assessments.*

*Mayor-Commissioner Pro Tem Hayes-Santos: Disagrees that tree mitigation funds should be used to incentivize affordable housing.*

*Commissioner Simmons: Have we asked staff to do a linkage fee study for affordable housing/housing bonds? We need an update on where we are with using the different tools in the tool box. Anthony Lyons spoke to the matter regarding an analysis of affordable housing.*

*Mayor Poe: Develop a list of needs and criteria and have an inventory and figure out what works re: affordable housing. GNV Rise working to do that.*

*Commissioner Simmons: 1) Kudos to Habitat for Humanity - doing a lot of work on southeast side of town. We are making a difference in the community; 2) young man's body found deceased on eastside of town. Concerning - black males, uptick in crime, gang activity last weekend. We need to address it, discuss as a community. Mayor Poe commented that maybe we can ask the City Manager and Chief of Police to bring back information and recommendations on what we can do to bolster support.*

**RECESS - 4:23 PM**

**RECONVENE - 5:31 PM.**

**PLEDGE OF ALLEGIANCE**

**Mr. Bob Gasche**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[180461.](#)**Veterans Day (B)**

*Bob Gasche and Carlos Holt accepted the proclamation.*

*Commissioner Ward arrived at 5:38 PM.*

*Mayor-Commissioner Pro Tem Hayes-Santos arrived at 5:39 PM.*

**RECOMMENDATION**      *Mr. Bob Gasche to accept the proclamation.*

**Heard**

[180462.](#)**World Diabetes Day (B)**

**RECOMMENDATION**      *Mauren Piucco, Assistant Director, UF Diabetes Institute; Lisa Scarton, Assistant Professor, College of Nursing; Clive Wasserfall, Assistant in Pathology and Gina Aulisio, Operation and Engagement Coordinator to accept the 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  
Kali Blount  
John Davies  
Gabe Kaimowitz  
Darlene Pifalo  
Rev. Dr. Noon  
Sharon Bauer*

**RESOLUTIONS - ROLL CALL REQUIRED**[180419.](#)**Resolutions to the Department of Transportation - Newberry Road from NW 44th Street to NW 62nd Terrace (B)**

**This item involves a request to adopt two (2) Resolutions to grant land rights to the Florida Department of Transportation (FDOT) for an upcoming project located on Newberry Road from NW 44th Street to NW 62nd Terrace .**

**RECOMMENDATION**      *The City Commission: 1) adopt two Resolutions granting land rights to the Florida Department of Transportation; and 2) authorize the Mayor to execute the Deed and Temporary Easement to the Florida Department of Transportation, subject to the approval of the City Attorney as to form and legality*

**Striken From the Agenda**

[180458.](#)**Resolution for Amending the ICMA Retirement Corporation Governmental 457 Plan and Trust for Plan Number 300646 (B)**

**This item requests recommendation and approval the attached Resolution amending the City's 457 Deferred Compensation to allow for a tax preferred withdrawal for insurance premiums for former public safety personnel**

*Steve Varvel made a presentation.*

**RECOMMENDATION**

*1) Approve the Resolution and 2) authorize the City Manager or his designee to execute the necessary plan adoption and restatement amendments necessary to implement this modification subject to the approval of the City Attorney as to form and legality.*

**A motion was made by Mayor-Commissioner Pro Tem 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 - Mayor Poe, Commissioner Ward, Commissioner Arreola, Commissioner Warren, Commissioner Johnson, Commissioner Simmons, and Mayor-Commissioner Pro Tem Hayes-Santos

[180464.](#)**Right-of-Way and Alley Vacate - Plat of FX Miller's Addition (B)**

**This item involves a request for the City Commission to approve a petition to the Planning Department to vacate a portion of Southwest 5th Terrace and a segment of an alley contained in the Plat of FX Miller's Addition.**

**RECOMMENDATION**

*The City Commission: 1) Authorize the Planning Department to circulate a petition to the Plan Board to process the request right-of-way vacation.*

**Striken From the Agenda**

**PUBLIC HEARINGS****ORDINANCES, 2nd READING - ROLL CALL REQUIRED****ORDINANCES, 1ST READING - ROLL CALL REQUIRED**[171056.](#)**Ordinance Amending Building Regulations (B)**

Ordinance No. 171056

An ordinance of the City of Gainesville, Florida, amending Chapter 6 - Buildings

and Building Regulations in the City of Gainesville Code of Ordinances and amending Appendix A - Schedule of Fees, Rates and Charges of the Code of Ordinances relating to Buildings and Building Regulations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Wendy Thomas gave an introduction.*

*John Freeland made a presentation.*

*Nicolle Shalley spoke to the matter.*

*Anthony Lyons spoke to the matter.*

*Andrew Persons 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 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

## **TIME CERTAIN - 6:30PM**

### [160769](#)

#### **Text Change - Amending the Land Development Code Related to Sexual Offender Treatment Facilities (B)**

Ordinance No. 160769

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by deleting Social Service Facility and Rehabilitation Center as permitted uses and adding Sexual Offender Treatment Facility and Social Service Treatment Facility as permitted uses in certain zoning districts with associated regulations; by amending Section 30-2.1. Definitions; by amending Section 30-4.12. Permitted Uses within transect zoning districts; by amending Section 30-4.16. Permitted Uses in residential zoning districts; by amending Section 30-4.19. Permitted Uses in mixed-use and nonresidential zoning districts; by amending Section 30-4.23. Permitted Uses in special zoning districts; by amending Article V. Use Standards to provide regulations for Sexual Offender Treatment Facilities and Social Service Treatment Facilities; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Nicolle Shalley gave an introduction.*

*Wendy Thomas made a presentation.*



*Bridgett Smart made a presentation.*

*Rev. Dr. Noon, Susan Skanella, Dr. Peggy Vermont, Gary Edinger, Robert Mounts, Mark Goldstein, Jancie Vinson, Darlene Pifalo, Patrick Berger, Dr. Jennifer Sager, Wendy Shannon, Maria Huff Edwards, Sally Adkins, Harry Spears, Rosanne Rutledge, Debra Hart, Alvin Butler and Jeff Knee spoke to the matter.*

**RECOMMENDATION**      *The City Commission adopt the proposed ordinance.*

**No Action Taken.**

[180111.](#)

**Land Use Change - Finley Woods 118 Acres on SW 62nd Avenue (B)**

Ordinance No. 180111

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 118 acres of property generally located near the 4500 block of SW 62nd Avenue near SW 43rd Terrace, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Motion: Adopt the proposed ordinance with two modifications: (1) multi-family being added and (2) changing line 67 ... of at least two stubouts... to ... of at least six stubouts.*

*Andrew Persons made a presentation.*

*Gerry Dedenbach 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 Ward, 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 Simmons, and Mayor-Commissioner Pro Tem Hayes-Santos

**Absent:** 1 - Commissioner Johnson

[180120.](#)

**Quasi-Judicial - Rezoning Finley Woods 118 Acres on SW 62nd Avenue (B)**

Ordinance No. 180120

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 118 acres of property known as Finley Woods generally located near the 4500 block of SW 62nd Avenue near SW 43rd Terrace, as more specifically described in this ordinance, from Alachua County Planned Development (PD) district to City of Gainesville Planned Development (PD) district; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

*Andrew Persons made a presentation.*

*Gerry Dedenbach 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 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

## **GENERAL PUBLIC COMMENT**

*Gerry Dedenbach*

## **COMMISSION COMMENT**

*Commissioner Arreola: Received a call about UF Student Government re-routed buses for election day - seeking clarification.*

*Motion by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Ward: Direct the City Manger to have Department of Doing and Department of Mobility look at connectivity policy to make sure it aligns with current direction. Motion passed 7-0.*

*Commissioner Ward: Planning/zoning decisions too late at night; were tired and we need to be as sharp as possible. We are not in the best position to make the best decision.*

*Mayor Poe commented that law requires us to hear in the evening, so best advice is to come prepared and do your homework.*

*Mayor-Commissioner Pro Tem Hayes-Santos agrees. When setting the agenda, try not to schedule too long of items on the same evening.*

*Commissioner Warren agrees. Perhaps schedule a half-day workshop to get up to speed to discuss future developments/neighborhood designs.*

*Anthony Lyons spoke to the matter - LDC is scheduled for January 23, 2019.*

*Mayor Poe: Goal is to have an LDC that accurately and effectively represents the type of development we want to approve. Standards should be brought in form of what we support.*

*Commissioner Simmons: Wants update on Fairgrounds. Have we (staff) been contacted about a feasibility study regarding Citizen's Field/Koppers sites.*

*Anthony Lyons spoke - will bring back a basic master plan as early as this month, along with an engagement plan.*

**ADJOURNMENT - 9:47 PM**