

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

May 21, 2020

5:00 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)
Mayor-Commissioner Pro Tem Harvey Ward (District 2)
Commissioner David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equal Opportunity at (352)334-5051 at least two business days in advance. TTY (Text Telephone Telecommunication Device) users please call 711 (Florida Relay Service). For Speech to Speech (STS) relay, please call 1-877-955-5334. For STS Spanish relay, please call 1-877-955-8773. For STS French Creole relay, please call 1-877-955-8707.

Welcome to the City Commission meeting!

We're glad you're here. Please review the meeting process and how you can participate.

What is the Meeting Agenda? The City Commission makes policies and conducts the city's business in an open and transparent forum. The agenda is an outline of what will happen during the meeting. It includes the following sections:

Adoption of Consent Agenda (CA): The Consent Agenda is a group of business items that are voted on together in one motion. These items are not discussed separately. The Commission may remove an item to discuss it during the meeting or at a later meeting.. This process saves time for the Commission to discuss items on the Regular Agenda.

Adoption of Regular Agenda: The Commission must approve the order of items on the Regular Agenda, which is the list of items set for discussion. The Commission can also re-order or remove items.

The **(B)** after an item's title means that there are materials, called Backup, in support of the item. Click the links on the agenda to view the documents. An **(NB)** after an item's title means there are no Backup materials for the item.

How to Share Your Opinion. Your opinion is important to the City Commission. There are multiple ways to add a comment to the official record.

Submit Written Public Comment: You may write a public comment on any City Commission Meeting agenda item. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab. Click on the "eComment" link in the right-hand column. Written comment opens when the agenda is published the Friday before the meeting and closes one (1) hour before the start of the meeting. Your comments will be sent to the City Commissioners and added to the official record.

Speak at a Public Meeting: Any member of the public may sign up to speak at a City Commission meeting. Visit our website, www.cityofgainesville.org, and go to the "Agendas & Minutes" tab on our website. Click on the "eComment" link in the right-hand column and register to speak on a specific agenda item. Online registration closes one (1) hour before the meeting is called to order. You may also register on the sign-up sheet in the Auditorium before the meeting begins. Speakers will be called to the podium by name and should address their comments to the Chair of the meeting, usually the Mayor. There are two types of public comment during Commission Meetings:

General Public Comment: The public is invited to speak to the Commission for three (3) minutes about any topic, as long as it is not on the Agenda. This is an opportunity to bring up new ideas or issues to the Commission. Each person may speak during one comment period: at the start of the 1pm session, at the start of the 5:30pm session, or at the end of the meeting. The Commission will not discuss or make decisions on ideas presented during this time. Comments may be referred to City staff for follow up.

Public Comment on Agenda Items: The Commission may request public comment on specific agenda items during discussion. Speakers may have three (3) minutes and comments must stay focused on the agenda topic at hand.

Early Public Comment: The Commission has created Early Public Comment to allow community members to speak on agenda items without waiting for the item to be called during the meeting. Speaking at Early Public Comment waives the right to speak later during the meeting. Members of the public may speak for three (3) minutes on one agenda item or five (5) minutes on two or more items. Speakers should begin their comments by announcing which items they are addressing so the timeclock can be set properly.

The City of Gainesville encourages civil public speech. Disruptive behavior is not permitted during City Commission meetings. Please do not bring food, drinks, props, signs, posters, or similar materials into the Auditorium. Cheering and applause are only permitted during the Proclamations/Special Recognitions portion of the meeting.

We look forward to a productive meeting and are glad you have joined us.

5:00pm - CALL TO ORDER**AGENDA STATEMENT**

"Individuals are encouraged to participate in City of Gainesville meetings. In general, speakers will be limited to 3 minutes for general public comment once during the meeting. Speakers who wish to participate in early public comment will be limited to 3 minutes to speak on one agenda item or 5 minutes if they wish to speak on several agenda items. If speakers do not participate in early public comment, speakers will be limited to 3 minutes per agenda item. The City of Gainesville encourages civility in public discourse and requests that speakers direct their comments to the Chair. Signs, props and posters are not permitted in the meeting room."

ROLL CALL**INVOCATION****CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items****CA-1 [191202.](#) Approval of Minutes from the May 7, 2020 City Commission Meeting (B)**

RECOMMENDATION *The City Commission approve the May 7, 2020 minutes.*

[191202 May 7, 2020 Minutes 20200521.pdf](#)

CA-2 [191194.](#) Thelma Boltin Center Renovations Design Services RFQ Award (B)

Explanation: The Thelma Boltin Center is an historic building and an active city recreation center. The building was last renovated in 1999 and is due for comprehensive updates. In an effort to bring the facility to current standards and to maximize its public use, the General Policy Committee approved on August 22, 2019 a building renovation scope and directed staff to negotiate design and engineering services for the development of construction documents for the selected renovation scope.

A Request for Qualifications (RFQ) solicitation was posted on January 13, 2020 and closed on February 17, 2020. One eligible submittal was received from Wannemacher Jensen Architects (WJA), Inc. The Staff Evaluation Team reviewed the submittal and recommends contracting with the vendor for design and engineering services for the project.

Fiscal Note: None.

RECOMMENDATION

The City Commission: 1) Approve the Thelma Boltin Design Services RFQ Evaluation Team's recommendation to award the project to Wannemacher Jensen Architects, Inc., and 2) authorize the City Manager or designee to negotiate with Wannemacher Jensen Architects, Inc. for design and engineering services for the development of construction documents for the Thelma Boltin Center renovation.

[191194A Presentation Cultural Center Update GPC Mtg 8-22-19 20200521](#)

[191194B WSPP-200004-DM RFQ docx 1-10-20 FNL 20200521](#)

[191194C 200004-DM Thelma Boltin Center Renovations -ADD 1-FNL 20200521](#)

[191194D 200004-DM Thelma Boltin Center Renovations -ADD 2 FNL 20200521](#)

[191194E Evaluation FNL RANKING RFQ 20200521](#)

[191194F WJA WSPP-200004-DM Thelma Boltin Center Design Services 2](#)

CA-3 [191198.](#)

Ratification of Amendment to the Agreement Between the Police Benevolent Association (PBA) Bargaining Unit and the City of Gainesville for February 1, 2020 through September 30, 2022 (B)

This item is to ratify an amendment to the three year successor agreement between the City and the PBA Bargaining Unit.

Explanation: Historically, the Negotiation Response Team (NRT) unit commander held the rank of Sergeant. For carrying out that role, an assigned Sergeant was provided a stipend of \$60 for each full month of such assignment. In April 2020, the then-NRT unit commander promoted to the rank of Lieutenant, and the Gainesville Police Department (GPD) made the decision to continue to assign this role to the newly-promoted Lieutenant. The PBA agreement does not provide for specialty pay for this role, and the parties agreed it was in their mutual interest to continue the stipend for the assigned Lieutenant. The Chief retains sole discretion to assign the role.

A copy of the Amendment to the Agreement is on file in the Office of the Clerk of the Commission. After May 21, 2020, the Agreement will be on file in the Human Resources Department.

Fiscal Note: There is no additional cost associated with this amendment.

RECOMMENDATION

The City Commission ratify the Amendment to the Agreement between the PBA Bargaining Unit and the City of Gainesville.

[191198 Amendment to Art. 18 - Misc. Emp. Benefits - PBA 2020-2022 20200521](#)

CA-4 [191199.](#)**Amendment to the Interlocal Agreement between the City of Gainesville and Alachua County to Operate a Rental Assistance Program (B)**

This item requests City Commission approval to amend an Interlocal Agreement with Alachua County to reprogram unencumbered funds from the Rental Assistance Program. The City's unencumbered funds from the Rental Assistance Program will be reallocated to the GNVCares for Neighbors Initiative.

Explanation: Each year the City receives funding from the State through the State Housing Initiatives Partnership (SHIP) Program. Consistent with SHIP Program rules, the City uses this funding for several programs that preserve and increase access to housing for very low, low and moderate income households. These programs include Down Payment Assistance, Home Repair, Mortgage Foreclosure Intervention, Counseling and Disaster Assistance.

In 2016, SHIP Program rules were amended to also allow Cities and Counties to use up to 15% of each year's allocation for Rental Assistance Programs that work to reduce homelessness. In response to the amended SHIP Program rules, the City of Gainesville and Alachua County formed a funding partnership authorized through an interlocal agreement to implement a Rental Assistance Program. Consistent with the interlocal agreement, the Rental Assistance Program is housed in, and staffed by, the County's Community Support Services Department.

With the onset of the COVID-19 Pandemic, both the City and County reviewed current and future budgets to identify funds that could be available to mitigate the impacts of this emergency. Review of the Rental Assistance Program indicated that, due to social distancing requirements, a portion of the funds budgeted for the current Fiscal Year could not be spent within the time period required by the SHIP Program. In addition, the State has specifically allowed Cities and Counties to reprogram SHIP Funds to address the COVID-19 emergency.

As proposed, the amendment to the interlocal agreement will simply reduce the City and County SHIP Program funding levels for the Rental Assistance Program to the amount already committed. That change would allow the City to reprogram \$51,000 from the Rental Assistance Program to the GNVCares About Neighbors Program.

Fiscal Note: The City's SHIP Program Rental Assistance allocation for FY 2017/2018 was \$84,000. Based on SHIP Program rules, that money must be spent by June 30, 2020. Currently, however, only \$33,000 has been spent or encumbered. Approval of the proposed amendment will facilitate moving the remaining \$51,000 to the GNVCares for Neighbors Program. These funds will be included in the total SHIP Program funding of \$556,000 that was reprogrammed to the GNVCares for Neighbors, as approved by the

City Commission on April 23, 2020, File #191154.

RECOMMENDATION *The City Commission authorize the Mayor to execute an amendment to the Interlocal Agreement between the City of Gainesville and Alachua County for the Rental Assistance Program, subject to review by the City Attorney as to form and legality.*

[191199A Fully Executed Agreement 20200521.pdf](#)

[191199B DRAFT 1st Amend-Rental Assistance Interlocal Agreement May 2020](#)

ADOPTION OF REGULAR AGENDA

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

BD-1 [191204.](#) Election of Mayor Pro Tem (NB)

RECOMMENDATION *The City Commission select a Mayor Pro Tem for 2020-2021.*

BD-2 [191206.](#) Renaming of the Equal Opportunity Director to the Equity & Inclusion Director (NB)

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

BD-3 [191222.](#) Update on City of Gainesville COVID-19 Response (NB)

Explanation: This purpose of this item is to provide an update regarding the City of Gainesville's COVID-19 Response.

Fiscal Note: None.

RECOMMENDATION *The City Commission hear an update regarding the City's COVID-19 Response and take action, as necessary.*

BD-4 [191221.](#) Discussion of Alachua County's Sale of the Fairgrounds to US Army Reserve (B)

Fiscal Note: None

RECOMMENDATION

The City Commission discuss the Economic Impact Analysis associated with the sale of the Fairgrounds.

[191221_Alachua County Army Reserve Report 4-29-2020_20200521.pdf](#)

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)**RE RESOLUTIONS - ROLL CALL REQUIRED (RE)**

RE-1 [191205.](#) **Resolution Amending the ICMA Retirement Corporation Governmental 457 Deferred Compensation Plan and Trust for the Benefit of the Eligible Employees and Their Beneficiaries (B)**

Explanation: The City of Gainesville sponsors a Governmental 457 Deferred Compensation Plan (The Plan) to allow eligible members to participate in a supplemental retirement program. Contributions to the plan are voluntary. The amendments to the Plan will add a loan provision and incorporate Roth IRA contributions within the Plan. These are provisions that will give eligible participants flexibility in planning for retirement using either or both pre and post-tax contributions to a single account reducing fees associated with two accounts and providing Roth participants with access to enhance services included in the Plan such as managed accounts and additional investment options included in the 457 Plan but not in the Roth plan.

Fiscal Note: There is no fiscal impact associated with this Resolution.

RECOMMENDATION

The City Commission: 1) Adopt the Resolution and 2) Authorize the City Manager or his designee to execute the Governmental 457 Plan and Trust Optional Provisions Election Form subject to approval of the City Attorney as to form and legality.

[191205A_Resolution 457 Agreement - Loan and Roth Addition_20200521.pdf](#)

[191205B_Exhibit A - Optional Election Form 457 Plan_20200521.pdf](#)

[191205C_200027_Agenda Item 191205_ICMA-RC_20200521.pdf](#)

RE-2 [191223.](#) **Updated Real Property Policy (B)**

Resolution No. 191223

A resolution of the City Commission of the City of Gainesville, Florida, adopting revised real property policies which govern the acquisition and

disposition of property by the general government of the City; providing directions to the Clerk of the Commission; and providing an immediate effective date.

Explanation: This item includes several proposed amendments to the City's adopted Real Property Policies. The Real Property Policy has not received a significant update since 2013. The proposed amendments include a number of minor revisions recommended by the City's real estate and land rights office in order to remove outdated language and to streamline the City's procedures for designating surplus land.

The Real Property Policy was also amended to include additional guidance for the disposition of surplus land for affordable housing including adding new policies for disposing of City owned property for multi-family affordable housing projects. The revisions will support the City's efforts to leverage City-owned properties to facilitate the creation of new affordable housing.

The revised policy does not include any changes to the tiered (City Commission, City Manager, Department Director) approval authorization amounts for real property disposition.

Fiscal Note: No fiscal impact at this time.

RECOMMENDATION *The City Commission review the proposed revised Real Property Policy and adopt the resolution.*

[191223A Current Adopted Real Estate Policies 20200521](#)

[191223B Final CITY OF GAINESVILLE REAL PROPERTY POLICIES 20200521](#)

[191223A draft resolution 20200521.pdf](#)

PUBLIC HEARINGS (PH)

SR ORDINANCES, 2ND READING - ROLL CALL REQUIRED (SR)

SR-1 [190814.](#) **Proposed Revisions to Chapter 8 Titled "Discrimination" of the City Code of Ordinances (B)**

Ordinance No. 190814

An ordinance of the City of Gainesville, Florida, amending Chapter 8 of the Code of Ordinances, relating to discrimination by revising definitions; by renaming the Equal Opportunity Office; by eliminating redundant code language; by revising the definition of disability and adding new classes protected against discrimination for purposes of Fair Housing; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: One of the recommendations of the Rental Housing Subcommittee was updates to the Fair Housing Code to include new protected classes of gender identity, citizenship status, and lawful source of income. On July 25, 2019, the General Policy Committee voted to direct staff to draft revisions to the Code and present the same to the Commission for discussion. In addition, the Office of Equal Opportunity requested a revision to rename the office the Office of Equity and Inclusion.

On November 7, 2019, a draft of the revised ordinance was presented to the Commission and the Commission requested to add language tracking the Alachua County Ordinance in regards to prohibited citizenship status discrimination.

On February 20, 2020, Staff presented the revised ordinance on first reading. At the first reading, the Commission requested additional changes, adding veteran status and victim of domestic violence, dating violence and stalking as protected classes for purposes of fair housing, and modifying the definition of disability to replace language from the Code of Federal Regulations (29 CFR 1630.3(d)) with language from the Alachua County Code of Ordinances.

Because of the number of requested revisions and revisions to the title, this ordinance was re-advertised for a first reading. If adopted on first reading on May 7, 2020, second reading will occur on May 21, 2020.

Fiscal Note: None

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

2/20/20	City Commission	Approved as Recommended and Adopted (Ordinance) on Second Reading, as amended
5/7/20	City Commission	Adopted on First Reading (Ordinance)

[190814_draft ordinance_20200220.pdf](#)

[190814_draft ordinance_20200507.pdf](#)

FR ORDINANCES, 1ST READING - ROLL CALL REQUIRED (FR)

FR-1 [190291.](#) **Text Change - Amending Transect Zone Street Designation for SW 2nd Street Between SW 2nd Avenue and SW 2nd Place (B)**

Ordinance No. 190291

An ordinance of the City of Gainesville, Florida, amending the transect zone street designation of SW 2nd Street between SW 2nd Avenue and SW 2nd Place from Storefront street to Local street; providing directions to the codifier; providing a severability clause; providing a repealing clause; and

providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the transect zone street designation of SW 2nd Street between SW 2nd Avenue and SW 2nd Place from Storefront street to Local street. LDC Section 30-4.11C establishes street designations for transect zones that determine the relationship of buildings to the street and the standards for the design of street landscaping and sidewalks, and these street designations are assigned to particular streets in the City's Zoning Map Atlas.

The subject property is the right-of-way of SW 2nd Street between SW 2nd Avenue to the north and SW 2nd Place to the south. Adjacent properties have a Planned Development or Downtown (DT) zoning designation. The DT zone is a zoning district that implements the Urban Core transect. The Downtown zone consists of the highest density and height development, with the greatest variety of uses, and civic buildings of regional importance. Streets have steady street tree planting and buildings are set close to wide sidewalks. To the east of the SW 2nd Street segment is the Alachua County Courthouse and associated parking, with Urban Core (UC) land use and a Planned Development zoning designation. The lands to the west of the subject street segment are occupied by a vacant drive-through restaurant, small-scale multiple-family development, and one-story office buildings. These properties have UC land use and Downtown (DT) zoning.

The intent expressed in this private application is that the reclassification of the SW 2nd Street segment from Storefront to Local is more consistent with the existing and the likely future conditions along the segment.

The City Plan Board held a public hearing on November 7, 2019, where it voted to deny approval of the request. On November 21, 2019, the City Commission held a public hearing and voted to approve the request as expressed in this ordinance. This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

11/7/19 City Commission Continued

11/21/19 City Commission Approved

[190291A_StaffReport_PB-19-72ZON_20191107](#)

[190291B_PPT_PB-19-72_ZON_20191107](#)

[190291_PRES_191105_2ndStreet_CC1_Applicant_20191107.pdf](#)

[190291_CHW_PRES_191121_2ndStreet_CC1_20191121.pdf](#)

[190291A_draft ordinance_20200521.pdf](#)

FR-2 [190714.](#) **Text Change - Amending the Land Development Code Related to Food Truck Parks (B)**

Ordinance No. 190714

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by adding food truck park as a permitted use in certain zoning districts with associated regulations; by amending Section 30-2.1 Definitions; by amending Section 30-4.12 Permitted Uses in Transects; by amending Section 30-4.19 Permitted Uses in Mixed-Use and Nonresidential Districts; by amending Section 30-4.23 Permitted Uses in Special Districts; by adding Section 30-5.13 to provide regulations for food truck parks; by amending Section 30-5.37 relating to regulations for food trucks; by amending various sections in the Land Development Code and Appendix A Schedule of Fees, Rates and Charges to correct code references because of numbering changes and to make scrivener's corrections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **STAFF REPORT**

This ordinance will add "food truck park" as a permitted use in certain zoning districts with associated regulations. Currently, food trucks are allowed as a temporary use on property within certain zoning districts or in conjunction with special events, but are not allowed as a permanent use. This ordinance will allow permanent food truck parks within the zoning districts that currently allow food trucks as a temporary use.

Mobile food vending and associated uses were included on the list of priorities for the Department of Sustainable Development. The issue received a medium priority ranking at the June 10, 2019, joint meeting between the City Plan Board and the City Commission. However, a private applicant has submitted this request to amend the Land Development Code to allow permanent food truck parks, which is the impetus of this ordinance.

The City Plan Board held a public hearing on December 10, 2019, where it voted to recommend approval of this amendment to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[190714A_draft ordinance_20200416.pdf](#)
[190714B_StaffPPT_CityCommission_20200521](#)
[109714C_StaffPPT_CPB_20200521](#)
[190714D_Staff Report PB-19-94_20200521](#)
[190714E_ModificationsCPB_20200521](#)
[190714F_CPB 191210 Signed Minutes_20200521](#)
[190714A_draft ordinance_20200521.pdf](#)

NECESSARY DIRECTION TO CHARTER OFFICERS

10:00pm or earlier - Adjourn - If later than 10:00pm, the Commission may waive the rules to extend the meeting or may schedule a date/time to continue the meeting