

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

October 18, 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)

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 - 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

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

Modification: Move Item No.180386 from the consent agenda to the regular agenda (afternoon session).

Gabe Kaimowitz and Jo Beaty spoke to the matter.

A motion was made by Commissioner Warren, seconded by Commissioner Johnson, that this Matter be Adopted on the Consent Agenda 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

[180454.](#) **City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of September 20 and October 4, 2018.*

Approved as Recommended

[180452.](#) **Non-Compliance with Attendance Requirements (B)**

RECOMMENDATION *The City Commission approve the removal of Ghaith N. Majeed from the Gainesville Art in Public Places Trust (APPT), effective immediately.*

Approved as Recommended

[180453.](#) **Appointments to the City Commission Advisory Boards and Committees (B)**

RECOMMENDATION *The City Commission appoint: Kathryn Crummer to the Nature Centers Commission for a term to expire 11/1/2021*

Layne Prebor to the Student Community Relations Advisory Board as a Non-Student Voting Member for a term to expire 9/30/2020.

Approved as Recommended

[180469.](#)

Resignation of David Denslow from the Utility Advisory Board (B)

RECOMMENDATION *The City Commission accepts the resignation of David Denslow, effective immediately.*

Approved as Recommended

[180417.](#)

City Commission/Utility Advisory Board Joint Meeting (NB)

RECOMMENDATION *The City Commission approve a City Commission/Utility Advisory Board joint meeting for October 30, 2018, at GRU's Multi-Purpose Room.*

Approved as Recommended

[180443.](#)

GRU Operational Updates for the Months of July, August and September 2018 (B)

RECOMMENDATION *Receive GRU's operational updates for the months of July, August and September 2018.*

Approved as Recommended

[180416.](#)

Voluntary Annexation Petition for 4.38+/- Acre Parcel South of NW 39th Avenue (B)

This is the submission of a petition for voluntary annexation of parcel 06111-005-000 which is owned by Nimba Partners, LLC. This is a vacant parcel. The total annexation area is approximately 4.38+/- acres and is located on NW 39th Avenue between parcel 6112-010-046 and parcel 06111-005-000.

RECOMMENDATION *The City Commission: 1) receive the petitions for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.*

Approved as Recommended

[180415.](#)

Archer Health Voluntary Annexation Petition for Properties Located Near SW Archer Road and SW 50th Street (B)

This is the submission of a petition for voluntary annexation of tax parcels 06932-000-000 and 069031-000-000, which are owned by Carolyn S. Yoho Trustee and Judith W. R. Steffen respectively. There is one single-family dwelling unit on the Steffen parcel. The total annexation area is approximately 2.94+/- acres and is located on the northeast corner of SW Archer Road and SW 50th Street and 4311 SW 50th Street, adjacent to the Gainesville Health Care Center nursing home.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modifications: 1) Move Item No. 180442 to the first resolution; and 2) add Commission Comment to afternoon session.

Jim Konish, Robert Mounts, Jo Beaty and Gabe Kaimowitz spoke to the matter.

A motion was made by Commissioner Ward, seconded by Commissioner Warren, 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

Mayor Poe arrived at 1:20 PM.

- Jim Konish*
- Gabe Kaimowitz*
- Billy Rohan*
- Jo Beaty*
- Gina Peebles*
- Jessica Herov*
- Jon DeCarmine*
- Virginia Herschek*
- Beverly Craig*
- Walter Williard*

Commissioner Ward spoke about Airbnb, GRACE Marketplace and Northwood Pines

dog attack.

Ed Bielarski responded to Mr. Konish's remarks.

Commissioner Johnson - spoke about lights at park, dog issue.

Mayor-Commissioner Pro Tem Hayes-Santos - spoke about skatepark, local statistics on airbnb's (regulated with landlord rental licenses).

Commissioner Arreola - Read remarks from Dr. Denslow.

Commissioner Warren - Shout out to Billy Rohan, Airbnb regulations, dog issue and GRACE Markeplace.

Mayor Poe - Staff memo to Commission (what it takes to put lighting up and associated costs).

Nicolle Shalley said GPD is handling animal control.

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

[180451.](#)

Appointments to the Development Review Board and City Plan Board (B)

Motion by Commissioner Arreola, seconded by Commissioner Warren: Appoint Christian Newman to the City Plan Board. Motion passed 7-0.

Debra Neill-Mareci introduced herself as an applicant for the Development Review Board.

Motion by Commissioner Warren, seconded by Commissioner Ward: Appoint Debra Neill-Mareci to the Development Review Board. Motion passed 7-0.

RECOMMENDATION

The City Commission interview and appoint members to the Development Review Board and City Plan Board.

Approved, as shown above

[180456.](#)

University of Florida-City of Gainesville Research Projects - Community Showcase Update (B)

Anthony Lyons recognized Ori Baber.

Ori Baber introduced himself.

Mayor Poe spoke to the matter.

Bobby Griffith spoke to the matter (showed videos).

Chief Hillhouse spoke to the matter.

Ariel Bach spoke to the matter.

Commissioner Johnson spoke to the matter.

Commissioner Ward spoke to the matter.

Mayor-Commissioner Pro Tem Hayes-Santos spoke to the matter.

Gabe Kaimowitz spoke to the matter.

Gabe Kaimowitz and Walter Williard spoke to the matter.

RECOMMENDATION *The City Commission hear an update regarding the University of Florida-City of Gainesville Research Projects - Community Showcase held on October 9th.*

Heard

[170667.](#)

Equal Opportunity Director Employment Agreement (B)

Lisa Jefferson spoke to the matter.

Motion: Appoint Teneeshia Marshall as the Equal Opportunity Director, and if negotiations are not successful, offer the position to the second candidate Dr. Bridget Lee.

Gabe Kaimowitz spoke to the matter.

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

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

[180474.](#)

Nomination by the Alachua County School Board of Theresa Spurling-Wood as a Non-Voting Member of the Utility Advisory Board (NB)

RECOMMENDATION *Accept the nomination of Alachua County Schools employee Theresa Spurling-Wood as a non-voting member of the Utility Advisory Board.*

Approved as Recommended

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

Absent: 1 - Commissioner Johnson

[180386.](#)

Notice of Intent to Award GRU 2018-130 Implementation Services for SAP Contact Center (B)

****This item was presented to the UAB on 10/11/18.****

Bill Shepherd spoke to the matter.

Jo Beaty, Gabe Kaimowitz and Walter Williard spoke to the matter.

RECOMMENDATION

Staff recommends that the City Commission:

- 1. Approve Contractor for professional implementation services for the Contact Center Implementation Project; and*
- 2. Authorize the General Manager, or his designee, upon successful negotiations, to execute a contract with the top ranked firm, subject to approval of the City Attorney as to form and legality, and final appropriation of funds for each year of the project.*

The UAB voted 5-0, with Member Wheeler absent, to recommend that the City Commission approve the staff recommendation.

A motion was made by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Warren to Approve as Recommended. The motion carried by the following vote:

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

COMMISSION COMMENT

Mayor-Commissioner Pro Tem Hayes-Santos: 1) Doesn't think the GPC meetings are working (discuss during Commission rules and referrals at the GPC meeting); and 2) Discuss the Clerks budget staffing (what we hire is what we want) (need more help on the policy side).

Motion by Mayor-Commissioner Hayes-Santos, seconded by Commissioner Simmons: Clerk to schedule a community meeting in District 1 before November 15, 2018 on Zero Waste. Motion passed 7-0.

Commissioner Ward - 1) Dog issue (City's processes syncing with the County processes and get action on reports faster); and 2) Metro Lab conference.

Commissioner Simmons - GPD process/protocols (wants information upfront).

Commissioner Arreola - 1) Standard for GPC meetings on how groups address GPC; and 2) how to handle public policy going into the next year.

Commissioner Johnson - Concern about processes (See something codified; procedures on how to address GPC Committee and Commission).

Anthony Lyons spoke to the matter about processes.

Nicolle Shalley spoke to the matter about rules (new rule #5).

RECESS - 4:24 PM

RECONVENE - 5:31 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.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS/SPECIAL RECOGNITIONS

[180352.](#)

Character Counts Week (B)

Tidus Moore accepted the proclamation.

RECOMMENDATION

PRCA - Foundations Academy recipients to accept the proclamation.

Heard

[180353.](#)

United Nations Day (B)

Honoree accepted the proclamation.

RECOMMENDATION

Massuma Downie to accept the proclamation.

Heard

[180437.](#)

Pride Day (B)

Terry Flemming accepted the proclamation.

RECOMMENDATION

Terry Fleming and Catherine Dearlove to accept the proclamation.

Heard

[180455.](#)

Domestic Violence Awareness Month (B)

Theresa Beachy accepted the proclamation.

RECOMMENDATION Theresa Beachy, Joann Wilkes, Joe Johnson, Lyn Williams and Michelle Bloom-Lugo to accept the proclamation.

Heard

[180463.](#) Florida City Government Week (B)

Carlos Holt accepted the proclamation.

RECOMMENDATION A representative 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
- Vivian Filer
- Ms. Rentz
- Darlene Pifalo
- Tana Silva
- Gabe Kaimowitz
- Sharon Bauer
- Nancy Daren

PUBLIC HEARINGS

RESOLUTIONS - ROLL CALL REQUIRED

[180442.](#) Resolution to Provide Energy from 100 Percent Renewable Sources to the City of Gainesville by 2045 (B)

A Resolution of the City Commission of the City of Gainesville, Florida, establishing a goal of providing 100 percent of the city’s energy from renewable resources by 2045.

Jo Beaty and Robert Mounts spoke to the matter.

RECOMMENDATION Staff recommends that the City Commission adopt the proposed Resolution.

The UAB recommends that the City Commission adopt the proposed Resolution with modifications as outlined in the attachment titled "UABs Proposed Modifications."

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

ORDINANCES, 1ST READING - ROLL CALL REQUIRED

TIME CERTAIN - 6:30 PM

[180199](#)

Comprehensive Plan Amendment - Amending Future Land Use Element to Incentivize Affordable Housing (B)

Ordinance No. 180199

An ordinance of the City of Gainesville, Florida, amending Objective 1.1 and its policies and Policy 4.1.1 of the Future Land Use Element of the City of Gainesville Comprehensive Plan to address and incentivize the provision of affordable housing; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Wendy Thomas and Andrew Persons made presentations.

Motion: 1) Continue item to November 29, 2018 at 6:00 PM to allow for community meetings about Gainesville Rise, as well as to get feedback from the community to the Commission from those meetings; and 2) reschedule District One workshop to the weekend.

Robert Mounts, Virginia Mauer, Liz Horn, Gary Gordon, Arnall Downs, Lynn Holt, George Elmore, Mark Goldstein, Lizzy Linear, Brian Eastman, Heather Doer, Maureen Reshley, Brendan Beck, Ann Haisley, Maria Huff-Edwards, Jeff Hayes, Kali Blount, Janet Burke, Betty Smokleitus, Mike Rayborn, Janice Garrett, Lee Malis, Tana Silva, Sharon Bauer, David Forsoathe, Nancy Daren, JoAnn Orth, Cindy Gordon, Dave Wilson, Abe Goldman, Faye Williams, Stanley Shuman, Reina Saco and Telford Cartwright spoke to the matter.

Motion by Mayor-Commissioner Pro Tem Hayes Santos, seconded by Commissioner Warren to waive the rules and extend the meeting until 10:30 PM. Motion passed 7-0.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Johnson, seconded by Commissioner Ward, that this Matter be Continued to November 29, 2018. 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

RESOLUTIONS - ROLL CALL REQUIRED

[180215.](#)

Resolution - Commission Rules (B)

Resolution No. 180215

A resolution amending and restating in its entirety the rules of the City Commission; providing a repealing clause and providing an immediate effective date.

Modifications: 1) Change the language from citizen comment to public comment; and 2) clarification on Mayor-Pro tem throughout the process.

RECOMMENDATION *Adopt the Resolution.*

A motion was made by Mayor-Commissioner Pro Tem Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted (Resolution) as modified. 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

[180449.](#)

A Resolution of the City Commission of the City of Gainesville, Florida authorizing amendments to the interest rate formula of the loan evidenced by the Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project) Series 2017A and 2017B issued for the benefit of Oak Hammock at the University of Florida, Inc. a Florida not-for-profit corporation. (B)

Resolution No. 180449

A Resolution of the City Commission of the City of Gainesville, Florida authorizing the execution of an amendment to the Financing Agreement originally entered into in connection with the issuance of the City of Gainesville, Florida Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project), Series 2017A (the "2017A Note") and the City of Gainesville, Florida Continuing Care Retirement Community Revenue Refunding Note (Oak Hammock at the University of Florida, Inc. Project), Series 2017B (the "2017B Note") for the purpose of providing funds to make a loan to Oak Hammock at the University of Florida, Inc. (the "Borrower") to provide funds to finance the cost of refinancing obligations of the borrower; authorizing certain officials of the City of Gainesville, Florida to take certain action in connection with the amendments; and providing an effective date.

RECOMMENDATION *The City Commission adopt Resolution No. 180449 authorizing an amendment to the Financing Agreement dated as of September 1, 2017 pursuant to which the Continuing Care Retirement Community Revenue Refunding Notes Series 2017A and 2017B were issued and approving of certain other agreements referenced therein.*

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

[180392.](#)**Qualified Target Industry (QTI) Resolution - NextGen Biologics, Inc. (B)**

This item seeks City Commission approval for an amended QTI Resolution associated with prospective job creation for the company's location within the City of Gainesville.

Commissioner Johnson left the meeting at 10:02 PM.

Erik Bredfeldt spoke to the matter.

RECOMMENDATION *The City Commission: 1) adopt the QTI Resolution; 2) authorize the Mayor to execute and the Clerk to attest to the QTI Resolution regarding NextGen Biologics, Inc.; and 3) direct the City Manager to forward the executed QTI Resolution to Enterprise Florida.*

A motion was made by Commissioner Ward, seconded by Commissioner Simmons, that this Matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: 2 - Commissioner Arreola, and Commissioner Johnson

[180393.](#)**Qualified Target Industry (QTI) Resolution - BioMonde (B)**

This item seeks City Commission approval for an amended QTI Resolution previously approved by the City Commission to adjust timing associated with prospective job creation for the location within Gainesville of BioMonde.

RECOMMENDATION *The City Commission: 1) adopt the Amended QTI Resolution; 2) authorize the Mayor to execute and the Clerk to attest to the Amended QTI Resolution regarding BioMonde.; and 3) direct the City Manager to forward the executed Amended QTI Resolution to Enterprise Florida.*

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

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

Absent: 2 - Commissioner Arreola, and Commissioner Johnson

ORDINANCES, 2ND READING - ROLL CALL REQUIRED

[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.

Note: Clerk to have someone send a notification to the County that this process has been completed.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 4 - Mayor Poe, Commissioner Ward, Commissioner Warren, and Commissioner Simmons

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

Absent: 2 - Commissioner Arreola, and Commissioner Johnson

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.

Andrew Persons made a presentation.

Modification: Clarify - specifically putting in the language about the the bike/ped facilities that were in the original motion.

Gerry Dedenbach made a presentation.

Motion by Commissioner Ward, seconded by Commissioner Simmons to waive the rules and extend the meeting to 10:45 PM. Motion passed 5-0. Commissioner Arreola and Johnson absent.

Robert Walpole spoke to the matter.

Motion by Commissioner Ward, seconded by Mayor-Commissioner Pro Tem Hayes-Santos to waive the rules and extend the meeting to 11:00 PM. Motion passed

4-0. Mayor Poe in dissent. Commissioners Arreola and Johnson absent.

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

A motion was made by Commissioner Warren, seconded by Commissioner Simmons, that this Matter be Approved (Petition), as amended. The motion carried by the following vote:

Aye: 3 - Mayor Poe, Commissioner Warren, and Commissioner Simmons

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

Absent: 2 - Commissioner Arreola, and Commissioner Johnson

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

Telford Cartwright

COMMISSION COMMENT

ADJOURNMENT - 10:59 PM