

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

April 9, 2019

7:00 PM

Joint City Commission/UF Student Government Special Meeting

Senate Chambers - Ground Floor of Reitz Union

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)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352)334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

CALL TO ORDER**AGENDA STATEMENT**

"Citizens are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 (three) minutes per agenda item. Additional time may be granted by the Mayor or by the City Commission as directed. The City of Gainesville encourages civility in public discourse and requests that speakers limit their comments to specific motions and direct their comments to the Chair. Signs or Props are not permitted in the meeting room. Citizens are encouraged to provide comments in writing to the Clerk of the Commission before meetings and/or during meetings for inclusion into the public record. Citizens may also provide input to individual commissioners via office visits, phone calls, letters and e-Mail, that will become public record. In some instances, i.e., Quasi-Judicial Hearings, these particular contacts may be prohibited.

ROLL CALL**ADOPTION OF THE AGENDA****BUSINESS DISCUSSION ITEMS**[180653.](#)**Renters' Rights and Responsibilities (B)**

Explanation: On January 15th, the Rental Housing Subcommittee discussed this item and directed staff to report back on the following topics: 1) Arbitration or mediation programs for landlord/tenant disputes; 2) Tenant bill of rights and responsibilities; 3) Landlord/tenant education program; 4) Mandatory disclosure of City Code occupancy limits; 5) Amending the City's Fair Housing Code provisions to include prohibiting discrimination in rental of housing based on income source and immigration status; and 6) Landlord mitigation fund options. Staff from the City Manager's Office, Code Enforcement, Equal Opportunity and the City Attorney's Office prepared the memorandum provided in the back-up in response to the Subcommittee's request.

RECOMMENDATION

Joint UF Student Government and City
Commission discuss

Legislative History

1/15/19	Rental Housing Subcommittee	Approved, as shown above
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[180653_Renters' Rights and Responsibilities_20190402.pdf](#)

[170487.](#)**Ordinance Prohibiting the Use of Expanded Polystyrene Containers and Single-Use Carry Out Plastic Bags (B)**

ORDINANCE NO. 170487

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to prohibit the use of expanded polystyrene containers and single-use carry out plastic bags by creating a new Division 4 within Article III of Chapter 27; by amending Section 2-339 to provide a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date and an enforcement date.

Explanation: At the General Policy Committee Meeting of October 26, 2017, the City Attorney was directed to draft an ordinance prohibiting the use of expanded polystyrene containers and single-use carry out plastic bags. The City Attorney drafted an ordinance and coordinated with City staff regarding the substance and implementation of the draft ordinance.

The City Attorney has advised the City Commission that Sections 403.7033 and 500.90, Florida Statutes, currently preempt the City from regulating plastic bags and expanded polystyrene containers; however, that preemption has been ruled unconstitutionally vague by a circuit court in Miami-Dade County. That decision has been appealed to the Third District Court of Appeals.

At the City Commission Meeting of December 6, 2018, the City Commission discussed the draft ordinance with certain revisions proposed by Commissioner Hayes-Santos. The Commission directed the ordinance with revisions be placed on the January 3, 2019 agenda for first reading.

The proposed ordinance prohibits food and retail establishments from providing expanded polystyrene containers or single-use carry out plastic bags to its customers, with limited exceptions for prepackaging and food safety. The ordinance also prohibits permittees of special events at City facilities from utilizing such containers or bags. The ordinance provides for a delayed enforcement date of August 1, 2019.

This ordinance requires two hearings and shall become effective immediately upon adoption.

RECOMMENDATION

Joint UF Student Government and City Commission discuss.

Legislative History

10/26/17	General Policy Committee	Approved, as shown above
8/6/18	City Commission	Approved, as shown above
12/6/18	City Commission	Approved, as shown above
1/3/19	City Commission	Adopted on First Reading (Ordinance)
1/17/19	City Commission	Adopted on Final Reading (Ordinance)

[170487_Zero Waste_20171026_.pdf](#)
[170487_Zero Waste Presentation_20171026.pdf](#)
[170487_Single-Use Plastic Bags Ordinance -2017-13 - Coral Gables Signed_20171026.pdf](#)
[170487_Prohibition of Expanded Polystyrene Signed Ordinance 2016-08 - Coral Gables Signed_20160808.pdf](#)
[170487A_Joint COGAC ZerowastePPT_20180806.pdf](#)
[170386_RESOLUTION_20180322.pdf](#)
[170386B_Resolution_20180322.pdf](#)
[170386C_Zero Waste Proposal Presentation_20180322.pdf](#)
[170386D_draft ordinance for discussion_20180322.pdf](#)
[170386A_Zero Waste Budget and Timeline Memo_20180419pdf.pdf](#)
[170386B_Draft Resolution Declaring Gainesville Zero Waste Community_20180419.pdf](#)
[170487A_Zero Waste New Slides_20181206.pdf](#)
[170487B_Joint COGAC Zerowaste5ppt170x_20181206.pdf](#)
[170487_Styrofoam and Plastic Bag Ordinance 12-6-18 \(Adrian Hayes-Santos V\)](#)
[170487_Polystyrene and plastic bag ordinance_20190103.pdf](#)
[170487_draft ordinance_20190117.pdf](#)
[170487_Ordinance_20190117.pdf](#)

[180939.](#)

Sexual Assault (NB)

Explanation: Reporting process between the University of Florida Police Department and the Gainesville Police Department.

Fiscal Note: None

RECOMMENDATION

Joint UF Student Government and City Commission discuss.

PUBLIC COMMENT

MEMBER COMMENT

ADJOURNMENT