

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

October 4, 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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CALL TO ORDER - 1:00 PM

AGENDA STATEMENT

ROLL CALL

- Present** 6 - Commissioner Ward, Commissioner Arreola, Commissioner Warren, Commissioner Johnson, Commissioner Simmons, and Mayor-Commissioner Pro Tem Hayes-Santos
- Absent** 1 - Mayor Poe

INVOCATION

PROPHET GEORGE YOUNG

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

A motion was made by Commissioner Ward, seconded by Commissioner Warren, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

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

- Absent:** 1 - Mayor Poe

180411. City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of September 13, September 18, September 19 and September 20, 2018.*

Approved as Recommended

180385. Lisa Cue v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2017-CA-0582 (NB)

RECOMMENDATION *The City Commission 1) approve the terms of the negotiated settlement; and 2) authorize the City Attorney to settle the claim of Lisa Cue v. City of Gainesville; Circuit Court of the Eighth Judicial Circuit in and for Alachua County, FL; Case No.: 01-2017-CA-0582, on behalf of the City.*

Approved as Recommended

170905. SW 62nd Blvd Wetland Mitigation (B)

This item is to obtain approval for the wetland mitigation approach as it relates to the SW 62nd Blvd project between Clark Butler Blvd and the existing southern terminus of SW 52nd Street near the Cabana Beach apartment complex.

RECOMMENDATION

The City Commission: 1) approve the recommended wetlands mitigation approach of purchasing credits through a mitigation bank; 2) authorize the City Manager (or designee) to execute any related documents, subject to approval by the City Attorney as to form and legality; and 3) sign a contract in an amount not to exceed \$583,200.

Withdrawn

[180286.](#)

Release of Easement for Grantor, College Park Two, LLC (B)

This item involves approval and authorization to grant a Release of Easement.

RECOMMENDATION

The City Commission: 1) approve the Release of the Easement recorded in Deed Book 321, page 84; 2) authorize the Mayor to execute the Release of Easement, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

180294.

Human Resources Policy G-7: Use of Information Technology Systems (B)

RECOMMENDATION

Approve revision to Human Resources Policies G-7: Use of Information Technology Systems.

Withdrawn

[180365.](#)

Consulting Services for Battery Electric Bus Procurement and Deployment Project (B)

RECOMMENDATION

The City Commission authorize the City Manager or his authorized designee to execute a Contract and any necessary associated documents with the Center for Transportation and the Environment, Inc. (CTE) for the Battery Electric Bus Procurement and Deployment Project.

Approved as Recommended

[180373.](#)

Release of Lien for 2216 Northeast 3rd Avenue (B)

This item is a request to approve and authorize a Release of Lien for property located at 2216 Northeast 3rd Avenue

RECOMMENDATION

The City Commission: 1) approve the Release of Lien recorded in Book 4246, page 78 of the Public Records of Alachua County, Florida; and 2) authorize the Mayor to execute the Release of Lien, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modification: Add Commission Comment, if time allows, to the after session.

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

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

Absent: 1 - Mayor Poe

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

- Jim Konish*
- Gabe Kaimowitz*
- Lee Malis*
- Tana Silva*
- Jim McFarland*
- Dour Bernell*

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

180422. Half-Cent Initiative: Creating Schools of the Future (B)

Jackie Johnson made a presentation.

Gabe Kaimowitz, Jim McFarland, Nancy Daren and Khanh-Lien Banko spoke to the matter.

RECOMMENDATION

The City Commission hear a presentation from the Alachua County School Board on the half-cent sales tax referendum.

Heard

180406. Commissioner Gigi Simmons - Residential Conservation and Downtown Zoning Designations (B)

Commissioner Simmons made a presentation.

Motion: Direct staff to look at buffers in downtown residential/conservation zoned areas during the Spring Land Development Code (LDC) update.

Nicolle Shalley spoke to the matter.

Anthony Lyons spoke to the matter.

Dotty Faibisy, Tana Silva, Jim McFarland and Nancy Daren spoke to the matter.

RECOMMENDATION

The City Commission directs the City Manager to initiate petitions to change the future land use designation and the zoning designation of land on the east and south sides of the Pleasant Street Neighborhood to provide an appropriate transition of different zoning designations from the neighborhood to land along University Avenue and Main Street with the Downtown zoning designation.

As part of this process, please do the following:

- 1. Meet with the Pleasant Street Neighborhood Association. Dotty Faibisy can provide information on meeting times and locations. Ms. Faibisy's email address is dottyfaibisy@aol.com.*
- 2. Schedule Plan Board consideration of these petitions by December 2018.*
- 3. Schedule the first City Commission consideration of these petitions by January 2019.*

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

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

Absent: 1 - Mayor Poe

180284.

Discussion of 100% Renewable Energy for the City/GRU for all Services (B)

Motion: 1) direct staff to draft a renewable GRU resolution formalizing our 100% renewable energy goal date of 2045, including minimizing CO2 emissions commitment to major renewable energy investment and green grid purchases; 2) direct GRU/City staff to return with solar energy production options; 3) direct staff to return with forecasts to retire and/or step down fossil fuel generation facilities in order to minimize our emissions; 4) direct staff to begin planning a pathway to have a totally electric fleet by 2045 renewable energy; 5) ask UAB to agenda item to discuss at joint meeting on October 30, 2018; and 6) ask staff to look at transitioning all city-owned buildings to clean renewable energy - provide an analysis of when this can be done.

Lewis Walton and Dino DeLeo spoke to the matter.

Doug Weichman spoke to the matter.

Jay Rosenbek, Jim McFarland, Bob Tansik, Nancy Daren, Roberta Gastmeyer and Jeffrey Shapiro spoke to the matter.

RECOMMENDATION

The City Commission continue their discussion of creating a path to providing 100% of the City's energy from renewable sources and provide further direction to staff.

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

Absent: 1 - Mayor Poe

[180379.](#)**CRA Board Appointments for the Chair and Chair Pro Tem (B)**

Motion by Commissioner Warren, seconded by Commissioner Johnson: Appoint Commissioner Ward as Chair, and Commissioner Arreola as Chair Pro-Tem for the CRA. Motion passed 6-0. Mayor Poe absent.

Motion by Commissioner Warren, seconded by Commissioner Johnson: Move CRA appointments to coincide with other appointments after swearing in. Motion passed 6-0. Mayor Poe absent.

Gabe Kaimowitz spoke to the matter.

RECOMMENDATION

CRA Executive Director to the Commission : 1. Appoint a Chair and Chair Pro Tem for the CRA Board and 2. Discuss aligning the appointments for the CRA Board with other General Government boards.

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

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

Absent: 1 - Mayor Poe

COMMISSION COMMENT

Commissioner Johnson - Been on the Commission a little over four months, been challenging and getting up to speed. Seeing a pattern over the past four months with disconnect, trust in decision-making is being eroded. Spending too much time back tracking (i.e., Equal Opportunity Director search, Heartwood, CDBG and most recently Gainesville Rise). Foresight - anticipation of difficult decisions - we must focus on steering public trust without sufficient planning. Commission operates behind the 8-ball and is operating in a "crisis mode" - that must change (needs to be updated and informed). Challenges: 1) Not engaging and listening to the community; 2) Processes - interested in processes that have credibility, that are transparent, and processes that are actually followed. There has been a clear breakdown in processes multiple times; and 3) Communication and information (not in a timely manner).

Commissioner Ward - Must filter the conversation. Most time when things are going well, we don't hear from the people. Most people come to us when there's an issue. Big issues produce big push back. Change is hard.

Commissioner Warren - There are challenges in this position. Government functions differently. We have to find ways of balance, improve communication and work with staff to find solutions. Encourage to reach out to staff. We may not always agree, but it's part of the job.

Commissioner Arreola - Last year we had more one-on-one meetings with staff and has declined in the past year. Searching for a Communications Director to hopefully improve media relations. Clerk working one-on-one with each Commissioner to create better relations with constituents. Seeing more items coming to full Commission before going to the GPC for discussion. Suggested that Commissioner Johnson have a meeting with Mayor Poe.

Mayor-Commissioner Pro Tem Hayes-Santos - Incredible amount of engagement issues. Each Commissioner isn't acting in status quo - all operating on change. We are hitting capacity issues - getting things done efficiently. It's a balancing act. We need more staff as well. Agrees with Commissioner's Arreola and Ward's comments. We need to look at processes more.

Commissioner Simmons - Reiterated what Commissioner Johnson said. Thanks to Commissioner Johnson for bringing this up. Process is a huge concern. Each item that Commissioner Johnson mentioned had a breakdown in the process. Wants good information and good processes to make good decisions. Wants accountability, make informed decisions, correct information from staff, consistency across the board to learn and digest the processes and communicate it to the community. It's not too much to ask.

Commissioner Simmons left the meeting at 4:28 PM.

COMMITTEE DISCUSSION ITEMS - Items placed on the agenda by the Audit & Finance Committee or General Policy Committee or moved from Consent

OTHER POLICY DISCUSSION ITEMS - If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs

INFORMATIONAL PRESENTATIONS - Items that do not request or require any Commission action. If the Commission does not get to these items, they are continued to the next regular Commission meeting or such other regular or special meeting or workshop, as the Commission directs.

RECESS - 4:32 PM

RECONVENE - 5:30 PM

Commissioner Ward arrived at 5:32 PM.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[180349.](#) **Fire Prevention Week (B)**

Assistant Chief Rice and a representative from GFR accepted the proclamation.

RECOMMENDATION *Jeff Lane to accept the proclamation.*

Heard

[180350.](#) **White Cane Awareness Month (B)**

Spencer Morton accepted/spoke.

RECOMMENDATION *Spencer Morton, President of the Alachua County Council of the Blind; Jack Varnon, Vice President and Maxine Stallings, Acting Secretary to accept the proclamation.*

Heard

[180351.](#) **Dr. Mark and Mary Barrow Day (B)**

Dr. Mark and Mary Barrow accepted/spoke.

RECOMMENDATION *Dr. Mark Barrow to accept the proclamation.*

Heard

[180403.](#) **Florida Native Plant Month (B)**

Mark Elliott accepted/spoke.

RECOMMENDATION *Mr. Mark Elliott to accept the proclamation.*

Heard

[180404.](#) **Altrusa International 60/20 Anniversaries of Gainesville (B)**

RECOMMENDATION *Ms. Kimberly Browne and Ms. Sara Freeborn to accept the proclamation.*

Heard

[180405.](#) **Indigenous People's Day (B)**

Sylvia Paluzzi accepted/spoke.

Adam and Austin Light spoke.

RECOMMENDATION *Ms. Sylvia Paluzzi to accept the proclamation.*

Heard

[180414.](#)

Hunger Awareness Month (B)

Rodney Long accepted/spoke.

RECOMMENDATION

Mr. Rodney Long to accept proclamation.

Heard

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

- Jim Konish*
- John Davies*
- Wilbur Holloway*
- Robert Mounts*
- Gabe Kaimowitz*
- Sharon Bauer*
- Sandra Braden*

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

[180348.](#)

Third Quarter Amendment through June 30, 2018 to the FY 2018-2019 General Government Financial and Operating Plan (B)

Resolution No. 180348

A Resolution of City Commission of the City of Gainesville, Florida; relating to its general government budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018; amending Resolution No. 170380, as amended by Resolution No. 170852 and Resolution No. 180055, by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

Chris Quinn spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed resolution.

A motion was made by Commissioner Arreola, seconded by Commissioner Ward, that this Matter be Adopted (Resolution). 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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

[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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Continued to November 1, 2018.

[180104.](#)**Text Change - Amending Tax Increment Calculation for the College Park/University Heights CRA District (B)**

Ordinance No. 180104

An ordinance amending Section 2-413 titled College Park/University Heights CRA; trust fund, of the City of Gainesville Code of Ordinances; by revising the method of calculating Alachua County's tax increment contribution to the trust fund; 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 Arreola, seconded by Commissioner Warren, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 4 - Commissioner Ward, Commissioner Arreola, Commissioner Warren, and Commissioner Johnson

Nay: 1 - Mayor-Commissioner Pro Tem Hayes-Santos

Absent: 2 - Mayor Poe, and Commissioner Simmons

ORDINANCES, 2ND READING - ROLL CALL REQUIRED[171006.](#)**Voluntary Annexation - 3.85 Acres of Property Located at 5200 SW 41st**

Boulevard (B)

Ordinance No. 171006

An ordinance of the City of Gainesville, Florida, annexing approximately 3.85 acres of privately-owned property that is generally located at 5200 SW 41st Boulevard, west of Interstate 75 and north of SW Williston Road, 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.

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 Final Reading (Ordinance). 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

[171037.](#)

Voluntary Annexation - 1.36 Acres of Property east of North Florida Regional Medical Center (B)

Ordinance No. 171037

An ordinance of the City of Gainesville, Florida, annexing approximately 1.36 acres of privately-owned property that is generally located on the NW corner of W Newberry Road and NW 61st Terrace and east of the North Florida Regional Medical Center, 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.

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 Final Reading (Ordinance). 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

180028. Quasi-Judicial - Historic Property Tax Exemption - 410 SE 7th Street (B)

Ordinance No. 180028

An ordinance of the City of Gainesville, Florida, finding that property located at 410 SE 7th Street, 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.

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

Absent: 2 - Mayor Poe, and Commissioner Simmons

PLANNING PETITIONS

180304. Tanglewood Cluster Subdivision Design Plat (B)

Petition DB-18-56. CHW. Design Plat Review for a Cluster Subdivision located between Tower Road and SW 20th Avenue.

RECOMMENDATION *Staff to Development Review Board - Approve Petition DB-18-56.*

Development Review Board to City Commission - Approve Petition DB-18-56 (Vote 5-0)

Staff to City Commission - Approve Petition DB-18-56

Withdrawn

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

COMMISSION COMMENT

Commissioner Ward - Thank colleagues for election to the CRA Board.

Motion by Commissioner Ward, seconded by Commissioner Warren: Schedule a half-day workshop on the Land Development Code/Comprehensive Plan overview. Motion passed 5-0. Mayor Poe and Commissioner Simmons absent.

Motion by Commissioner Warren: Prevention of gentrification in Pleasant Street/5th Avenue neighborhood (put policy back in code for our downtown area). Motion died for lack of a second.

Commissioner Warren: Empowerment Advisory Board - County will be discussing what is the role and goals of the facilities (homeless).

Motion by Commissioner Warren, seconded by Commissioner Johnson: Direct staff to see what other cities are doing to prevent gentrification and report back. Motion passed 5-0. Mayor Poe and Commissioner Simmons absent. Robert Mounts spoke to the matter.

Commissioner Arreola - Update from staff on Community ID Program. Anthony Lyons and Nicolle Shalley spoke to the matter.

Motion by Commissioner Arreola, seconded by Commissioner Johnson: Add Community ID Program to the GPC agenda for an update on October 11, 2018. Motion passed 5-0. Mayor Poe and Commissioner Simmons absent.

Commissioner Arreola - Use our facilities for after-school programs, especially under-utilized facilities.

Mayor-Commissioner Pro Tem Hayes-Santos: Library Partnership working on additional programs for children.

Commissioner Ward: 1) Empowerment Center Advisory Board - most/least effective thing we do. Gives those on board great opportunity to converse, but definitely bogs down the process without full boards represented. There's value, but not sure how to make it work better; 2) Gentrification - discern what we mean by it. Seven of us may have seven different definitions. We want good neighborhoods without people being forced out. Hopes to come out of that meeting (re: gentrification) with what it means and how we come to address it.

Commissioner Johnson - 1) Joint School Board/City meetings; 2) clarification on LDC meeting; and 3) gentrification.

Commissioner Arreola left the meeting at 7:12 PM.

Motion by Commissioner Warren, seconded by Commissioner Ward: Have a workshop on November 13, 2018, at 3:00 PM on Empowerment Center and Homelessness. Commissioner Warren will invite someone from Continuum of Care. Motion passed 4-0. Mayor Poe, Commissioner Simmons and Commissioner Arreola absent. Sus Anstell spoke to the matter.

Commissioner Warren - Gentrification (mix of whole income ranges for housing).

Motion by Commissioner Ward, seconded by Commissioner Johnson: Refer to the GPC Criminal Justice Reform, possibly to be heard in November. Motion passed 4-0.

Mayor Poe, Commissioner Simmons and Commissioner Arreola absent.

Motion by Commissioner Ward, seconded by Commissioner Warren: Refer to the GPC protecting our creeks through land acquisition. Motion passed 4-0. Mayor Poe, Commissioner Simmons and Commissioner Arreola absent.

ADJOURNMENT - 7:27 PM