

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

February 3, 2022

10:00 AM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large, Seat A)
Commissioner Desmon Duncan-Walker (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 Morning Session - 10:00 AM

AGENDA STATEMENT

ROLL CALL

Present 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, Commissioner Duncan-Walker, and Mayor-Commissioner Pro Tem 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)

CONSENT AGENDA UPDATES:

1. File #210879 (Interim General Manager for Utilities Employment Agreement) - Added Item

REGULAR AGENDA UPDATES:

2. File #210859 (Resolution Accepting Report of Board of Canvassers) - Added Item

3. File #200722 (Text Change - Neighborhood Workshop and Development Review) - Changed Text File

Public Comment: Nathan Skop, Jo Beaty

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

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

CONSENT AGENDA ITEMS

CA-1 [210821.](#) Dondrea Meeks v. City of Gainesville; Case No. 2020-CA-1452; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)

RECOMMENDATION

The City Commission 1) approve the terms of the negotiated settlement agreement; and 2) authorize the City Attorney to settle the claim of Dondrea Meeks, arising from an accident that occurred on or about December 8, 2017.

Approved as Recommended

CA-2 [210849.](#) **Approval of Minutes from the January 20, 2022 City Commission Meeting (B)**

RECOMMENDATION *The City Commission approve the January 20, 2022 minutes.*

Approved as Recommended

CA-3 [210829.](#) **Resignations of Russell Adams from the Tree Advisory Board and Steven Kee from the Public Recreation and Parks Board (B)**

RECOMMENDATION *The City Commission accept the resignations of Russell Adams and Steven Kee, effective immediately.*

Approved as Recommended

CA-4 [210627.](#) **Request to Release Lien at 24 NE 20th Street**

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

Approved as Recommended

CA-5 [210731.](#) **Second Amendment to Agreement Between the City of Gainesville and Keep Alachua Beautiful, Inc. (KACB) for Anti-litter and Anti-graffiti Activities (B)**

RECOMMENDATION *The City Commission to authorize the City Manager, or designee, to execute the Second Renewal extension of the agreement with Keep Alachua County Beautiful, Inc. for the an additional period from October 1, 2021 to September 30, 2022, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

CA-6 [210735.](#) **Third Amendment to the Interlocal Agreement between Alachua County and the City of Gainesville for Recycling Processing (B)**

RECOMMENDATION *The City Commission: 1) approve the Third Amendment to the Interlocal Agreement between Alachua County and the City of Gainesville for Recycling Processing though September 30, 2022; 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-7 [210738.](#) **First Amendment to Government Recycling Services with Recycling**

Services of America (B)RECOMMENDATION

The City Commission: 1) approve the piggybacking of Alachua County's Bid 17-46, First Amendment; and 2) authorize the City Manager or designee to execute all contract documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-8 [210791.](#)

Annual Contract for Liquid Sodium Hypochlorite Purchases for City Swimming Pools (B)

Request for the City Commission to approve award and execution of a contract with Hawkins, Inc., for purchase and delivery of liquid chlorine for the City's swimming pools and splash pads in the amount of \$216,000.00 over a two-year period, with up to three possible 12-month extensions and possible price adjustment based on Consumer Price Index on February 15, 2024.

RECOMMENDATION

The City Commission 1) authorize the Interim City Manager or her designee to award the bid submitted by Hawkins, Inc. for the purchase and delivery of liquid chlorine to City swimming pools at the amount of \$1.80/gallon, between February 16, 2022 and February 15, 2024, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-9 [210818.](#)

Technical Revision to the State Housing Initiatives Partnership Program Local Housing Assistance Plan-State Fiscal Years 2020-2023 (B)RECOMMENDATION

The City Commission: 1) approve the proposed technical revisions to the State Housing Initiatives Partnership Program Local Housing Assistance Plan for State Fiscal Years 2020/2021, 2021/2022 and 2022/2023; 2) authorize staff to submit the proposed technical revisions to the Florida Housing Finance Corporation; and 3) authorize the Mayor and/or City Manager or designee to execute all necessary documents related to the proposed technical revisions, subject to review by the City Attorney as to form and legality.

Approved as Recommended

CA-10 [210823.](#)

Contract Award for Painting and Pressure Washing Services for the Neighborhood Paint Program-REVISED & REBID (B)

This item is a request to approve the recommended award for Request for Proposal (RFP) #CRAX-220025-GD and execute separate contracts with Elite Sandblasting and Painting Inc. and Quick Painting Group Corp.

RECOMMENDATION

City Manager to City Commission: Authorize the Interim City Manager or her designee to execute contracts with Elite Sandblasting and Painting Inc. and Quick Painting Group Corp. for Painting and Pressure Washing Services for the Neighborhood Paint Program, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-11 [210810.](#)

GRU Operational Update for the Month of December 2021 (B)

RECOMMENDATION

Receive report.

Approved as Recommended

CA-12 [210879.](#)

Interim General Manager for Utilities Employment Agreement (B)

RECOMMENDATION

The City Commission 1) approve the employment agreement with Mr. Cunningham; and 2) authorized the Mayor to execute the agreement subject to approval of 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.

Jo Beaty

Omichele Gainey, City Clerk and Dan Nee, Interim City Attorney spoke to questions around the elections.

BD BUSINESS DISCUSSION ITEMS (Agenda Items that will be discussed, including those moved from Consent)

BD-1 [210356.](#)

Boards, Commissions and Committees Review (B)

Motion: Rescind action to combine the two boards.

Russell Etling, Cultural Affairs Manager spoke to matter.

Marcie Stefan, Chair of Cultural Affairs Board and Mr. Warner spoke to the matter.

RECOMMENDATION

The City Commission discuss their action on this item and

take any action as deemed necessary.

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

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

BD-2 [210824.](#)

Commissioner Harvey Ward - Discussion of Outdoor Performance / Busking (B)

Motion: Move forward with program in amount of \$25k with funding source identified by City Manager.

Public Comment: Trisha Ingle, James Ingle, Marihelen Wheeler, Telford Cartwright

RECOMMENDATION *The City Commission discuss funding a pilot program for Outdoor Performance/Busking and take any action deemed appropriate.*

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

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

BD-4 [210601.](#)

Parking Discussion(B)

Motion: Suspend parking changes implemented including on NW 2nd Ave and the SW area in downtown until June 1st. Allow the Commission to regroup with staff to ensure appropriate plans we work with are people who live/work in downtown. Staff should continue to enforce time limits.

Malisa McCreedy, Director of Transportation and Mobility spoke to the matter.

Public Comment: Cynthia Chestnut, Danny Hughes, Ms. Lopez, Marihelen Wheeler, Nathan Skop, Ernie Kimbler, Sarah, Telford Cartwright, Debbie Martinez, Alfred Morales, Avery Vincent, Darlene Pifalo, Andrew Schaer, Mike Warren.

Recess 12:23 PM

RECOMMENDATION

The City Commission discuss the recent parking management changes.

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

Aye: 5 - Commissioner Hayes-Santos, Commissioner Saco, Commissioner Ward, Commissioner Duncan-Walker, and Mayor-Commissioner Pro Tem Arreola

Nay: 1 - Mayor Poe

BD-3 [210129.](#)

Solid Waste Ordinance Draft (B)

Michael Heinback presented.

Motion: Direct City Attorney to finalize drafts and bring back to Commission with that one change, food waste containers only required where food is disposed of and consumed.

Public Comment: Nathan Skop, Alfredo Morales, Lorraine Holy, Telford Cartwright, Nina Battacheria, Joy Hughes, Debbie Martinez

RECOMMENDATION

The City Commission discuss the substance of the proposed ordinances. If further changes are recommended by the City Commission, staff recommends that the City Commission direct such changes to be referred back to the Zero Waste Subcommittee. If no changes are recommended, staff recommends that the City Commission allow the City Attorney additional time to finalize the drafts prior to presenting final versions to the City Commission.

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

Aye: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, Commissioner Duncan-Walker, and Mayor-Commissioner Pro Tem 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

RECONVENE - 1:02 PM

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.

Anthony Rue, Tana Silva, Nancy Shepherd, Telford Cartwright

GENERAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Matt Parker, Nathan Skop, James Gardner, Tana Silva, Debbie Martinez, Telford Cartwright, Donald Cartwright, Donald Shepherd, Armando Grundy-Gomes, Makia Jones, Margaret Rose, Delise, Faye Williams

BD BUSINESS DISCUSSION ITEMS

BD-5 [210827.](#) Commissioner Hayes-Santos: Discussion on the RTS Mobile Application (GNV RideRTS) Issues (B)

Commissioner Hayes-Santos spoke to the item.

Malisa McCreedy spoke to the item.

Motion by Commissioner Hayes-Santos: Bring back item in March for update. Motion died for lack of a second.

Public Comment: Daniel Owens, Telford Cartwright

RECOMMENDATION *The City Commission discuss the RTS Mobile Application and take any action deemed appropriate.*

Discussed

BD-6 [210848.](#) City Commission Discretionary Spending (B)

Motion: Move forward with recommendation with one change - "remove quarterly report from consent agenda."

Omichele Gainey, City Clerk spoke to the matter.

Ginger Bigbie, City Auditor spoke to the matter.

Public Comment: Nathan Skop, Telford Cartwright, Tina Days, Debbie Martinez, Armando Grundy-Gomes

RECOMMENDATION

Authorize the creation of a Commissioner discretionary spending fund from the existing travel and training budget allocation and all other recommendations as outlined in the attached January 20, 2022 memo to the Commission.

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

Absent: 1 - Commissioner Duncan-Walker

RE RESOLUTIONS

RE-1 [210825.](#) Resolution for 49 U.S. Code Chapter 53, Section 5310 Grant Applications (B)

This item is a request for the City Commission to adopt a Resolution required in support of the Regional Transit System (RTS) application for a Florida Department of Transportation 49 U.S. Code Chapter 53, Section 5310 grant for “Free Fare for Seniors,” and for the Interim City Manager or designee to execute related Public Transportation Grant Agreement(s) with the Florida Department of Transportation.

RECOMMENDATION

The City Commission adopt the 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: 6 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, Commissioner Duncan-Walker, and Mayor-Commissioner Pro Tem Arreola

[210859.](#) Resolution Accepting Report of Board of Canvassers - Run-Off Election 2022 (B)

A resolution of the City Commission of the City of Gainesville, Florida, accepting the report of the Board of Canvassers for the City of Gainesville, Florida, run-off election held January 25, 2022; and providing an immediate effective date.

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

OR ORDINANCES**ADOPTION READING****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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Ward, that this Matter be Continued to February 17, 2022. The motion carried by the following vote:

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

FIRST READINGS**FR-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.

Motion: Adopt with modifications: Allow petition gatherings from all city-wide electorates and becomes effective in 2024. Require 1 of the total eligible voters for at-large seats and for district seats the required amount would be 25 percent of the at-large.

Omichele Gainey, City Clerk spoke to the item.

Dan Nee, Interim City Attorney spoke to the item.

Public Comment: Nathan Skop, Telford Cartwright, Darlene Pifalo, Debbie Martinez, Tamara Robbins, Armando-Grundy-Gomes.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Aye: 4 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, and Commissioner Ward

Nay: 2 - Commissioner Duncan-Walker, and Mayor-Commissioner Pro Tem Arreola

FR-2 [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.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Saco, seconded by Mayor-Commissioner Pro Tem Arreola, that this Matter be Continued to February 17, 2022. The motion carried by the following vote:

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

FR-3 [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.

Motion: Adoption of ordinance with correction of scrivener's error - changing Class III to Class II.

Brittany McMullen, Planner spoke to the matter.

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

Public Comment: Nathan Skop

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

COMMISSION COMMENT

RECESS - 4:27 PM

RECONVENE - 5:50 PM

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [210841.](#) World Hijab Day - February 1, 2022 (B)

RECOMMENDATION *World Hijab Day Volunteers Laila Fakhoury and Manal Fakhoury 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 6:00 pm)

BD BUSINESS DISCUSSION ITEMS

PH PUBLIC HEARINGS (Including Planning Petitions)

ORDINANCES - ROLL CALL REQUIRED (required by state law to be heard at 6:00 pm)

SR SECOND READINGS

SR-1 [210278](#). Voluntary Annexation - 4 Acres of Privately-Owned Property West of SW 13th Street and South of SW 36th Place (B)

Ordinance No. 210278

An ordinance of the City of Gainesville, Florida, annexing approximately four (4) acres of privately-owned property generally located west of SW 13th Street and south of SW 36th Place, 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 City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Dan Nee spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

FR FIRST READINGS

FR-4 [210729](#) **Comprehensive Plan Amendment - Property Rights Element (B)**

Ordinance No. 210729

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by adding a Property Rights Element; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Juan Castillo, Planner gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

COMMISSION COMMENT

Commissioner Duncan-Walker - Wanted to circle back to neighbors who participated in St. Michael's workshop. Staff did some research on a land swap. Andrew Persons spoke to the matter.

ADJOURNMENT - 6:09 PM