

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

February 17, 2022

10:00 AM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Mayor-Commissioner Pro-Tem Reina Saco (At Large, Seat A)
Commissioner Cynthia Moore Chestnut (At Large, Seat B)
Commissioner Desmon Duncan-Walker (District 1)
Commissioner Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 10:00 AM

AGENDA STATEMENT

ROLL CALL

Present 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

INVOCATION

CA ADOPTION OF AGENDA (Includes both Consent and Regular Agenda Items. Consent Agenda Items that will not be discussed, may include Advocacy Resolutions)

Amendments: 1) File #210163 (Redistricting the City’s Election Districts Based Upon 2020 Census Data) - Revised Back-up; 2) Remove File #210916 (Commissioner Duncan-Walker - Affordable Housing); and 3) Addition of Budget Amendment.

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

CONSENT AGENDA ITEMS

CA-1 [210908.](#) Approval of Minutes from the January 6, and February 3, 2022 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the January 6, and February 3, 2022 City Commission minutes.*

Approved as Recommended

CA-2 [210875.](#) Joint-Meeting between the UF Student Senate and the City Commission (NB)

RECOMMENDATION *The City Commission approve a Joint Meeting between the UF Student Senate and the City Commission, scheduled for March 15, 2022, 7:30 PM held in the Senate Chamber, Reitz Union.*

Approved as Recommended

CA-3 [210820.](#) WCA of Florida, LLC Amendment #2 to Acknowledge the Acquisition by

GFL Environmental (B)RECOMMENDATION

The City Commission: 1) approve the Second Amendment to the Amended and Restated Agreement between the City and WCA of Florida, LLC for Collection of Solid Waste, Recyclable Material, and Yard Trash; and 2) authorize the City Manager or designee to execute the appropriate contract documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-4 [210847.](#)

Approval of Construction Agreement for Roofing Materials and Services, Waterproofing, and Related Products and Services for the Re-Roofing of City Facilities (B)RECOMMENDATION

The City Commission: 1) approve the two-year Agreement with Garland/DBS. Inc. for Roofing Supplies and Services, Waterproofing, and Related Projects and Services; and 2) authorize the Interim City Manager to execute all contract documents and other necessary documents for the project, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-5 [210874.](#)

Little Hatchet Creek Stabilization Construction (B)RECOMMENDATION

The City Commission: authorize the City Manager to enter into a Task Assignment Agreement with TSI Disaster Recovery, LLC in the amount of \$1,181,400.00 for the Little Hatchet Creek Stabilization project, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-6 [210753.](#)

Request to Release Lien at 541 NW 34th StreetRECOMMENDATION

The City Commission accept the Magistrate's ruling and recommendation and reduce the lien to \$300 and authorize the City Manager to execute a release of lien.

Approved as Recommended

CA-7 [210754.](#)

Request to Release Lien at 1448 SW 25th PLRECOMMENDATION

The City Commission accept the Magistrate's recommendation and reduce the lien to \$2,000 and authorize the City Manager to execute a release of lien.

Approved as Recommended

CA-8 [210882](#) **Fourth Amendment to the CRM (myGNV) Contract (B)**

RECOMMENDATION *The City Commission: 1) approve the Fourth Amendment to the CRM platform by Rock Solid Technologies; and 2) authorize the City Manager, or designee, to execute the appropriate contract documents subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

Kali Blount

TIME CERTAIN - 10:15 AM

TC-1 [210163](#) **Redistricting the City's Election Districts Based Upon 2020 Census Data (B)**

Motion: Place as a time certain item for the next 3 Commission meetings; 2) At next meeting, suggest at least 1 map; 3) Accept public count; 4) Commission submit comments; and 5) City Attorney look at congress maps and determine if we need to submit a challenge.

Katherine Mockler spoke to the item.

Professor Michael McDonald, Professor presented Dan Smith.

Public Comment: Debbie Martinez.

RECOMMENDATION *The City Commission : 1) hear a presentation by the Consultant, 2) discuss the Consultant's recommendations, and 3) set future meeting dates to discuss redistricting.*

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

BD BUSINESS DISCUSSION ITEMS (Agenda Items that will be discussed, including those moved from Consent)**BD-1 [210909](#) Mayor Lauren Poe - Committee Assignments (B)**

Motion: Approve Appointment as outlined with Commissioner Hayes-Santos, Commissioner Duncan-Walker and Commissioner Ward to the Digital Access Committee; Commissioner Hayes-Santos, Commissioner Chestnut, Commissioner Ward, Commissioner Arreola and Commissioner Saco to Environmental Justice Subcommittee.

Recess - 10:09 AM

Reconvene - 10:15 AM

RECOMMENDATION *The City Commission confirm the Mayor's appointments.*

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 Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

BD-2 [210870](#) Status of Interim Charter Officer Positions (NB)

Schedule discussion of Charter search criteria for first meeting after August election.

RECOMMENDATION *The City Commission take action deemed appropriate.*

Discussed

BD-3 [200620](#) Selection of Progressive Design-Build Firm for the Groundwater Recharge Wetland Project (B)

****This item was presented to the UAB on February 10, 2022.****

Anthony Cunningham, Interim GRU Manager spoke to the item.

Kristen Sealy made a presentation.

Recess - 12:05 PM

RECOMMENDATION *Staff: The City Commission:*

1) approve the ranking of design-build firms for the progressive design build for the Ground- Water Recharge Wetland Project;

- 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 \$10 million in accordance with the annually approved budget.

UAB: On February 10, 2022, the UAB voted unanimously to advise the commission to approve the staff recommendation.

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

RE RESOLUTIONS - ROLL CALL REQUIRED (Unless mandated by statute to occur in the evening: May include Advocacy Resolutions and Binding Resolutions)

12:00 PM - 1:00 PM LUNCH BREAK

1:06 PM - Call to Order Afternoon Session

EARLY PUBLIC COMMENT ON AGENDA ITEMS - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

Gail Johnson

GENERAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. General Public Comment may be submitted in advance by pre-recorded voice message only (see page 2 for details). The General Public Comment period shall not exceed 30 minutes total.

Nathan Skop, Debbie Martinez, Tana Silva, Donald Shepherd and Telford Cartwright

BD BUSINESS DISCUSSION ITEMS

BD-4 210916. Commissioner Desmon Duncan-Walker - Affordable Housing (NB)

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

Withdrawn

BD-5 [210903.](#) Solar Photovoltaic Amendment One - Milestone Extension (B)

****This item was presented to the UAB on February 10, 2022.****

Anthony Cunningham spoke to the item.

Dino DeLeo gave a presentation.

Lisa Bennett spoke to the item.

Public Comment: Nathan Skop and Donald Shepherd

RECOMMENDATION *Staff: The City Commission authorize the Interim General Manager or his designee to execute a contract extension to extend the commercial operation date and other interim milestone dates and other agreements as required, subject to approval of the City Attorney as to form and legality.*

UAB: On February 10, 2022, the UAB voted unanimously to advise the commission to approve the contract extension and to allow the UAB to be involved in the public outreach effort.

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

RE RESOLUTIONS

[210330.](#) Land Use Change - 5.89 Acres of Property Located in the 3041-3155 Block of Old Archer Road (B)

Ordinance No. 210330

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; 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 Ward, seconded by Commissioner Hayes-Santos, that this Matter be Adopted (Resolution). The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

OR ORDINANCES

SECOND READINGS

SR-1 [200744.](#) Ordinance Creating Qualifying Fee and Alternative Petition Process for Qualifying for City Office (B)

ORDINANCE NO. 200744

An ordinance of the City of Gainesville, Florida, amending Section 9-10 of the Code of Ordinances by creating additional requirements for candidate qualifying; providing for an additional qualifying fee or petition signatures in lieu of a qualifying fee; 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 Hayes-Santos, seconded by Mayor-Commissioner Pro Tem Saco, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Chestnut, and Mayor-Commissioner Pro Tem Saco

Nay: 2 - Commissioner Duncan-Walker, and Commissioner Arreola

SR-2 [200730.](#) Text Change - Modification of Building Form and Design Standards

Ordinance No. 200730

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) Section 30-2.1 Definitions, Section 30-4.13 Building Form Standards, and Section 30-4.14 Building Design Standards to modify building frontages, building entrance, building materials, and ground floor tenant space requirements for properties in transect zones; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Was not adopted - scrivener's error in legislative history. The Clerk explained

that the prior minutes from the February 3, 2022 meeting incorrectly registered this item as approved as recommended in the legislative history, instead of adopted on first reading. The next meeting of the City Commission will reflect the change to the scrivener's error. Item was approved on first reading on February 3, 2022 and adopted on second reading on February 17, 2022.

Public Comment: Nancy Shepherd

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

FIRST READINGS

FR-1 [200722.](#) **Text Change - Neighborhood Workshop and Development Review Notification**

Ordinance No. 200722

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by amending development thresholds and applicable reviewing authorities; by amending Section 30-3.1 Development Review Coordinator; by amending Section 30-3.2 Technical Review Committee; by amending Section 30-3.7 Neighborhood Workshop; by amending Section 30-3.8 Public Notice; by amending Section 30-3.18 Review Procedures; by amending Section 30-3.36 Minor Subdivisions; by amending Section 30-3.45 Levels of Development Review; by amending Section 30-3.47 Review Procedures; by amending Section 30-3.56 Land Use Hearing Officer; by amending Section 30-6.4 Level of Service Review; by amending Section 30-6.6 Design Standards; by amending Section 30-6.12 Outdoor Lighting; by amending Section 30-7.2 Off-Street Vehicle Parking; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Motion: 1) Send back to staff to re-advertise, if project is 100% affordable housing, it would be exempt from DRB review process and bring back for first reading with changes; 2) Strike 30-4.5 hearing officer and send development back to DRB for review; 3) Changed include to require certified mail notice to affected parties and neighbors and include intermediate development for DRB review to 50 units.

Brittany McMullen, Planner gave a presentation.

Andrew Persons, Director, Department of Sustainable Development spoke to the item.

Sean McDermott, Attorney spoke to the item.

Dan Nee, Interim City Attorney spoke to the item.

Public Comment: Nathan Skop Robert Mounds, Gerry Dedenbach, Patrice Boyes, Deborah Amorizi, Kim Tanzer, Tana Silva, Telford Cartwright, Debbie Martinez, Janice Gary and Edward Young.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 6 - Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

Nay: 1 - Commissioner Hayes-Santos

COMMISSION COMMENT

Mayor-Commissioner Pro Tem Saco - letter to SOE on re-qualifying.

Commissioner Hayes-Santos - Congratulations to Commissioner Chestnut.

Commissioner Chestnut - 1) Referral to Environmental Justice Subcommittee - septic tanks around work to help neighbors possibly replacing them to improve ground water. Possibly create a grant program to help with it from federal infrastructure funds. 2) Accessory Dwellings - update on where we are. Cynthia Curry responded that accessory dwelling units updates will be included with housing update. 3) Wants GIS mapping to show where they are across the City. 4) Thanks to Clerk for the Swearing In.

Commissioner Ward - 1) Welcome to Commissioner Chestnut. 2) Happy to hear support on septic, about 6k in GRU services area and about 2k in City limits.

Roberta Griffith spoke.

DINNER BREAK - 3:32 PM

CALL TO ORDER - 5:29 PM

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [210912.](#) Black History Month - February, 2022 (B)

Accepted by Zeria Folston, Office of Equity and Inclusion

RECOMMENDATION TBD to accept the proclamation.

Heard

EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

RE RESOLUTIONS - ROLL CALL REQUIRED (required by state law to be heard at 5:00 pm)

RE-1 [210815.](#) Third Budget Amendment to the FY 2022 General Government Financial and Operating Plan Budget (B)

Cynthia Curry spoke to the item.

Karen Fiore, Budget Manager gave a presentation.

Public Comment: Telford Cartwright, Nathan Skop and Armando Grundy-Gomes

RECOMMENDATION City Commission adopt the proposed resolution.

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

BD BUSINESS DISCUSSION ITEMS

PH PUBLIC HEARINGS (Including Planning Petitions)

ORDINANCES - ROLL CALL REQUIRED

ADOPTION READINGS

AR-1 [210330.](#) Land Use Change - 5.89 Acres of Property Located in the 3041-3155 Block of Old Archer Road (B)

Ordinance No. 210330

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Brittany McMullen gave a presentation.

Clay Sweger, EDA gave a presentation.

Public Comment - Tana Silva

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

FR FIRST READINGS

FR-2 [210331.](#) Quasi-Judicial - Rezoning 5.89 Acres of Property Located on the 3041-3155 Block of Old Archer Road (B)

Ordinance No. 210331

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road, as more specifically described in this ordinance, from Mixed-Use Low-Intensity (MU-1) and Residential Multi-Family (RMF-8) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; 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 Mayor-Commissioner Pro Tem Saco, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 7 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Chestnut, Mayor-Commissioner Pro Tem Saco, and Commissioner Arreola

CC COMMISSION COMMENT

ADJOURNMENT - 6:28 PM