

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

November 21, 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)
Mayor-Commissioner Pro Tem Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 1:00 PM

AGENDA STATEMENT

ROLL CALL

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

INVOCATION

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

Modification: Move Item No. 190273 to the Regular Agenda.

Yvette Carter spoke to the matter.

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

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

Absent: 2 - Commissioner Johnson, and Mayor Poe

[190659.](#)

City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes November 6 and November 7, 2019 (2).*

Approved as Recommended

[190617.](#)

Contract Award to Vertex Data Utility Services, LLC for Bill Payment and Presentment Services (B)

This item is a request to approve the recommended award and execute a contract with Vertex Data Utility Services, LLC for Utility Bill printing, mail, electronic presentment, payment processing, and customer self-service.

RECOMMENDATION *The City Commission authorize the GRU General Manager or designee to execute a contract with Vertex Data Utility Services, LLC, for Bill Payment and Presentment Services, subject to approval by the City Attorney as to form and legality.*

On November 14, 2019, the UAB approved this on their

consent agenda in a 6-0 vote, with Member Rockwell absent.

Approved as Recommended

[190595.](#)

Purchase of One (1) Zero-Emission Battery Electric Bus (B)

RECOMMENDATION

The City Commission authorize the City Manager or his authorized designee to execute a contract and any necessary associated documents with Gillig LLC for the purchase of one (1) Zero-Emission Battery Electric Bus, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

[190623.](#)

Trade-in and Purchase of New Golf Carts for Ironwood Golf Course (B)

Request to purchase new golf carts using a cooperative purchasing agreement.

RECOMMENDATION

The City Commission 1) approve the purchase of a new fleet of golf carts for Ironwood Golf Course by piggybacking off the OMNIA Partners' NIPA Contract R161101 with EZGO Division of Textron, Inc., and 2) authorize the City Manager or designee to issue a purchase order in an amount not to exceed \$180,027.94.

Approved as Recommended

[190631.](#)

First Amendment to the Contract for Mowing and Grounds Maintenance of the City of Gainesville's Rail Trail (B)

Request to approve addition to contract for maintenance of the Rail Trail.

RECOMMENDATION

The City Commission approve the continuance of this contract.

Approved as Recommended

[190634.](#)

Human Resources Policy E-9, Workplace Violence Prevention (B)

RECOMMENDATION

The City Commission adopt Human Resources Policy E-9, Workplace Violence Prevention.

Approved as Recommended

[190651.](#)

Jerome Fleming and Deanna Fleming v. City of Gainesville; Case No. 2019-CA-512; 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 Jerome Fleming and Deanna Fleming, arising from an accident that occurred on or about September 6, 2016.

Approved as Recommended

[190653.](#)

Amicus Brief re Yanes v. O.C. Food & Beverage, LLC, Case No. 18-CA-003554-O, Regarding State Pre-emption of Local Human Rights Ordinances (B)

RECOMMENDATION

The Equal Opportunity Director requests the City Commission authorize the City Attorney to join with the City of Miami Beach and Orange County in filing an amicus brief on behalf of the appellants in Yanes v. O.C. Food & Beverage, LLC.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modification: Move Item No. 190273 after Item No. 190609.

Jim Konish spoke to the matter.

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

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

Absent: 2 - Commissioner Johnson, and Mayor Poe

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

- Mark Sexton*
- Debbie Martinez*
- Bob Chunev*
- James Thompson*
- Karen Meiselas*
- Jim Konish*

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

[190609.](#)

Ratification of Amendments to the Agreement Between the International Association of Firefighters (IAFF), Local 2157, Professional Firefighters Bargaining Unit and the City of Gainesville for October 1, 2018 through September 30, 2021 (B)

This item is to ratify amendments to the three year successor agreement between the City and the IAFF Professional Firefighters Bargaining Unit.

Tracey Higdon, IAFF representative spoke to the matter.

RECOMMENDATION *The City Commission ratify the amendments to the Agreement between the International Association of Firefighters (IAFF), Local 2157, Professional Firefighters Bargaining Unit and the City of Gainesville, through September 30, 2021.*

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

Absent: 2 - Commissioner Johnson, and Mayor Poe

[190631](#)

Request to Rename Tumblin Creek Park (B)

This is a request to rename Tumblin Creek Park, located at 600 SW Depot Avenue, to “Cora P. Roberson Park”.

Amendment: Applicant adopt the park agreement.

Steve Phillips, Director of Parks, Recreation and Cultural Affairs spoke to the matter.

Yvette Carter and Gwendolyn Saffo spoke to the matter.

Commissioner Johnson arrived at 1:43 pm.

RECOMMENDATION *The City Commission approve the request to rename Tumblin Creek Park at 600 SW Depot Avenue to “Cora P. Roberson Park”.*

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

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

Absent: 1 - Mayor Poe

[190564.](#)**Old Fire Station #1 Rental and Adaptive Reuse Draft Invitation to Negotiate (B)**

Sarit Sela, City Architect gave a presentation.

Mayor Poe arrived at 1:52 pm.

RECOMMENDATION *Provide direction/feedback regarding the Invitation to Negotiate (ITN) criteria for Old Fire Station #1, 427 S Main St, Gainesville, FL 32601, Rental & Adaptive Reuse.*

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

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

[190632.](#)**Alachua County Event Center (B)**

Mark Sexton, Communications and Legislative Director for Alachua County spoke to the matter.

RECOMMENDATION *The City Commission discuss the Alachua County Event Center and take appropriate action.*

Discussed

[190645.](#)**Commissioner Harvey Ward - Youth and Senior Fares on RTS (B)**

Motion: 1) Apply for Children's Trust grant. Motion passed 7-0; and 2) Direct the City Manager to identify a funding source to implement the senior prepaid program as soon as possible. Motion failed 2-5. Mayor-Commissioner Pro Tem Ward and Commissioner Simmons in support.

Malisa McCreedy, Director of Mobility spoke to the matter.

Fred Murry, Assistant City Manager spoke to the matter.

Kristen Young spoke to the matter.

Mr. Feldman will bring the practical/implementation funding; and a source for it to the Commission.

RECOMMENDATION *The City Commission discuss and take action deemed appropriate.*

Approved, as shown above

COMMISSION COMMENT

Motion by Commissioner Arreola, seconded by Mayor-Commissioner Pro Tem Ward: Authorize staff to schedule a Youth Political Forum. Motion passed 7-0.

Mayor-Commissioner Pro Tem Ward - Asked that the Town Hall District II meeting be rescheduled from 5:30 pm to 6:00 pm. No objection.

Commissioner Simmons - Asked for census update from staff. Mr. Feldman will provide.

Mayor Poe - spoke to the open letter to School Board.

Motion by Commissioner Warren, seconded by Commissioner Johnson: Sign letter as a City Commission body.

Mayor Poe tabled until end of Commission Comment.

Recess - 3:58 PM

Reconvene - 4:05 PM

TIME CERTAIN - 4:00 PM

190649.

Commissioner Warren - Consider a Proclamation Recognizing that We Are In a State of Climate Emergency (B)

Motion: 1) Work with staff to create a proclamation and a resolution declaring a climate emergency; 2) Work on how to integrate those with our Comprehensive Plan and other City policies, focusing on racial disparity and equity; and 3) Create a dashboard showing our carbon footprint.

Jay Rosenbeck, Jeffrey Shapiro, Jim Konish, NKwanda Jah, Bob Tancig and Hannah Bunkin spoke to the matter.

RECOMMENDATION

1) The City Commission discuss adding a declaration of climate emergency to our policies; and 2) Staff look into how the issues of climate change/climate emergency could be partnered with our racial disparity and equity policies.

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

RECESS - 4:34 PM

RECONVENE - 5:34 PM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[190679.](#) **Native-American Heritage Month (NB)**

RECOMMENDATION *The City Commission hear the Special Recognition.*

Heard

[190646.](#) **Arbor Day - January 17, 2020 (B)**

RECOMMENDATION *City Beautification Board Chair Mary Lou Hildreth to accept the proclamation.*

Heard

[190647.](#) **National Hospice and Palliative Care Month - November 2019 (B)**

RECOMMENDATION *Haven Hospice Manager of Physician Referral Todd C. Martin to accept the proclamation.*

Heard

[190648.](#) **Rosa Parks Day - December 1, 2019 (B)**

RECOMMENDATION *Rosa Parks Executive Board Founder and President Reverend Milford Griner, RPQCC Vice-President Dr. Karen Cole-Smith, Vice-President Vivian Filer, Secretary Erma Sams and Chaplain Reverend Mary L. Mitchell 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

Nathan Skop
Dock Gordon
Gabe Kaimowitz
Don Fields

Donald Shepherd
 Wilbur Holloway
 Christina Fields
 Jim Konish
 Mark Van Soestbergen

RESOLUTIONS - ROLL CALL REQUIRED

180965.

Resolution Supporting HR 109 Commonly Known as the Green New Deal (B)

This is a request for the City Commission to adopt a resolution of the City Commission of the City of Gainesville, Florida, imploring the U.S. Congress to pass House Resolution 109 and create a Green New Deal.

Nathan Skop, Wilbur Holloway, Roberta Gastemeyer and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission adopt the Resolution of the City Commission of the City of Gainesville, Florida, imploring the U.S. Congress to pass House Resolution 109 and create a Green New Deal.

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

190657.

Confirming that Race and Equity is a Core Value that will be Incorporated into the Updated Version of the Comprehensive Plan (B)

Resolution No. 190657

This is a request for the City Commission to adopt a resolution of the City Commission of the City of Gainesville, Florida, confirming that race and equity is a core value that will be incorporated into the updated version of the Comprehensive Plan.

Amendment: Add exclusionary zoning, (pg. 2) after including redlining, and before restrictive racial covenants.

Wilbur Holloway, Nathan Skop and Donald Shepherd spoke to the matter.

RECOMMENDATION

The City Commission adopt the proposed resolution.

A motion was made by Commissioner Johnson, seconded by Commissioner

Hayes-Santos, that this Matter be Adopted (Resolution) with Amendment. 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

Nay: 1 - Commissioner Simmons

PUBLIC HEARINGS

[190291.](#)

Reclassify SW 2nd Street from a Storefront Street to a Local Street (B)

Petition PB-19-72 ZON. CHW. Reclassify the Urban Zone Street designation of SW 2nd Street between SW 2nd Avenue and SW 4th Avenue from Storefront street to Local street.

Modification: Approve the petition and designate the portion of SW 2nd Avenue to SW 2nd Place, along SW 2nd Street as a local street and everything south of SW 2nd Place down to SW 4th Avenue as a storefront street.

Jason Simmons, Planner 1 gave a presentation.

Craig Brashier, applicant gave a presentation.

Nathan Skop, Donald Shepherd and Jo Beaty spoke to the matter.

Andrew Persons, Interim Department of Doing Director spoke to the matter.

RECOMMENDATION

Plan Board voted to deny 7-0. August 2019.

Staff to City Commission-Staff recommends approval of Petition PB-19-72 ZON.

Staff to City Plan Board-Staff recommends approval of Petition PB-19-72 ZON.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Simmons, Approve Petition with Modification. The motion carried by the following vote:

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

Nay: 1 - Mayor Poe

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[190514.](#)

Appendix A - Schedule of Fees, Rates and Charges for Utilities Relating to Rental Fees for Public Streetlight Fixtures, Outdoor Light Fixtures, Public Streetlight Poles, and Poles Supporting Rental Light Fixtures (B)

Ordinance No. 190514

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances relating to Appendix A, Schedule of Fees, Rates and Charges for Utilities; by amending the fees for rental of: public streetlight fixtures, outdoor light fixtures, public streetlight poles, and poles supporting rental light fixtures; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Nathan Skop and Donald Shepherd spoke to the matter.

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

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

[190171.](#)

Text Change - Amending the Land Development Code to Clarify that Parking Structures Have No Max Limit on Parking Spaces (B)

Ordinance No. 190171

An ordinance of the City of Gainesville, Florida, amending Section 30-7.3 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to clarify that parking structures have no maximum limit on the number of parking spaces allowed; 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.*

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

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

ORDINANCES, 1ST 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.

RECOMMENDATION

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

Continued

190533.**Land Use Change - 1,778 Acres of Property Known as Plum Creek (B)**

Ordinance No. 190533

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 1778 acres of property generally located north of U.S. 441 and NW 74th Place, east and west of SR 121 and CR 231, and south of NW 121st Avenue, as more specifically described in this ordinance, from Planned Use District (PUD), Residential Low-Density (RL), Single-Family (SF), and Conservation (CON) to Agriculture (AGR); deleting policy 4.3.4 of the Comprehensive Plan Future Land Use Element pertaining to Plum Creek Development Company; deleting "Plum Creek SR-121 PUD and Underlying Future Land Use" map from the Future Land Use Map Series in the Future Land Use Element; 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.

Withdrawn

190534.**Quasi-Judicial - Rezoning 1,778 Acres of Property Known as Plum Creek (B)**

Ordinance No. 190534

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 1778 acres of property generally located north of U.S. 441 and NW 74th Place, east and west of SR 121 and CR 231, and south of NW 121st Avenue, as more specifically described in this ordinance, from Alachua County Agriculture (A) district to City of Gainesville Agriculture (AGR) 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.*

Withdrawn

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

COMMISSION COMMENT

Mayor-Commissioner Pro Tem Ward: 1) Electric bus purchase; and 2) Advisory Boards.

Commissioner Hayes-Santos - School Board open letter.

Commissioner Warren - Commented writing a version of the letter, removing names and specific positions.

Mayor Poe - Motion on floor is to sign a letter on behalf of the Commission.

Commissioner Warren withdrew her motion.

Commissioner Hayes Santos would like to place on the next agenda and include in the letter why this is a city issue, and why the Commission is speaking to it, and how educational disparities affect our community.

Mayor Poe will put this on the next agenda as a discussion item in the afternoon and invite any Commissioner that would like to submit their own draft of a letter that they would like the Commission to consider approving and will read those before the meeting and have a conversation on how to proceed.

ADJOURNMENT - 8:13 PM