

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Final**

October 17, 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 - 1:01 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: Approve 2 modifications.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Warren, that this Matter be Adopted on the Consent Agenda with Modifications. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Johnson

[190501.](#)

**City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of September 27, and October 3, 2019.*

**Approved as Recommended**

[190437.](#)

**Resignation of David Gilland from the Bicycle Pedestrian Advisory Board and K. Richard Blount from the Historic Preservation Board (B)**

RECOMMENDATION *The City Commission accepts the resignation of David Gilland and K. Richard Blount, effective immediately.*

**Approved as Recommended**

[190479.](#)

**Energy Supply Electronic Logs (B)**

RECOMMENDATION *The City Commission authorize the GRU General Manager or designee to execute a multi-year Contract with the top ranked firm, eLogger, Inc., for Electronic Logs, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[190471.](#)**Security Force Personnel Services for GRU Facilities (B)**RECOMMENDATION

1) Authorize the General Manager, or his designee to execute a five (5) year contract with the availability of two (2) 1-year extensions with the top ranked firm, Miller Private LLC, for GRU Security Force Personnel Services, subject to approval by the City Attorney as to form and legality; and

2) Approve the issuance of purchase orders in an initial amount of \$750,000 (combined) for the first year. Subsequent years will allow for price changes not to exceed the Producer's Price Index (PPI) during the previous twelve months. Subject to approval by the City Attorney as to form and legality, and the final appropriation of funds for these services in each fiscal year of the agreement.

*The UAB voted 5-0, with Members Rockwell and Alford absent, to recommend approval of this item on consent.*

**Approved as Recommended**

[180934.](#)**Selection of Progressive Design-Build Firm for the Main Street Water Reclamation Facility Improvements Program (B)**RECOMMENDATION

*The City Commission:*

1) approve the ranking of design-build firms for the progressive design build of the Main Street Water Reclamation Facility Improvements Program;

2) authorize the General Manager, or his designee, to initiate contract negotiations with the design-build firms in order of rank in accordance with the CCNA; and

3) authorize the General Manager, or his designee, upon successful negotiations, to execute a contract, subject to approval of the City Attorney as to form and legality, for the total project cost not to exceed \$50 million in accordance with the annually approved budget.

*The UAB voted 5-0, with Members Rockwell and Alford absent, to recommend approval of this item on consent.*

**Approved as Recommended**

[190380.](#)**GRU Operational Update for the Month of August 2019 (B)**RECOMMENDATION

*Receive report.*

**Approved as Recommended**

[190504.](#)**GRU Operational Update for the Month of September 2019 (B)**RECOMMENDATION

*Receive report.*

**Approved as Recommended**

[190438.](#)**Approval of the Regional Transit System (RTS) Title VI Program (B)**

This item is a request to approve the RTS Title VI Program and its subsequent submission to the Federal Transit Administration (FTA) for final review and approval.

**RECOMMENDATION**

*The City Commission approve the Regional Transit System (RTS) Title VI program.*

**Approved as Recommended**

[190433.](#)**2019-2020 State Financial Assistance Identity Theft and Fraud Grant Program (NB)****RECOMMENDATION**

*The City Commission 1) authorize the City Manager to apply for, accept, and execute the grant award and any other necessary documents; 2) review by the City Attorney as to form and legality; 3) approve the expenditures as outlined in the approved grant award.*

**Approved as Recommended**

[190500.](#)**Funding Agreement with ElderCare of Alachua County, Inc. for the On-Demand Transportation Program for Seniors (B)**

This item is a request to approve the FY20 funding agreement between the City of Gainesville and ElderCare of Alachua County, Inc. for continuation of the On-Demand Senior Transportation Program.

**RECOMMENDATION**

*The City Commission authorize the City Manager (or designee) to execute the FY20 funding agreement between the City of Gainesville and ElderCare of Alachua County, Inc. for continuation of the On-Demand Senior Transportation Program, subject to review by the City Attorney as to form and legality.*

**Approved as Recommended**

[190516.](#)**FEMA Public Assistance Grant for Hurricane Irma - Initial Application (B)**

This item is a request for the City Commission approval to enter into an agreement with the Florida Department of Emergency Management for reimbursement of eligible Hurricane Irma disaster recovery expenses through a Public Assistance Grant.

**RECOMMENDATION**

*The City Commission: 1) authorize the City Manager or his designee to execute the Florida Department of Emergency Management Public Assistance Agreements and all related*

*documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

## **ADOPTION OF REGULAR AGENDA**

*Modifications: Approve 2 modifications.*

*Jim Konish, Donald Shepherd and Derrick Walker spoke to the matter.*

**A motion was made by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward, that this Matter be Adopted with Modifications. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Johnson

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

*Jim Konish  
Brian O'Biren  
Donald Shepherd  
Hannah Hill  
Derrick Walker  
David Ruiz*

*Commissioner Johnson arrived at 1:16 PM.*

*Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward: Policy staff look at making the Code of Ordinances gender neutral. Motion passed 7-0.*

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

### **190491. Appointments to the City Plan Board, Development Review Board and the Gainesville Human Rights Board (B)**

*Robert Mounts, Rebecca Herrin, James Blythe and Evelyn Alfred spoke to their applications for the City Plan Board.*

*Motion by Commissioner Hayes-Santos, seconded by Commissioner Warren: Appoint James Blythe to the City Plan Board. Motion passed 5-2. Commissioner's Johnson and Simmons in dissent. Jim Konish, Donald Shepherd and Derrick Walker spoke to the matter.*

*Sophia Corugedo and Rebecca Herrin spoke to their applications for the Development Review Board.*

*Motion by Commissioner Simmons, seconded by Mayor-Commissioner Pro Tem Ward: 1) Appoint all applicants to the DRB; 2) Appoint Sophia Corugedo to the student seat; and 3) Ask staff to look at terms/may change to a future date. Motion passed 7-0. Donald Shepherd and Derrick Walker spoke to the matter.*

*Motion by Commissioner Simmons, seconded by Commissioner Johnson to appoint Leslie Barszczak to the Human Rights Board. Motion passed 6-0. Mayor Poe absent.*

**RECOMMENDATION**      *The City Commission discuss appointments to the City Plan Board, Development Review Board and the Gainesville Human Rights Board and take appropriate action.*

**Approved, as shown above**

[190514.](#)

**Temporary Roll-Back of Rental and Public Lighting and Pole Rates (NB)**

*Jim Konish, Donald Shepherd and Derrick Walker spoke to the matter.*

**RECOMMENDATION**      *Authorize the General Manager to roll back Rental and Public Lighting and Pole rates to FY19 levels, effective October 1, 2019. Authorize the City Attorney to advertise an ordinance reflecting the rolled back rates for the November 7, 2019 and November 21, 2019 City Commission meetings.*

**A motion was made by Commissioner Hayes-Santos, 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 Simmons, Commissioner Hayes-Santos, Mayor Poe, Commissioner Johnson and Mayor-Commissioner Pro Tem Ward**

[170389.](#)

**Request for the City Commission to Allocate Funds from the Wild Spaces & Public Places Unappropriated Fund Balance for Small Projects (B)**

*Betsy Waite gave a presentation.*

*Derrick Walker spoke to the matter.*

**RECOMMENDATION**      *The City Commission approve the allocation of \$2M of the Wild Spaces & Public Places revenues towards small projects/project contingency.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Simmons, 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**

[190496.](#)

**Proposed City of Gainesville, FL - Comprehensive Plan Scope of Work (B)**

This item involves requesting City Commission input and approval regarding the proposed City of Gainesville, FL - Comprehensive Plan Scope of Work.

*Erik Bredfeldt and Andrew Persons gave presentations.*

**RECOMMENDATION**      *The City Commission: 1) hear a presentation from staff; 2) direct the staff as deemed appropriate regarding the proposed Scope of Work for the Update of the City of Gainesville Comprehensive Plan.*

**A motion was made by Commissioner Simmons, seconded by Commissioner Arreola, 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

[190467.](#)

### **myGNV Launch Update (B)**

*Motion: Approve Option 2 to for an underwater mural for the pond in front of City Hall.*

*Jacquelyn Stetson gave a presentation.*

*Deborah Bowie spoke to the matter.*

*Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward: Approve Option 1 in front of City Hall for an underwater mural for the pond. Motion failed 3-4. Commissioner's Johnson, Ward and Simmons and Mayor Poe in dissent.*

*Dan Hoffman spoke to the matter.*

*Motion by Commissioner Johnson to work with 352 to procure a local artist for an underwater mural. Motion died for lack of a second.*

*Derrick Walker, Donald Shepherd and David Ruiz spoke to the matter.*

**RECOMMENDATION**      *The City Commission hears a presentation from staff.*

**A motion was made by Commissioner Simmons, seconded by Commissioner Warren, 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

### **COMMISSION COMMENT**

*Commissioner Hayes-Santos: Rainbow crosswalks.*

*Motion by Commissioner Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Ward: Refer to the GPC buffer zones around medical facilities - have a discussion at the GPC meeting Motion passed 7-0.*

*Commissioner Arreola – Recent County meeting. Ed Bielarski spoke to the matter.*

*Commissioner Hayes-Santos: suggested sending a letter to the County that the City is in strong disagreement about the proposed ordinance.*

*Motion by Commissioner Arreola, seconded by Commissioner Hayes-Santos: Send a letter to the Chair of the County Commission of our strong disagreement with the action they took at their recent meeting regarding utilities in the County right-of-way and to offer a friendly orientation to educate them on municipal utilities. Motion passed 7-0. Donald Shepherd spoke to the matter.*

*Commissioner Simmons: 1) HIPP play; 2) District 1 Town Hall meeting; and 3) Get information from Florida Planning Council for the east side of town and go from there. Ask staff to look at information regarding the Event Center and report back.*

*Mayor-Commissioner Pro Tem Ward: Rainbow crosswalks.*

*Commissioner Johnson: 1) Event Center at Celebration Pointe; and 2) County to recommit to the eastside of Gainesville.*

*Motion by Commissioner Hayes-Santos, seconded by Commissioner Warren: Send a letter to the County Chair about the City's concern moving money from the east side of town to the west side of town (outside the City) creating inequities that we have in the community, along with urban sprawl and to reconsider their discussion; and 2) to partner up in the discussion of the Event Center. Motion passed 7-0.*

*Commissioner Warren: Citizen Field renovations.*

*David Ruiz and Donald Shepherd spoke to the matter.*

**RECESS - 4:23 PM.**

**RECONVENE - 5:32 PM.**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**TIME CERTAIN - 6:15 PM**

**190505. Character Counts Week - October 20-26, 2019 (B)**

**RECOMMENDATION** *Parks, Recreation and Cultural Affairs Foundations Academy Afterschool Program Participants to accept the proclamation.*

**Heard**

**190506. United Nations Day - October 24, 2019 (B)**

**RECOMMENDATION** *UNA-USA/Gainesville President Professor Saeed Khan and Chair UN Day Committee Professor Jacob U'Mofe Gordon to*



*accept the proclamation.*

Heard

190507. **American Pharmacists Month - October (B)**

RECOMMENDATION *University of Florida, Gainesville Chapter of the American Pharmacists Association Academy of Students (APhA-ASP) Student of UF College of Pharmacy William M. Chmely, Nicole Ramsey and Eduardo Rizo to accept the proclamation.*

Heard

190508. **White Cane Safety Awareness Month - October 2019 (B)**

RECOMMENDATION *Council of the Blind President Spencer Morton, Maxine Stallings and Jack Varnon to accept the proclamation.*

Heard

190509. **Strike Out Hunger Week - November 2019 (B)**

RECOMMENDATION *President and CEO Long Foundation Rodney J. Long to accept the proclamation.*

Heard

190510. **Manufacturing Month - October 2019 (B)**

RECOMMENDATION *Economic Development Manager Atticus Steinmetz to accept the proclamation.*

Heard

**RECESS - 5:56 PM**

**RECONVENE - 5:59 PM**

**TIME CERTAIN - 6:00 PM**

190432. **Special Recognition for Gainesville Fire Rescue Urban Search and Rescue Team Members' Service to Marsh Harbour, Abaco Island, Bahamas after Hurricane Dorian (B). This is TIME CERTAIN request for 6 p.m.**

RECOMMENDATION *The City commission hear the Special Recognition.*

Heard

**RECESS - 6:06 PM**

**RECONVENE - 6:15 PM**

[190513.](#)

**Special Recognition of the Gainesville Police Department 17 Newly-Sworn in Officers and 10 Officers Attending the Academy (NB). This is a TIME CERTAIN request for 6 p.m., to accompany GFR recognition of Hurricane Dorian crew.**

RECOMMENDATION

*For the City Commission to hear the recognition*

**Heard**

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

- Doc Gordon*
- Gabe Kaimowitz*
- Donald Shepherd*
- Jim Konish*
- Mark Von Soestbergen*

**RESOLUTIONS - ROLL CALL REQUIRED**

[190483.](#)

**Resolution Authorizing the Execution of Gainesville Regional Utilities Financial Transactions (B)**

**\*\*This item was presented to the UAB on October 10, 2019.\*\***

*Mark Benton and Chris Glover gave presentations.*

*Staff report back to Commission which policies were able to be secured; adjustments to debt; and send information to the UAB.*

*Robert Mounts, Donald Shepherd and Brian O'Brien spoke to the matter.*

*Recess - 7:16 PM*

*Reconvene - 7:19 PM*

RECOMMENDATION

*The City Commission authorize the General Manager or his designee to negotiate and execute the listed transactions within the prescribed execution parameters and timeframes, and approve the*

- Thirty Second Supplemental Utilities System Revenue Bond Resolution*
- Forms of the Escrow Deposit Agreement, Bond Purchase Contract, Preliminary Official Statement, and Continuing Disclosure Certificate*
- Delegation of selection of the underwriting team and authorize the execution and delivery thereof, subject to*

*approval of the City Attorney as to form and legality. The UAB voted 6-0, with Member Rockwell absent, to recommend that the City Commission approve the staff recommendation.*

**A motion was made by Commissioner Warren, seconded by Commissioner Hayes-Santos, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

[190364.](#)

**802 NW 5th Ave Commercial Building (B)**

This item is for the adoption of a Resolution, finding and declaring City owned parcels 13809-001-000 and 13807-000-000 as surplus and approving and authorizing the disposition of these City owned parcels to Real Estate Acquisition for Children, LLC.

*Andrew Meeker, John Thomas and Justin Austriger gave presentations.*

*Commissioner Warren left the meeting at 7:26 PM.*

*David Ruiz spoke to the matter.*

**RECOMMENDATION**

*Recommended Motion: The City Commission: 1) Adopt a Resolution, finding and declaring City owned parcels 13809-001-000 and 13807-000-000 as surplus; 2) Approve the sale of tax parcels 13809-001-000 and 13807-000-000 to Real Estate Acquisition for Children, LLC as outlined in the Commercial Contract; and 3) Authorize the Mayor to execute, and the Clerk to attest all necessary disposition and sale documents once approved by the City Attorney's office as to form and legality.*

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

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

**Absent:** 1 - Commissioner Warren

**PUBLIC HEARINGS**

**ORDINANCES, 2ND READING - ROLL CALL REQUIRED**

[180861.](#)

**Vacation of Public Right-of-Way - Portion of NW 8TH Place Located in Kiwanis' Girl Scout Park (B)**

Ordinance No. 180861

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a public right-of-way that is a portion of NW 8th Place located in the Kiwanis' Girl Scout Park in the vicinity of the northwest corner of NW 8th Avenue and NW 8th Street, as more specifically described in this ordinance; providing directions to the Clerk of the Commission; 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 Hayes-Santos, seconded by Commissioner Simmons, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Warren

[190082.](#)

**Text Change - Amending the Land Development Code to Allow Mini-Warehouses, Self- Storage in the Automotive-Oriented Business Zoning District (B)**

Ordinance No. 190082

An ordinance of the City of Gainesville, Florida, amending Section 30-4.19 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to add mini-warehouses, self-storage as a permitted use by right in the Automotive-Oriented Business (BA) zoning district; 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 Simmons, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Warren

[190201.](#)

**Amending the Code of Ordinances Relating to the Board of Adjustment, Variances, Nuisance Abatement and Appeals Procedures (B)**

Ordinance No. 190201

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances to replace procedures currently in the code related to the Board of Adjustment, variances, nuisance abatement, and appeals procedures by amending Sections

2-213, 2-377, 16-22, 16-27, 16-28, 16-93; 16-95 through 16-99.2, 23-102, and 26-141; 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 Johnson, seconded by Commissioner Simmons, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Warren

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

**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 GPD.*

**ADJOURNMENT - 7:44 PM.**