

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Final**

**August 15, 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)*

*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 - 1:06 PM**

**AGENDA STATEMENT**

**ROLL CALL**

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

**MOMENT OF SILENCE**

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

*Nathan Skop and Donald Shepherd spoke to the matter.*

**A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on the Consent Agenda. 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
- Absent:** 1 - Commissioner Simmons

**190261. City Commission Minutes (B)**

**RECOMMENDATION**      *The City Commission approve the minutes of August 1, 2019 (2).*

**Approved as Recommended**

**190163. Appointments to City Commission Advisory Boards and Committees (B)**

**RECOMMENDATION**      *The City Commission appoint:  
Ana Fajardo to the Bicycle/Pedestrian Advisory Board for a term to expire 12/31/2020.*

*Suzanne Kiker to the Gainesville Cultural Affairs Board for a term to expire 9/30/2022.*

*Craig Carter and Marie Small to the Gainesville Housing Authority for full terms to expire 8/1/2023.*

*Zachariah Chou to the Regional Transit System Advisory Board for a term to expire 9/30/2022.*

*Richard German as a Voting Student Member to the Student Community Relations Advisory Board for a term to expire 9/30/2020.*

**Approved as Recommended**

[190192.](#) **Rental Housing Committee Minutes (B)**

RECOMMENDATION      *The City Commission approve the Rental Housing Committee minutes of May 28, 2019.*

**Approved as Recommended**

[190194.](#) **Cancellation of City Commission Meeting (NB)**

RECOMMENDATION      *The City Commission cancel the September 19, 2019 Commission meeting.*

**Approved as Recommended**

[190187.](#) **Joint City Commission/Alachua County School Board Meeting (NB)**

RECOMMENDATION      *The Commission approve a Joint City Commission/Alachua County School Board meeting to be held on November 6, 2019 at 2:00 pm at the School Board District Office Boardroom.*

**Approved as Recommended**

[190112.](#) **Request to Rename a Neighborhood Park to “Unity Park” (B)**

This item involves a request to rename NE 31st Avenue Park located at 1700 NE 31st Avenue to “Unity Park.”

RECOMMENDATION      *The City Commission approve the request to rename the park at 1700 NE 31st Avenue as “Unity Park.”*

**Approved as Recommended**

[190113.](#) **Request to Rename a Neighborhood Park to “Oakview Park” (B)**

This item involves a request to rename Kiwanis/Girl Scout Park located at NW 8th Street & NW 8th Place to “Oakview Park.”

RECOMMENDATION      *The City Commission approve the request to rename Kiwanis/Girl Scout Park located at NW 8th Street & NW 8th Place as “Oakview Park.”*

**Approved as Recommended**

[190160.](#) **Regional Transit System (RTS) Proposed Fall 2019 Transit Service Changes (B)**

This is a request for the City Commission to review and approve the proposed Regional Transit System (RTS) Fall 2019 Service Changes.

**RECOMMENDATION**

*The City Commission: 1) approve the proposed Fall 2019 service changes effective August 19, 2019; and 2) authorize the City Manager or his designee to execute any related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**190180.**

**Interlocal Agreement to Create a Joint Strategic Zero Waste Plan (B)**

Agreement between Alachua County and the City of Gainesville to contract with Kessler Consulting, Inc. to assist in creating a joint strategic plan to move the City and County toward a goal of Zero Waste. The City's share of the Total Projected Budget for this work is \$62,260.

**RECOMMENDATION**

*The City Commission authorize the Charter Officer (or designee) to execute the Interlocal Agreement, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

**190228.**

**Audit of the Internal Control and Data Security for the use of Driver's License and Motor Vehicle Record Data Exchange (B)**

**RECOMMENDATION**

*The City Commission approves the amendment of the FY2019 Annual Audit Plan to include this audit.*

**Approved as Recommended**

**ADOPTION OF REGULAR AGENDA**

*Modification: Add #190265 (Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019 Local Solicitation) to the regular agenda.*

*Jim Konish and Nathan Skop spoke to the matter.*

**A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted. 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

**Absent:** 1 - Commissioner Simmons

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

*Jim Konish  
Nathan Skop  
Donald Shepherd  
Tana Silva  
Dwayne Baines*

*Mayor Poe left the meeting at 1:25 pm.*

*Deborah Bowie spoke to the FOP contract in response to public comment.*

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

**190226. Patticakes on the Plaza Request to Sublease (B)**

*Sarah Vidal Finn gave a presentation.*

*Joseph Di Bartolo spoke to the matter.*

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

**RECOMMENDATION** 1) *City Commission to authorize Interim City Manager to execute Consent to Sublease agreement.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Johnson, that this Matter be Approved as Recommended. The motion carried by the following vote:**

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

**Absent:** 2 - Commissioner Simmons, and Mayor Poe

**190265. Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2019 Local Solicitation (B)**

This is a request for the City Commission to authorize the Gainesville Police Department to submit an Edward Byrne Memorial Justice Assistance Grant FY2019 Local Solicitation application and to accept and execute the grant if awarded.

*Chief Jones spoke to the matter.*

**RECOMMENDATION** *The City Commission 1) authorize the City Manager to apply for, and to accept and execute the grant award and any other necessary documents (interlocal agreement with Alachua County), subject to review by the City Attorney as to form and legality; and 2) approve the expenditures as outlined in the approved grant award.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Warren, that this Matter be Approved as Recommended. The motion carried by the following vote:**

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

**Absent:** 2 - Commissioner Simmons, and Mayor Poe

[180315.](#)

**Broadband Study Next Steps (B)**

*Mayor Poe arrived at 2:45 pm.*

*Claudia Rasnick and Lisa Bennett gave presentations.*

*Donald Shepherd, Jo Beaty, Nathan Skop, Patricia Lee, Dwayne Baines and Maureen Tartaglione spoke to the matter.*

**RECOMMENDATION**      *The City Commission hear the presentation from staff. No action currently required.*

**Discussed**

[190278.](#)

**Notice of Intent to Repeal Ordinance No. 170487 and Ordinance No. 190114 relating to the prohibition of single-use carry out plastic bags and expanded polystyrene containers.**

*Motion: Approve staff recommendation and add a discussion item to the next City Commission meeting to discuss other legal steps the city could take to ban the use of these products on city property and with vendors of the city. Include legislative engagement to push for this issue statewide and allow communications staff to continue messaging to the community to "rethink waste."*

*Nathan Skop, Donald Shepherd and Dwayne Baines spoke to the matter.*

**RECOMMENDATION**      *The City Commission (1) approve the Notice of Intent to repeal Ordinance No. 170487 and Ordinance No. 190114; (2) authorize the Mayor to execute the Notice of Intent; (3) direct the City Attorney to prepare and advertise an ordinance to repeal Ordinance No. 170487 and Ordinance No. 190114 for first reading on September 5, 2019 and second reading on September 12, 2019; and (4) direct the Clerk of the Commission to amend the Call for the Special Meeting on September 12, 2019 to include second reading of the ordinance to repeal Ordinance No. 170487 and Ordinance No. 190114.*

**A motion was made by Commissioner Warren, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Warren, Commissioner Johnson, Commissioner Hayes-Santos, and Mayor-Commissioner Pro Tem Ward

**Nay:** 2 - Commissioner Arreola, and Mayor Poe

**Absent:** 1 - Commissioner Simmons

[190259.](#)

**Commissioner Adrian Hayes-Santos - Discussion of Proposed Tax Levy (NB)**

*Motion: Place on the next Joint City-County meeting an item to discuss the proposed tax levy by Commissioner Hutchinson to address affordable housing, high-speed internet and other issues. Wants staff to provide specific information in the backup to address: how sales tax works and the structure.*

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

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

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

**Aye:** 5 - Commissioner Arreola, Commissioner Warren, Commissioner Johnson, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

**Absent:** 2 - Commissioner Simmons, and Commissioner Hayes-Santos

[190260.](#)

**Mayor Lauren Poe - Steps to Address Non-Violence in the City of Gainesville (NB)**

*Motion: 1) Refer for research a series of recommendations to consider at the local level to address gun violence, including but not limited to: sensible gun laws, universal background checks, waiting periods, a complete ban on assault rifles, gun safety, public (mental) health solutions; and 2) Authorize the mayor to work with other mayors across the country to work together on this issue.*

*Doris Harvey, Donald Shepherd and Dwayne Baines spoke to the matter.*

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

**A motion was made by Mayor-Commissioner Pro Tem Ward, seconded by Commissioner Arreola, that this Matter be Approved, as shown above. 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

**Absent:** 1 - Commissioner Simmons

[190279.](#)

**Commissioner Harvey Ward - Downtown Charrette (NB)**

*Deborah Bowie provided an update on the charrette.*

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

**Discussed**

**COMMISSION COMMENT**

*Commissioner Ward: City of Gainesville budget is available for anyone to go online and view the budget.*

**RECESS - 4:27 PM**

**RECONVENE - 5:32 PM**

**PLEDGE OF ALLEGIANCE**

[190235.](#) **Special Recognition for Samuel Schatz the 2019 Keep Florida Beautiful Outstanding Youth Champion Award Recipient (B)**

RECOMMENDATION *The City Commission hear the Special Recognition.*

**Heard**

[190237.](#) **Celebrate Women 2020 Month - March 2020 (B)**

RECOMMENDATION *Celebrate Women 2020 Coordinators Pamela Smith, Rosalie Miller, Kathleen Culver and Denise Matthews to accept the proclamation.*

**Heard**

[190236.](#) **Special Recognition for Support of Reichert House (B)**

RECOMMENDATION *The City Commission hear the Special Recognition.*

**Heard**

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

*Col. Huckstep  
Robert Mounts  
Gabe Kaimowitz*

*Recess - 6:17 PM*

*Reconvene - 6:20 PM*

*Debbie Martinez  
Adele Franson  
Veronica Robleto  
Bob Cheney  
Darlene Pifalo  
Mark Van Soestbergen  
Pamela Koons  
Ernesto Martinez*

**RESOLUTIONS - ROLL CALL REQUIRED**



[180153.](#)**Community ID Card Program (B)**

*Dan Hoffman spoke to the matter.*

*Nathan Skop, Donald Shepherd, Larry Green, Reina Saco, Veronica Robleto, Robin Levy, David Ruiz and Fran Carter spoke to the matter.*

*Deborah Bowie spoke to the matter*

**RECOMMENDATION**            *The City Commission adopt the Resolution*

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

**Absent:** 1 - Commissioner Simmons

[190184.](#)**Draft Resolution - Federal Immigration Enforcement (B)**

Resolution No. 190184

A resolution of the City of Gainesville, Florida, reiterating the City Commission commitment to being a safe and inclusive Welcoming City; directing Charter Officers to notify the City Commission if a federal, state or local agency requests City staff to comply with an immigration detainer and/or engage in federal immigration enforcement; and consider initiating litigation in the event the City is asked to comply with an immigration detainer and/or engage in federal immigration enforcement; and providing an effective date.

*Motion: Approve the resolution with the following modification - (in Section 2): "Charter Officers notify the Commission as soon as possible within 24 hours in writing; and 2) Send a mayor's letter to Alachua County BOCC and the Sheriff's office encouraging them to join in opposition to HB 168.*

*Reina Saco, Veronica Robleto, Nathan Skop, Robin Levy, Sheila Payne, Debbie Martinez, Darlene Pifalo, Ernesto Martinez, Donald Shepherd, Larry Green, Fran Carter, Adele Franson, David Ruiz and Elizabeth Hubbs spoke to the matter.*

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

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

**Absent:** 1 - Commissioner Simmons

**PUBLIC HEARINGS****ORDINANCES, 2ND READING - ROLL CALL REQUIRED**[180678.](#)**Prohibiting Single-Use Plastic Straws and Stirrers (B)**

Ordinance No. 180678

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to prohibit single-use plastic straws and single-use stirrers by creating a new Division 5 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.

*Nathan Skop, Darlene Pifalo and Bruce Blackwell spoke to the matter.*

**RECOMMENDATION**

*The City Commission adopt the proposed ordinance as revised.*

**A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on Final Reading (Ordinance). 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

**Absent:** 1 - Commissioner Simmons

[181064.](#)**Voluntary Annexation - 11.18 Acres of Property South of E University and West of SE 38th Street (B)**

Ordinance No. 181064

An ordinance of the City of Gainesville, Florida, annexing approximately 11.18 acres of privately-owned property generally located south of E University Avenue, west of SE 38th Street, north of parcel numbers 10889-000-000 and 10893-015-000, and east of parcel number 10890-000-000, 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 Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on Final Reading (Ordinance). 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

**Absent:** 1 - Commissioner Simmons

## **ORDINANCES, 1ST READING - ROLL CALL REQUIRED**

### **181001.**

#### **Ordinance Dissolving the Gainesville Community Redevelopment Agency and Creating the Gainesville Community Reinvestment Area (B)**

ORDINANCE NO. 181001

An ordinance of the City of Gainesville, Florida, deleting in its entirety existing Chapter 2, Article V, Division 9 titled Community Redevelopment Agency, and replacing it with a new Chapter 2, Article V, Division 9 titled Gainesville Community Reinvestment Area in the City of Gainesville Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing clause; providing an effective date; and providing for dissolution of the Gainesville Community Redevelopment Agency and transfer to and acceptance of its assets and liabilities by the City.

*Motion: Approve first reading of Ordinance 181001 and make one change to the board composition increasing the number of board members from 7 to 15.*

*Robert Mounts, Stephanie Seawright, Nathan Skop and Donald Shepherd spoke to the matter.*

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

**A motion was made by Mayor-Commissioner Pro Tem Ward, seconded by Commissioner Johnson, that this Matter be Adopted on First Reading, as amended (Ordinance). The motion carried by the following vote:**

**Aye:** 5 - Commissioner Arreola, Commissioner Warren, Commissioner Johnson, Mayor Poe, and Mayor-Commissioner Pro Tem Ward

**Nay:** 1 - Commissioner Hayes-Santos

**Absent:** 1 - Commissioner Simmons

### **181065.**

#### **Voluntary Annexation - 0.44 Acres of Property North of SW Archer Road and East of SW 50th Street (B)**

Ordinance No. 181065

An ordinance of the City of Gainesville, Florida, annexing approximately 0.44 acres of privately-owned property generally located south of Oak Park Village and parcel number 06916-000-000, west of SW 47th Street, north of SW Archer Road, and east of SW 50th Street, 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.

*Jason Simmons gave a presentation.*

*Patrice Boyes spoke to the matter.*

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

**A motion was made by Commissioner Arreola, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted on First Reading (Ordinance). 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

**Absent:** 1 - Commissioner Simmons

## **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 Poe - Thanked Officer Davis and Ferrara for being with us tonight. We are prioritizing public safety and awaiting resolve of contract to move forward.*

*Mayor-Commissioner Pro Tem Ward: 1) Letter from BOCC Chair Chestnut to fight phosphate mining north of us. Ask County what they're asking for financially to assist: and 2) Remind all watching - action taken last Thursday doesn't cut off public's opportunity to be heard; simply limiting general public comment to once per meeting.*

*Mayor Poe - Get update from Staff/City Attorney - status of litigation and financial ask from County.*

## **ADJOURNMENT - 8:51 PM.**