

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Final**

**June 16, 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)***

***If you have a disability and need an accommodation in order to participate in this meeting, please contact the Office of Equity and Inclusion 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 to Spanish relay, please call 1-877-955-8773. For STS Spanish to English relay, please call 1-844-463-9710.***

**Call to Order - 10:00 AM**

**AGENDA STATEMENT**

**ROLL CALL**

Commissioner Hayes-Santos attended virtually.

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

[211351.](#) **Affidavit of Extraordinary Circumstances - Commissioner Hayes-Santos**

**INVOCATION**

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

*Public Comment: Tana Silva*

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

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

**Absent:** 1 - Commissioner Chestnut

**CONSENT AGENDA ITEMS**

**CA-1** [211315.](#) **Approval of Minutes from the June 2, 2022 City Commission Meeting (B)**

**RECOMMENDATION** *The City Commission approve the minutes from June 2, 2022.*

**Approved as Recommended**

**CA-2** [211280.](#) **Watershed Planning Initiative Grant for the Hogtown Creek Watershed Master Plan (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager, or designee, to apply for a Watershed Planning Initiate Grant with the Florida Department of Emergency Management for Hogtown Creek and execute a grant agreement and related documents, if awarded, subject to approval by the City*

*Attorney as to form and legality.*

**Approved as Recommended**

- CA-3**    [211277.](#)    **United States Department of Energy (DOE), Bioenergy Technologies Office (BETO) FY22 Feedstock and Conversion Funding Opportunity Grant Application (NB)**

**RECOMMENDATION**

*The City Commission authorize the City Manager or designee to execute and enter into a grant agreement if awarded, and any other necessary documents with DOE, BETO pertaining to this grant, subject to approval by the City Attorney or designee as to form and legality.*

**Approved as Recommended**

- CA-4**    [211326.](#)    **Appointments to City Commission Advisory Boards and Committees (B)**

**RECOMMENDATION**

*The City Commission appoint:*

*Cameron Bacchus to the City Beautification Board for a partial term ending 11/1/2023.*

*Keiaria Williams to the Gainesville Art In Public Places Trust for a full term ending 9/30/2024.*

*William Burger to the Public Recreation and Parks Board for a full term 6/1/2025*

**Approved as Recommended**

- CA-5**    [211327.](#)    **Resignations of Cristina Espinosa from the Gainesville Human Rights Board, Jessica Wilson from the Nature Centers Commission and Keyon Young from the Police Advisory Council (B)**

**RECOMMENDATION**

*The City Commission accepts the resignation of Cristina Espinosa, Jessica Wilson and Keyon Young, effective immediately.*

**Approved as Recommended**

- CA-6**    [211322.](#)    **Florida Highway Safety and Motor Vehicles Data Exchange Compliance Audit (B)**

**RECOMMENDATION**

*The Audit Committee recommends the City Commission accept the City Auditor's report.*

**Approved as Recommended**

- CA-7**    [211323.](#)    **Internal Control Follow Up - Gainesville Regional Utilities (GRU) Deerhaven Generating Station Theft (B)**

RECOMMENDATION            *The Audit Committee recommends the City Commission accept the City Auditor's report.*

**Approved as Recommended**

**CA-8    [211324.](#)            **Gainesville Community Reinvestment Area Project and Fiscal Management Audit (B)****

RECOMMENDATION            *The Audit Committee recommends the City Commission accept the City Auditor's report.*

**Approved as Recommended**

**CA-9    [211325.](#)            **City Auditor Quarterly Update (B)****

RECOMMENDATION            *The Audit Committee recommends the City Commission accept the City Auditor's quarterly report.*

**Approved as Recommended**

**CA-10   [211335.](#)            **Richantae A. Johnson v. City of Gainesville, Florida; Case No. 2021-CA-0102; 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 Richantae A. Johnson, arising from an accident that occurred on or about July 1, 2019.*

**Approved as Recommended**

**CA-11   [211318.](#)            **Contract for Purchase and Sale of Real Property - SiVance, LLC (B)****

This item seeks City Commission approval of a Contract for Purchase and Sale of Real Property adjacent to the SiVance, LLC existing facility and proximate to the City of Gainesville's Airport Industrial Park.

RECOMMENDATION            *The City Commission direct: 1) the City Manager to execute the Contract for Purchase and Sale of Real Property regarding a portion of Parcel ID #08161-000-000 and all related documents subject to approval of form by the City Attorney.*

**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.**

*Tana Silva*

*Commissioner Chestnut arrived at 10:08 AM*

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

**BD-1 [211296](#) Street Shows Pilot Program Update (B)**

Staff presentation regarding the city-sponsored street performer pilot program to be launched this summer.

*Russell Etling, Cultural Affairs Director introduced.*

*Chelsea Carnes, Events Coordinator gave a presentation.*

*Leslie Ladendorf, Assistant Director of Parks and Recreation spoke to the item.*

*Public Comment: Kali Blount*

**RECOMMENDATION** City Commission 1) hear a presentation on the Street Shows pilot program and 2) provide feedback.

Heard

**BD-2 [210890](#) Historic Home Stabilization Assistance Program (B)**

*Motion: Approve recommendation and marketing through non-traditional means.*

*Chelsea Bakaitis, GCRA gave a presentation.*

**RECOMMENDATION** Interim City Manager to City Commission: Approve the Historic Home Stabilization Program as presented, once approved by the City Attorney, as to form and legality.

**A motion was made by Commissioner Chestnut, 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-3 [210851](#) Charter Amendment Addressing Vacancies in Office (B)**

*Motion: Bring draft back in ordinance form requiring the City Commission to call an election within 60 days of a vacancy.*

RECOMMENDATION            *The City Commission take action as deemed necessary.*

**A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Arreola, 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

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

**RE-1 [210042.](#) Amended Resolution In Support of the City of Gainesville Being Certified a BEE CITY USA (B)**

RECOMMENDATION            *The City Commission adopt the amended version of the resolution.*

**A motion was made by Commissioner Ward, seconded by Mayor-Commissioner Pro Tem Saco, 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

**RE-2 [211269.](#) Resolution for Interlocal Agreement between Florida Department of Transportation and the City of Gainesville for the National Pollutant Discharge Elimination System (NPDES) Program (B)**

*Cynthia Curry, Interim Manager introduced.*

RECOMMENDATION            *The City Commission adopt the Resolution which authorizes the City Manager or designee to execute the agreements, agreement amendments or any other necessary documents, up to \$300,000 annually, with the Florida Department of Transportation for the National Pollutant Discharge Elimination System program, subject to approval by the City Attorney as to form and legality.*

**A motion was made by Mayor-Commissioner Pro Tem Saco, seconded by Commissioner Ward, 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

**RECESS - 11:39 AM****1:00 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.**

*Kali Blount*

**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.**

**BD BUSINESS DISCUSSION ITEMS****BD-4 [210267](#) Discussion on Broadband Initiative (B)**

*1st Motion: Commissioner Hayes-Santos motioned to move forward with the proposed program, seconded by Commissioner Arreola. Motion failed 2-5; Commissioner Hayes-Santos and Commissioner Arreola in favor.*

*2nd Motion: Commissioner Chestnut motioned: 1) Direct staff to allocate \$8 million in ARPA funds to address affordable housing in the city, seconded by Commissioner Duncan-Walker. 2) Commissioner Arreola requested to add a referral to the Charter Officers to inquire about opportunities to acquire federal dollars for broadband. (Maker and seconded agreed).*

*Vote- Part 1: 5-2 (Mayor Poe, Commissioner Saco in dissent)*

*Vote- Part 2: 7-0 (Motion passed unanimously)*

*Cynthia Curry, Interim City Manager introduced and spoke to the item.*

*Courtney Violette and David Brentz, Magellan Advisors gave a presentation.*

*Anthony Cunningham, Interim GRU General Manager spoke to the item.*

*Lisa Bennett, Senior Assistant City Attorney spoke to the item.*

*Public Comment: Bryan Eastman, Ron Rawls, Evelyn Foxx, Aimee Pfannenstiel*

**RECOMMENDATION**

*City staff recommend that the City Commission hear from Magellan Advisors about the Broadband Business Model requested via the motion and from City Staff on the remaining implications for the financial, legal and risk mitigation perspectives.*

**Approved, as shown above**

**RE RESOLUTIONS**

**OR ORDINANCES**

**SECOND READINGS**

**SR-1 [210356](#) Ordinance Revising Code Sections Relating to Boards and Committees (B)**

Ordinance No. 210356

An ordinance of the City of Gainesville, Florida; revising Article V of Chapter 2 of the City Code of Ordinances relating to boards and committees; 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 Arreola, seconded by Commissioner Chestnut, 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

**SR-2 [210562](#) Revising City Charter and City Code Sections by changing "Clerk of the Commission" to "City Clerk" (B)**

ORDINANCE NO. 210562

An ordinance of the City of Gainesville, Florida, revising city charter and city code



sections to conform to the charter amendment approved by voters on November 3, 2020 changing "clerk of the commission" to "city clerk"; updating or deleting obsolete provisions; correcting scrivener's errors; 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 Arreola, seconded by Commissioner Ward, 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

**SR-3**    [211052.](#)

**Text Change - Name Change of Clerk of the Commission to City Clerk (B)**

Ordinance No. 211052

An ordinance of the City of Gainesville, Florida, amending Sections 30-3.3, 30-3.4, 30-3.37, 30-3.39, and 30-10.8 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to change any references of "clerk of the commission" to "city clerk"; 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 Arreola, seconded by Commissioner Chestnut, 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**    [210836.](#)

**Vacation of Public Right-of-Way - 20ft Wide ROW Overlaying Three Tax Parcels Located in the 200 Block of NW 1st Avenue (B)**

Ordinance No. 210836

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close certain portions of a public right-of-way located in the 200 block of NW 1st Avenue, as more specifically described in this ordinance; providing directions to the City Clerk; 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 Arreola, seconded by Commissioner Chestnut, 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

**COMMISSION COMMENT**

*Mayor Poe - Reminder Juneteenth*

*Commission Arreola - Thanked staff for housing outreach (Town Hall)*

*Commissioner Duncan-Walker - Clarence Kelly Center dedication*

*Commissioner Ward - Welcomed new staff members*

**RECESS - 3:26 PM**

**RECONVENE - 5:30 PM**

*Recess - 5:35 PM*

**PLEDGE OF ALLEGIANCE**

**PR      PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)**

**PR-1    [211158.](#)            Say Gay Pride Day - 2022 (B)**

RECOMMENDATION            *Pheonix Propes to accept the proclamation.*

**Heard**

**PR-2    [211043.](#)            Everyone Loves One Another -2022 (B)**

RECOMMENDATION            *Eric Lopez to accept the proclamation.*

**Heard**

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

**BD BUSINESS DISCUSSION ITEMS**

**BD-4 [211295.](#) GRU Quarterly Update for the Third Quarter of FY2022 (B)**

*Anthony Cunningham, Interim GRU General Manager introduced.*

*Eric Walters, Director of Administration & Fuels Operation gave a presentation.*

*Rachel Lockhart, GRU Security Coordinator spoke to the item.*

*Kinnzon Hutchinson, Chief Customer Officer, Chad Parker, Energy Measurement and Regulation Manager, and Walt Banks, Chief Information Officer spoke to the item.*

*Commissioner Arreola left the meeting at 6:11 PM*

*Commissioner Chestnut left the meeting at 7:13 PM*

*Public Comment: Nancy Daren*

RECOMMENDATION *Hear an informational presentation from staff.*

**Heard**

**BD-5 [211268.](#) Administrative Session (B)**

RECOMMENDATION *The General Policy Committee set their agendas for the 4th quarter of FY22.*

**Discussed**

**PH PUBLIC HEARINGS (Including Planning Petitions)**

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

**SR SECOND READINGS**

**FR FIRST READINGS**

**CC COMMISSION COMMENT**

**ADJOURNMENT - 7:20 PM**