

Open Letter to Alachua City Commission

Mayor and Commissioners,

I am writing this letter to share with you some of the concerns that led to my recent resignation from the City. I anticipated sharing these concerns with you through the interview process the Commission unanimously directed the City Attorney to initiate at its February 10, 2025 meeting. Unfortunately, at your February 24, 2025 meeting the Commission chose not to proceed with that process. I am grateful to Vice Mayor Potts and Commissioner Brown for holding steadfast in their position to seek the truth. But their desire to seek the truth was not met by the rest of the Commission. To say this reversal was shocking, disappointing, and discouraging to me is an understatement. As a result of this reversal I have not been afforded an opportunity to provide any feedback regarding my resignation. This is true for one other Planning staff member who recently resigned (who was not offered an exit interview at all). I am also motivated by the untruths that were stated during the February 24, 2025 Commission meeting, by both City employees and certain developers, leading up to the Commission's turn-about on this important matter. I am sharing this letter with you in an attempt to provide the feedback you were seeking through the direction given to the City Attorney at the February 10 meeting.

It should go without saying, and as several Commissioners noted at the February 10 meeting, a clear statement has been made when three senior staff members with almost 50 combined years of institutional knowledge depart within two weeks of one another. There are issues that have been problematic for several years, and I felt I was able to navigate these challenges until the last six to nine months of my tenure with the City. Most of the issues within the Planning Department are a result of outside influence on leadership. Specifically, the influence that former City Manager Adam Boukari has had on current City Manager Mike DaRoza. In my opinion, it appears that former City Manager Adam Boukari never relinquished control of the City Manager's position and has been essentially co-managing the City with Mr. DaRoza, while representing developers' interests in a private capacity.

As you're aware, when Mr. Boukari departed from the City he entered the private sector as a consultant while also being paid as a "consultant" to the City of Alachua, with tax payer's money. His involvement with development applications submitted to the Planning Department for review progressively increased over several years to a point that as of last summer he was involved in many projects under review by the Planning Department. I can confirm this continued up to my resignation and is likely continuing to occur. While Mr. Boukari's involvement representing developers was once manageable, his involvement ultimately began to influence the direction being provided to Planning staff by City Manager DaRoza.

The first instance of significance demonstrating Adam Boukari's influence over Mr. DaRoza was with a project managed by another staff member. That project was the Tara Forest West Preliminary Plat. You may recall that Tara Forest West is connected to US 441 through two connections that are proposed as part of the Tara Phoenicia project. These connections were noted in the Traffic Impact Analysis prepared by the applicant's consultant as being necessary for Tara Forest West's transportation circulation to function. Planning staff were concerned that Tara Forest West was reliant upon the connections to US 441 that were part of a separate project that had not yet received any approvals. Due to these concerns, Planning staff felt the

application was not in a position that it should be presented to the Planning & Zoning Board or to the City Commission. Planning staff shared these concerns with City Manager DaRoza on several occasions during the review of Tara Forest West and Tara Phoenicia. Despite these discussions, Planning staff were directed in May 2024 to place the item on the June 11, 2024 Planning & Zoning Board agenda. This required Planning staff to run a “fire drill” to figure out how to move forward with the direction given by City Manager DaRoza while attempting to ensure that staff’s concerns would be addressed. That fire drill resulted in Conditions #2 - #5 and #11 that were placed on the recommendation of approval for the Tara Forest West Preliminary Plat. These conditions were:

2. Prior to the issuance of a Certificate of Completion for improvements or release of the Plat for Phase 1 of the Tara Forest West subdivision, an improved roadway connection to US Highway 441 through the project currently known as Tara Phoenicia shall be completed and approved by the City. The Plat for Phase 1 shall not be released or recorded until improved roadway connection to US Highway 441 has been completed.
3. Concurrent with the submittal of a final plat application for Phase 3 of the Tara Forest West subdivision, the applicant shall provide an intermediate traffic impact study which is approved by the City and that analyses the operations and safety of the existing traffic pattern. The developer shall make any improvements required by the City, at the City’s sole discretion, at Developer’s expense, associated with the proportionate share of any deficiencies identified in the revised traffic impact analysis. The Final Plat for Phase 3 shall not be released or recorded until any improvements noted in the intermediate traffic impact study have been completed and approved by the appropriate jurisdiction.
4. Concurrent with the submittal of any application for construction plans that include Phase 4 of the Tara Forest West subdivision, a revised traffic impact analysis report shall be provided to and accepted by the City for review. This study must include the second connection to US 441 for the project and include an intersection control evaluation (ICE) for the proposed connection. The developer shall make any improvements required by the City, at the City’s sole discretion, at Developer’s expense, associated with the proportionate share of any deficiencies identified in the revised traffic impact analysis.
5. Prior to the issuance of a Certificate of Completion for improvements or release of the Plat for Phase 4 of the Tara Forest West subdivision, a second connection to US Highway 441 through the project currently known as Tara Phoenicia shall be completed. The Plat for Phase 4 shall not be released or recorded until the second improved roadway connection to US Highway 441 has been completed.
11. A recorded access easement as described in the submitted sketch shall be provided prior to any Planning and Zoning hearing.

These conditions were crafted in the best attempt to try to ensure Tara Forest West could not proceed without Tara Phoenicia being approved to provide the needed connections to US 441. Note that I say “try to ensure” because during this time Planning staff had been instructed by City Manager DaRoza to not contact the City Attorney unless receiving authorization from management. So, these recommended conditions were prepared by Planning staff with no input from the City’s legal counsel (note it was commonplace for Planning staff to coordinate with the City Attorney regarding recommended conditions given the legality involved with granting development orders).

A similar situation occurred in January 2025 when Planning staff was directed by City Manager DaRoza to schedule the Tara April Special Exception Permit application for a public hearing despite Planning staff's opinion that the item was not ready for a hearing. On January 23, 2025, Planning staff met with City Manager DaRoza to discuss an unrelated matter. At the end of the meeting, City Manager DaRoza asked Planning staff to stay behind for a few minutes to discuss another item. The item he wanted to discuss was the Tara April Special Exception Permit. It is important to note that this item had been previously scheduled for a public hearing before the Planning & Zoning Board on September 11, 2024 but the item was removed from the agenda because of concerns raised by Alachua County Environmental Protection Department to Planning staff between publishing notice of the September 11, 2024 Planning & Zoning Board meeting and the meeting date. Discussions occurred in October 2024 and November 2024 between City staff, County Staff, the developer, and the two engineering firms hired by the developer. Through these discussions it became the opinion of Planning staff that the key points raised by the County should be further evaluated before considering approval of the Tara April Special Exception Permit. To substantiate this opinion, Planning staff, City Manager DaRoza, and the City Attorney met with an independent consulting engineer who confirmed there was validity to the County's recommendations and advised these matters should be further investigated before considering approval of Tara April or Tara Phoenicia.

The basis of the County's concern is that additional geotechnical studies should be performed on the Tara Phoenicia property to further evaluate its suitability for development. There are mapped underground cave systems that traverse underneath the Tara Phoenicia property. The cave systems have been documented in reports prepared by professional experts with knowledge of the karst geology of the area. The County contends that development of lands above these cave systems could result in adverse impacts to the cave systems. Subsequent to the County raising these concerns, Planning staff concluded that the concerns should be further investigated, particularly because the Tara Phoenicia project proposes to bring in over 133,000 cubic yards of fill - the equivalent of 9,000 dump trucks - to elevate the Tara Phoenicia property for future commercial development. Not only should the impacts of development of this land be considered, but the fact that this immense amount of fill would be proposed over a mapped underground cave system led Planning staff to conclude more analysis regarding the feasibility of the development plan should be conducted. Specifically, the County had recommended further analysis be conducted using ground penetrating radar and electromagnetic imaging. The City's independent consulting engineer agreed with these recommendations. As of January 2025, these studies had not been completed, and therefore, Planning staff were of the opinion that the Tara April Special Exception Permit was not in a state it should be scheduled for a public hearing with a recommendation of approval.

Despite the preceding, City Manager DaRoza raised the topic of the Tara April Special Exception Permit in the January 23, 2025 meeting. In this meeting, City Manager DaRoza instructed Planning staff that the Tara April Special Exception Permit would be scheduled for the February 11, 2025 Planning & Zoning Board meeting. Planning staff noted that public notices for the February 11 meeting must be sent that same day and questioned why they could not prepare for a potential hearing at the March Planning & Zoning Board meeting. The response from City Manager DaRoza was that the March meeting "would be too late" and he had made the decision that the item would be on the February meeting. Planning staff reiterated the concerns regarding the points raised by the County and that these concerns had not been evaluated by the applicant. City Manager DaRoza dismissed these concerns and told Planning staff that if the item could be scheduled for a hearing last September it can be scheduled for the next Planning & Zoning Board Meeting in February. Planning staff asked City Manager DaRoza if he expected a recommendation of approval and Mr. DaRoza responded AFFIRMATIVELY.

It was in **THIS MOMENT** I knew I could not in good conscience remain employed with the City.

The basis for my decision lies within my professional certification. I am a member of the American Institute of Certified Planners (AICP) through the American Planning Association (APA). As part of the AICP credentials, each member commits to upholding the ethical standards set forth by the APA for professional planners. The primary obligation of AICP-certified professional planners is to serve the public interest in the planning process. In **THIS MOMENT** I knew that I was being asked to put the interests of a developer above the interests of the public.

While not explicitly stated within the application materials for the Tara April project, Tara April would provide floodplain compensation for land within the Tara Phoenicia project. This has been acknowledged by the developer and its engineering consultants. By providing floodplain compensation on the Tara April property the developer would be able to develop in areas on the Tara Phoenicia property that are presently in a special flood hazard area and thus are presently limited on potential development. In essence, the floodplain compensation that would occur with the Tara April project would allow more commercial development on the Tara Phoenicia property.

My concern at the time and, currently, is that by granting approval of Tara April there would be an expectation that Tara Phoenicia could/should be approved. More particularly, financial investment by the developer into the Tara April property that would support development of the Tara Phoenicia property could lead to the developer to claim a legal right to proceed with Tara Phoenicia. Alternatively, if the City were to later deny the Tara Phoenicia project, the developer may claim an entitlement to damages for the financial investment placed into Tara April to support Tara Phoenicia. As previously noted, additional scientific data is needed to determine if Tara Phoenicia can be developed as proposed.

Though these points were raised with City Manager DaRoza, Mr. DaRoza continued to insist the Tara April Special Exception Permit be scheduled for the February 11 Planning & Zoning Board Meeting.

In my opinion, based on my first-hand experiences, the direction City Manager DaRoza gave to Planning staff to schedule these two applications for public hearings despite Planning staff's concerns was orchestrated by former City Manager Adam Boukari to fulfill the needs or desires of Mr. Boukari's private clients.

In addition to these concerns, there have been other instances where Planning staff has brought information to City Manager DaRoza that is later ignored. I believe that one project in particular should be very concerning for the City Commission – the proposed solar facility at the wastewater treatment plant.

On several instances, most recently as mid-December 2024, Planning staff met with City Manager DaRoza and Assistant City Manager Rodolfo Valladares to discuss the proposed solar facility. In this meeting Planning staff noted that they were of the opinion that the project is not exempt from the requirements of the City's Land Development Regulations (LDRs). City Manager DaRoza and Assistant City Manager Valladares are relying on the following provision from the LDRs to interpret that the project is exempt from the requirements of the LDRs (emphasis added):

1.4.5 *Exemptions.*

(A) *Acquisition of interests in land by government and construction of public infrastructure for public purpose.*

(2) The permits as set forth in Article 2, Administration, shall not be required for the following public infrastructure projects:

- (a) Road construction/reconstruction projects, water/wastewater line installations, **and other similar projects**, undertaken by the City of Alachua, Alachua County, or the State of Florida; or,
- (b) Any project identified in the adopted City of Alachua Long Range Transportation Plan, provided however that when the roadway improvement will be performed by an entity other than the City of Alachua, Alachua County, or State of Florida, a surety device in accordance with Section 7.4. Improvement guarantees for public improvements, or Section 6.10, Improvement guarantees for private improvements, as applicable, shall be posted with the City.

City Manager DaRoza, in his capacity as the LDR Administrator, informed Planning staff that he, as the LDR Administrator, had made an interpretation that the proposed solar facility was a “similar project” to those as stated in Section 1.4.5(A)(2)(a). In my opinion, to say a 50+ acre solar facility is comparable to installation of a water or wastewater line, or even the construction of a road, is unfathomable. Not to mention, a private company (as will be occurring with the solar facility at the wastewater treatment plant) was recently required to obtain a Special Exception Permit and a Site Plan in order to develop a solar facility in the City (Pleasant Solar, approved by the Planning & Zoning Board on June 11, 2024).

Regardless of permitting requirements, Planning staff noted that tree mitigation still applied according to the LDRs. This is important because approximately 40 - 50 acres of the solar facility site are naturally forested, likely with hundreds of trees that are regulated by the LDRs and are located within the project area. In addition to the regulated trees there are most certainly several champion trees located on the property which are afforded greater protection than regulated trees. Planning staff raised the point to City Manager DaRoza that Section 1.4.5(A)(2)(a) addresses permits required under Article 2 of the LDRs, which does address Special Exception Permits and Site Plans, but does not address any requirements under Article 6 of the LDRs (where tree mitigation requirements are established). City Manager DaRoza restated that he, as the LDR Administrator, has deemed the project exempt from the LDRs.

It cannot be lost on the Commission that three senior professionals resigned in two weeks. You must ask yourself this: If we were not adequately doing our jobs, why do our performance evaluations reflect poor performance? Staff throughout the organization know our character and know that we upheld the best interests of the City in every action we took. Yes, there may have been some in the development community that did not like us doing our jobs but that's

what we were hired by the City to do. To do otherwise would be a disservice to the public and to the City Commission.

I hope that after receiving this letter you will reevaluate whether you would like to know more about why three senior professionals left in short order. I assure you it was not because other job opportunities were presented or that retirement was already planned. Yes, perhaps the circumstances led to that, but job opportunities and retirement were not the driving force.

I will conclude with a quote from Sir Winston Churchill: "Never give in. Never, never, never, never – in nothing, great or small, large or petty – never give in, except to convictions of honour and good sense."

Thank you for your consideration of these concerns. It was a pleasure to serve the residents of Alachua for over 17 years. I wish Alachua much success in the future.

Respectfully,
Justin Tabor, AICP



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