

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

July 16, 2020

1:00 PM

Virtual Teleconference Meeting

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large)
Commissioner Gail Johnson (At Large)
Commissioner Gigi Simmons (District 1)
Commissioner Harvey Ward (District 2)
Mayor-Commissioner Pro Tem 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 Johnson, Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, and Mayor-Commissioner Pro Tem Arreola

CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

Modification: Remove Item CA-9 (Award Recommendation for RFQ #CRAX-200029-GD: New Home Builders for Heartwood Neighborhood) from the agenda.

Nathan Skop spoke to the matter.

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Ward, that this Matter be Adopted on the Consent Agenda with Modification. The motion carried by the following vote:

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

Nay: 1 - Commissioner Simmons

CA-1 [200057.](#) Approval of Minutes from the June 11, June 18 (3) and June 22, 2020 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the June 11, June 18 (3) and June 22, 2020 minutes.*

Approved as Recommended

CA-2 [200079.](#) Joint Visioning Meeting to Discuss Our Future, Our Partnership and Our Community (NB)

RECOMMENDATION *The City Commission approve a meeting to be held with Dr. Broadie, President of Santa Fe College on September 21, 2020 at 3:00 PM at the Santa Fe College Fine Arts Lobby Area.*

Approved as Recommended

CA-3 [200076.](#) G.A.R.E. Training (B)

The Department of Equity & Inclusion will make a request to host G.A.R.E. training for all elected officials and present to the Commission, a contract for services that

will be provided by RaceForward.

RECOMMENDATION

The City Commission review and approve scheduled training dates.

Approved as Recommended

CA-4 [190967.](#)

Adoption of Revised Rules of Procedure for the GCRA Advisory Board (B)

RECOMMENDATION

The City Commission approves the Adoption of Revised Rules of Procedure for the Gainesville Community Reinvestment Area Advisory Board.

Approved as Recommended

CA-5 [200088.](#)

Coronavirus Emergency Supplemental Funding Award (B)

RECOMMENDATION

This is a request for the City Commission to 1) authorize the City Manager to accept and execute the 2020 Coronavirus Emergency Funding (CESF) grant award and any other necessary documents subject to review by the City Attorney as to form and legality, and 2) approve the expenditures as outlined in the approved grant award if awarded.

Approved as Recommended

CA-6 [200089.](#)

OJJDP ICAC Internet Crimes Against Children Task Force Grant Invitation (B)

RECOMMENDATION

The application due date was June 22, 2020 prior to the July 16 scheduled CC meeting. Thus, the CC authorization will allow for 1) GPD to maintain application in process, 2) City Manager to accept and execute the 2020 ICAC grant award and any other necessary documents subject to review by the City Attorney as to form and legality, and 3) approve the expenditures as outlined in the approved grant award if awarded.

Approved as Recommended

CA-7 [200096.](#)

Interlocal Agreement with Alachua County for Joint Management of Four Creeks Preserve (B)

Request for City Commission to approve an agreement for care and management of Four Creeks Preserve with Alachua County.

RECOMMENDATION

The City Commission approve City Manager to sign the Interlocal Agreement with Alachua County for the joint management of Four Creeks Preserve through FY2030.

Approved as Recommended**CA-8** [200103.](#)

Jacob T. Rodgers V. William Stormant, and City of Gainesville, d/b/a Gainesville Regional Utilities; Eighth Judicial Circuit, Case No. 2016-CA-659 (NB)

RECOMMENDATION

The City Commission authorize the City Attorney to continue with the retention of the services of Holland & Knight to act as special counsel in providing legal counsel in the case styled Jacob T. Rodgers v. William Stormant, and City of Gainesville, d/b/a Gainesville Regional Utilities; Eighth Judicial Circuit, Case No. 2016-CA-659.

Approved as Recommended**CA-9** [200090.](#)

Award Recommendation for RFQ #CRAX-200029-GD: New Home Builders for Heartwood Neighborhood (B)

RECOMMENDATION

The City Commission: Approve award for Bid #CRAX-200029-GD "New Home Builders for Heartwood Neighborhood."

Continued to August 6, 2020.

CA-10 [200109.](#)

Quit-Claim Deed of 15' Alley in Plat of University Place (B)

This item involves the authorization for the Mayor to execute a Quit-Claim Deed onto CA Student Living Gainesville II, LLC releasing all of the City's interest of the 15' alley in Block 1 of the University Place Plat.

RECOMMENDATION

The City Commission: authorize the Mayor to execute and the Clerk or designee to attest the Quit-Claim Deed onto CA Student Living Gainesville II, LLC, subject to approval by the City Attorney or designee as to form and legality.

Approved as Recommended**ADOPTION OF REGULAR AGENDA**

Modification: Move BD-4 191203. COVID-19 Verbal Update to the first item on the agenda.

Nathan Skop spoke to the matter.

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

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

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

BD-4 [191203.](#) COVID-19 Verbal Update (NB)

Motion: Authorize the Mayor to send a letter to the Board of County Commissioners asking that they distribute support funds (CARES Act dollars) to businesses; funding is based on that there be no geographical equal indication; 2) Send a letter to the Governor and Department of Education asking that school boards be given the discretion, on whether or not to open schools in the fall; 3) Request Paul Myers to come to the next meeting to give an update; and 4) Hold businesses responsible for their employees (add clarifying language).

City Manager Lee Feldman introduced the item.

Assistant City Managers' Deborah Bowie and Dan Hoffman spoke to the matter.

Nathan Skop and Debbie Martinez spoke to the matter.

County not limit or restrict funding based on the geographical location of a business.

RECOMMENDATION

The City Commission hear an update regarding COVID-19 and discuss as necessary.

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

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

BD-1 [200016.](#) Broadband Discussion (NB)

Motion: 1) Give direction to the City Manager to take a look at the feasibility study and then to use already budgeted funds if necessary to see how the city broadband project can be more feasible; 2) Report back to the Commission with analysis before spending dollars; 3) Looking at partnerships with the County, other municipalities in the County, School Board, library system, UF, Santa Fe, Housing Authority, and the State of Florida, and that we also have our staff reach

out to the School Board about how we can be helpful in getting devices for students in need.

Lee Feldman, City Manager and Ed Bielarski, GRU General Manager spoke to the matter.

Nathan Skop and Bill Rohan spoke to the matter.

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

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

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

BD-2 [191195.](#)

Approval of a Power Purchase Agreement for Solar Electric Power with FL Solar 6, LLC (B)

****This item was presented to the UAB on May 13, 2020.****

Ed Bielarski gave an introduction.

Charles Heidt, GRU Project Engineer and Eric Walters, Administrative & Fuels Operations Director gave presentations.

Lewis Lee, Nathan Skop and an Anonymous Caller spoke to the matter.

Recess - 3:55 PM

Reconvene - 4:04 PM

RECOMMENDATION *Staff recommends that the City Commission authorize the General Manager or his designee to execute a Power Purchase Agreement for 50 MW (AC) of solar power for a term of 20 years and other agreements as required with FL Solar 6, LLC, in general agreement with the draft PPA dated April 27, 2020, subject to approval by the City Attorney as to form and legality.*

UAB: At their May 13, 2020 meeting, the UAB voted unanimously to advise the City Commission to approve the staff recommendation.

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

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

TIME CERTAIN - 4:00 PM

BD-5 [200111.](#)

Moratorium Discussion (B)

Equitable Development as only topic at the first GPC meeting in August. Ask staff for more research on a moratorium (does it slow/speed rental costs).

Robert Mounts, Sandra Gwinnett, Pamela Davis, Pastor Gerald Duncan, Darlene Pifalo, Kim Tanzer, Alfredo Morales Lizzie Lanier, Vivian Filer, Sharon Bauer, Tana Silva, Mary Lou Hildreth, and Sheila Payne spoke to the matter

Second Part of Discussion

Quill Coshame and Chris Torres spoke to the matter.

RECOMMENDATION

The City Commission discuss and provide feedback on the research conducted.

Discussed

TIME CERTAIN - 6:00 PM

BD-6 [180958.](#)

Draft Ordinance to Create Permit Requirements for Residential Rental Units and to Adopt the International Property Maintenance Code and Related Recommendations from the Rental Housing Subcommittee (B)

. Motion:

- *(add) that the city shall conduct an Energy Efficiency rating system of each unit every 8 years. That the rating system shall be HES system or equivalent rating system with duct testing.*
- *(change) Page 14*
 - o *(section a) Landlords have to give an energy efficiency rating sheet and other required materials available to tenants either electronically or in print before the signing of the lease.*
- *(change) Page 15 and Page 16 - Under Energy Efficiency section c under 14.5-4 Living Standards*
 - o *(a) R-19 by October 2021 and R-30 in 5 years (2026).*

- o (m) Programmable thermostat connected to HVAC within 5 years.
 - o (h) toilets 1.6 gal/flush in 5 years(2026), volume reduction devices can be used to bring down to 3 gals.
- (change) Page 15 (living Standards)
 - o Living standards start October 1, 2020 for section a and b, Energy efficiency section c October 2021.
- (add) City shall create a mediation program to deal with rental property issues by October 1, 2021.
- (add) The City Commission shall review the standards every 4 years starting in 2025.
- Sections 14.5-5 inspections. Page 17
 - o (add) more wording to (b) the city may conduct inspections outside the required 4 year cycle.

Move that we direct the City Attorney to make these changes and to have a first reading of the ordinance at the second meeting in August.

Andrew Persons, Department of Sustainable Development Director gave a presentation.

Quan Wue, Matt Umanos, Jeremiah Tattersall, Janice Gary, Nathan Skop, Tana Silva, Glenette Maxwell, Terri Martinback, Darlene Pifalo, Liz Pratt, Sheila Payne, Alena Mendenhall, and Debbie Martinez spoke to the matter.

RECOMMENDATION

The City Commission discuss the draft ordinance and related recommendations from the Rental Housing Subcommittee.

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

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

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-1 [200022](#) Resolution for Amendment to the Traffic Signal Maintenance and Compensation Agreement with FDOT (B)

This item is a request to amend the Florida Department of Transportation Traffic Signal Maintenance and Compensation Agreement and authorize the City Manager

to execute all necessary documents.

RECOMMENDATION

The City Commission: 1) adopt the Resolution for the Amendment to the Traffic Signal Maintenance and Compensation Agreement with FDOT; and 2) authorize the City Manager to execute all necessary documents, subject to review and approval by the City Attorney as to form and legality.

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

RE-2 [200098.](#)

Resolution Authorizing Renewal of the Existing Liquidity Facility for the Utilities System Commercial Paper Notes, Series D (B)

Ed Bielarski introduced.

Mark Benton, Accounting and Finance Director of Utilities spoke to the matter.

RECOMMENDATION

Staff recommends that the City Commission approve:
1) the resolution authorizing with State Street Bank and Trust Company the extension and other amendments to the existing liquidity facility agreement for the Utilities System Commercial Paper Notes, Series D and to amend the fee letter related to such facility, in each case subject to the approval of the City Attorney as to form and legality and
2) the forms of the Fourth Amendment to Credit Agreement for the liquidity facility and the Amended and Restated Fee Letter.

UAB: At their July 9, 2020 meeting, the UAB voted 6-0, with Member Miles absent, to advise the City Commission to approve staff's recommendation.

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

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

RE-3 [200061.](#)

Proposed Tentative General Government Financial and Operating Plan for Fiscal Year 2020-2021 (B)

A resolution of the City Commission of the City of Gainesville, Florida; relating to its

General Government Budget for the 2020-2021 fiscal year beginning October 1, 2020 and ending September 30, 2021; approving the proposed tentative General Financial and Operating Plan; and providing an immediate effective date.

Lee Feldman spoke to the matter.

Karen Fiore, Budget Manager gave a presentation.

Nathan Skop and Debbie Martinez spoke to the matter.

Note: Add a budget discussion item to GPC agenda - 2nd meeting in August.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

RE-4 [200062.](#)

Establish a Proposed Millage Rate for Fiscal Year 2020-2021 (B)

A resolution of the City Commission of the City of Gainesville, Florida; relating to the levy of general municipal purpose Ad Valorem taxes for the 2020-2021 fiscal year beginning October 1, 2020 and ending September 30, 2021; establishing a proposed Millage Rate; computing the rolled back rate; setting a public hearing; providing for notice to the Alachua County Property Appraiser; and providing an immediate effective date.

Lee Feldman spoke to the matter.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

PUBLIC HEARINGS (PH)

SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)**SR-1 [190989](#) Vacation of Public Right-of-Way - NW 4th Lane between NW 13th and NW 14th Street (B)**

Ordinance No. 190989

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a public right-of-way on NW 4th Lane lying between NW 13th Street and NW 14th 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

Motion to reconsider. Motion passed 5-2. Commissioner Johnson in dissent. Commissioner Ward absent.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 5 - Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, and Mayor-Commissioner Pro Tem Arreola

Nay: 1 - Commissioner Johnson

Absent: 1 - Commissioner Ward

FR ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)**FR-1 [190222](#) Ordinance Regulating Businesses That Provide Shopping Carts (B)**

Ordinance No. 190222

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5 of the City Code of Ordinances to create Article VIII titled Shopping Carts, to regulate businesses within the City of Gainesville, Florida that provide shopping carts to customers; establishing shopping cart retention system requirements; establishing enforcement procedures; amending Section 2-339 to establish a civil citation penalty; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Simmons, seconded by Commissioner Saco, that this Matter be Adopted on First Reading (Ordinance). The motion

carried by the following vote:

Aye: 5 - Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, and Mayor-Commissioner Pro Tem Arreola

Absent: 2 - Commissioner Johnson, and Commissioner Ward

FR-2 [170941.](#) **Quasi-Judicial - Historic Property Tax Exemption - 1121 NW 6th Street (B)**

Ordinance No. 170941

An ordinance of the City of Gainesville, Florida, finding that property located at 1121 NW 6th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2021, and continuing for 10 years under certain conditions; authorizing the Mayor and the Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

Andrew Persons introduced.

Jason Simmons, Planner 1 gave a presentation.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Simmons, seconded by Commissioner Johnson, that this Matter be Adopted on First Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:

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

Absent: 1 - Commissioner Ward

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

BD-3 [200097.](#) **Mandatory Tender of 2017 Series B and 2017 Series C Bonds (NB)**

Ed Bielarski gave an introduction.

Mark Benton spoke to the matter.

Nathan Skop spoke to the matter.

RECOMMENDATION

The City Commission receive a report on redeeming the Series 2017 B and Series 2017 C bonds on their mandatory tender date of November 7, 2020.

Heard

NECESSARY DIRECTION TO CHARTER OFFICERS

Commissioner Ward - City Commission Rules (Need Commission Comment back).

Motion by Commissioner Hayes-Santos, seconded by Commissioner Ward - Draft resolution of meeting rules, add Commission Comment and go back to original rules of procedure (add to next meeting). Motion passed unanimously. Nicolle Shalley and Omi Gainey spoke to the matter.

Commissioner Johnson - Outcome of GRU employee. Concerns about the process of the investigation. Ed Bielarski, Nicolle Shalley and Teneeshia Marshall spoke to the matter.

ADJOURNMENT - 8:44 PM