

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Draft

August 19, 2021

1:00 PM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large, Seat A)
Mayor-Commissioner Pro Tem Gail Johnson (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 - 1:02 PM

AGENDA STATEMENT

ROLL CALL

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

INVOCATION

CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

Modification: File #210297 (2021/2022 Updated Policy Priorities and Action Agenda) - Added Item

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Adopted on the Consent Agenda with Modification. The motion carried by the following vote:

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

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

CA-1 [210252.](#) Approval of Minutes from the July 27, July 29 and August 5, 2021 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the July 27, July 29, and August 5, 2021 minutes.*

Approved as Recommended

CA-2 [210257.](#) Resignation of Marie Small from the Gainesville Human Rights Board, Robin Politowicz and Tamar Jones from the Public Recreation and Parks Board, and James Tyger from the Regional Transit System Advisory Board (B)

RECOMMENDATION *The City Commission accepts the resignations of Marie Small, Robin Politowicz, Tamar Jones and James Tyger, effective immediately.*

Approved as Recommended

CA-3 [210290.](#) Special City Commission Meeting to Discuss American Rescue Plan (ARP) Proposals (NB)

RECOMMENDATION *The City Commission approve a special meeting scheduled for August 25, 2021 at 6:00 pm.*

Approved as Recommended

CA-4 [210281.](#)

Contract for Distribution System Installation Services (B)

RECOMMENDATION

The City Commission:

1) authorize the General Manager, or his designee, to execute a three (3) year contract with Pike Electric, LLC to install distribution system infrastructure on an as needed basis, subject to approval of the City Attorney as to form and legality; and

2) approve the issuance of purchase orders for these services for each year of the contract in amounts not exceeding budgeted amounts, subject to the final appropriation of funds for each year of the contract.

On August 12, 2021, the UAB voted unanimously (with three members absent) to advise the City Commission to approve the staff recommendation.

Approved as Recommended

CA-5 [210282.](#)

Approval of Replacement of the Legacy Schneider ArcFM Designer with an AutoCAD-Based Utility Designer Software for Electric and Gas Divisions (NB)

RECOMMENDATION

Authorize the General Manager or his designee:

1. To negotiate and execute an agreement with Spatial Business System, Inc to provide software licenses and professional services for the implementation of the SBS Software Suite in support of the Energy Delivery strategic and technological goals, subject to approval by the City Attorney as to form and legality.

2. Approve the issuance of purchase orders in amounts not to exceed approved budgeted amounts for these services and applications.

On August 12, 2021, the UAB voted unanimously (with three members absent) to advise the City Commission to approve the staff recommendation.

Approved as Recommended

CA-6 [210289.](#)

GRU Operational Updates for the Months of June and July 2021 (B)

RECOMMENDATION

Receive reports.

Approved as Recommended

CA-7 [210293.](#)

Steffi Baer v. City of Gainesville; Case No. 2020-CA-1090; 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 Steffi Baer, arising from an incident that occurred on or about June 15, 2018.

Approved as Recommended

CA-8 [210190.](#)

Adoption of the Regional Transit System (RTS) FY21/22 Annual Progress Report of the Transit Development Plan (TDP) (B)

This item involves a request for the City Commission to adopt the RTS Ten-Year TDP Annual Progress Report for FY 21/22.

RECOMMENDATION

The City Commission adopt the Annual Progress Report of the Regional Transit System (RTS) Transit Development Plan (TDP) for FY 2021-22.

Approved as Recommended

CA-9 [210231.](#)

Recommendation for Third Amendment (Extension) with Fleet Response (B)**RECOMMENDATION**

The City Commission: 1) Award Third Amendment (Extension) with Fleet Response and 2) authorize the City Manager or designee to execute the contract extension pending approval by the City Attorney as to form and legality.

Approved as Recommended

CA-10 [210241.](#)

State Lobbying and Advocacy Services (B)

This is a request for the City Commission to approve the rankings for State lobbying and advocacy services.

RECOMMENDATION

The Mayor and the City Commission: 1) Approve the ranking of the firms for State lobbying services; 2) Approve a budget amount for lobbying services for an amount not to exceed \$100,000 or the amount included in the proposal per fiscal year; 3) Authorize the City Manager or designee and the General Manager or designee to negotiate an agreement with the top ranked firm for lobbying services and if not successful, be allowed to go to the second ranked firm; and 4) Authorize the City Manager or designee and General Manager or designee to execute the contract subject to approval of the City Attorney as to form and legality.

Approved as Recommended

CA-11 [210298.](#)

Legislative Body Disparity Study Kick-Off Workshop (B)**RECOMMENDATION**

The City Commission receive information regarding the

Disparity Study and provide feedback.

Approved as Recommended

CA-12 [210264](#). Interlocal Agreement between City of Gainesville and Alachua County Regarding Multiuse Trail Improvements at Sweetwater Preserve (B)

This item requests approval to enter into an Interlocal Agreement between the City of Gainesville and Alachua County to reimburse Alachua County for Multiuse Trail Improvements at Sweetwater Preserve Trailhead that will become part of a larger multiuse trail network spanning from Depot Park to Sweetwater Wetlands Park.

RECOMMENDATION

The City Commission: 1) approve the agreement for Multiuse Trail Improvements at Sweetwater Preserve Trailhead, and 2) authorize the Mayor to execute the agreement, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-13 [210297](#). Request to Approve the 2021/2022 Updated Policy Priorities and Action Agenda as Part of the Annual Refresh to the Strategic Plan for the City of Gainesville (B)

This is a request for the City Commission to approve the updated 2021/2022 Policy Priorities and Action Agenda for the Strategic Plan that has been developed for the City of Gainesville.

RECOMMENDATION

The City Commission approve the updated 2021/2022 Action Agenda as well as Top and High Policy Priorities to complement the City's Strategic Plan 2020-2025.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modifications: 1) File #210202 (Director Office of Diversity, Equity and Inclusion Interim Appointment) - Additional back-up added; 2) File #210266 (Staff Ranking Request for Proposal for Special Magistrate Contract Services) - Moved from Consent to Regular Agenda; 3) File #210287 (Acceptance of Airports Rescue Grant Program Grant No. 3-12-0028-049-2021) - Added Item; 4) File #210242 (COVID Discussion) - Added Item; and 5) File #210280 (Updates to Lighting Program within the City of Gainesville Code of Ordinances) - Additional Back-up Added. (Remove item).

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted with Modifications. 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 Johnson

Absent: 1 - Commissioner Arreola

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.

Mose Danny Hughes

GENERAL PUBLIC COMMENT - 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
Beverly Craig
Hattie Osby
Darlene Pifalo
Shirley Whitfield
Jo Beaty
Debbie Martinez
Rodney Long
Zalita Corey
Captain Benton*

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

BD-1 [210242](#) Commissioner Harvey Ward - COVID Discussion (NB)

Motion:

1) Direct the Charter Officers to develop a plan to require vaccination of all city contractors working alongside city workers in a non-incident manner who are required to be vaccinated and that the plan be implemented by September 16, 2021. Motion passed 5-2.

Commissioner Duncan-Walker and Mayor-Commissioner Pro Tem Johnson in dissent.

2) Extend initial deadline to October 1, 2021 for proof of vaccination 1st

dose, and October 31, 2021 for proof of 2nd dose. Motion passed 5-2. Commissioner Duncan-Walker and Mayor-Commissioner Pro Tem Johnson in dissent.

3) Direct Charters to bring back a plan for a potential COVID leave pool and a plan for potential COVID vaccine disability fund should it be necessary. Motion passed 7-0.

Commissioner Arreola arrived at 1:50 PM.

Lee Feldman, City Manager spoke to the item.

Public Comment: Nathan Skop, Scott Holowasko, Chris Sealy, Kyle McMannis, Robert Arnold, Debbie Martinez, Tristan Grunder, Quinten Polly, Steve, Tayari Appiah, Nick Gonzalez, Darlene Pifalo, Cathy Benton, Kim Purch, Melissa Fisher and Armando Grundy Gomes.

RECOMMENDATION The City Commission discuss COVID issues and take action deemed necessary.

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above.

BD-2 [200718.](#)

Advisory Board and Committee Annual Reports (B)

Belinda Smith, Human Rights Board gave an presentation.

RECOMMENDATION The City Commission receive and review the advisory board and committee annual report from the Human Rights Board.

Heard

BD-3 **210280.**

Updates to Lighting Program within the City of Gainesville Code of Ordinances, Chapter 27 and Appendix A (B)

RECOMMENDATION The City Commission:

- 1) Receive a presentation from staff; and
- 2) authorize the City Attorney to draft and the City Clerk to advertise revisions to Chapter 27 and Appendix A of the City of Gainesville Code of Ordinances for an anticipated October 1, 2021 effective date.

Withdrawn

BD-4 [210283.](#)

Request to Negotiate and Execute an Agreement with Utegration, LLC to Provide Professional Services in Support of the CIS Project (B)

Ed Bielarski, GRU General Manager introduced the item.

Kinzon Hutchinson, Interim Customer Services Manager gave a presentation.

Public Comment: Nathan Skop

RECOMMENDATION *Authorize the General Manager or his designee to negotiate and execute an agreement with Utegration, LLC to provide the Professional Services in support of the CIS Project, subject to approval by the City Attorney as to form and legality.*

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

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

Absent: 1 - Commissioner Duncan-Walker

BD-5 [210278.](#)

Patel Voluntary Annexation Petitions For 3.88+/- Acres of Property On SW 13th Street (B)

This is the submission of petitions for the voluntary annexation of parcels 07251-009-000, 07254-000-000, 07253-000-000 which are owned by Prakash Patel, Jyoti Patel, and Vijay Patel.

These parcels are located on the west side of SW 13th Street, south of SW 36th Place, east of east of SW 15th Street, and north of SW Williston Road.

Lee Feldman spoke to the item.

RECOMMENDATION *The City Commission: 1) receive the petitions for annexation and make findings that it contains the signature of the property owners or authorized agents; 2) authorize the Mayor to provide notice to the Board of County Commissioners; 3) direct the City Manager to analyze the area; and 4) authorize the City Attorney to prepare and the City Clerk to advertise ordinances relating to the annexation of the area, if appropriate.*

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

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

Absent: 1 - Commissioner Duncan-Walker

BD-6 [210202.](#)

Director Office of Diversity, Equity and Inclusion (Equal Opportunity Director) Interim Appointment (B)

Select Zeria Folston as the Interim Director of the Office of Diversity, Equity and Inclusion. (voted by a ballot)

Motion by Commissioner Hayes-Santos, seconded by Commissioner Saco: Appoint Zeria Folston as Interim Director of the Office of Diversity, Equity and Inclusion and authorize the Mayor to negotiate terms of contract. Motion passed unanimously.

Steve Varvel, Interim Human Resources Director spoke to the item.

RECOMMENDATION 1) *The City Commission discuss and select an individual as the Interim Director of the Office of Diversity, Equity and Inclusion and take action as appropriate.*

Approved, as shown above

BD-8 [210279.](#)

Proposed 2022 Water and Wastewater Connection Charges and Other Fees Related to New Development (NB)

****Summary****

Water and wastewater connection charges and other fees related to new development are routinely updated each fiscal year based on an industry index known as the Engineering News Record Construction Cost Index (CCI). Proposed FY2022 updates to these fees are presented for City Commission approval.

Tony Cunningham, Water Wasterwater Officer gave a presentation.

Public Comment: Nathan Skop

RECOMMENDATION *City Commission approve the proposed FY2022 water and wastewater connection charges and other related fees and authorize the city attorney to include these fees in the update to Appendix A of the city's code of ordinances.*

On August 12, 2021, the UAB voted unanimously (with three members absent) to advise the City Commission to approve the staff recommendation.

A motion was made by Commissioner Hayes-Santos, 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 Saco, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Arreola, and Mayor-Commissioner Pro Tem Johnson

BD-9 [210266.](#)

Staff Ranking Request for Proposal (RFP) For Special Magistrate Contract Services (B)

Motion: Accept staff recommendation, and also allow them to put out

an RFP for an alternate special magistrate, and that they also explore having an appellate magistrate as well, or an appellate magistrate.

Lee Feldman spoke to the item.

Andrew Persons spoke to the item.

Public Comment: Nathan Skop

RECOMMENDATION

The City Commission: 1) approve staff's recommended ranking; 2) authorize the City Manager or designee to negotiate a contract and any related documents with Braswell Law, Inc. subject to approval from the City Attorney as to form and legality; 3) provide direction to staff regarding additional considerations discussed by the evaluation committee.

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

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

CC COMMISSION COMMENT

Commissioner Arreola - Enforcing seven (7) day mask requirement.

Motion by Commissioner Arreola, seconded by Commissioner Ward: Enforce within the City limits. Motion passed 6-0. Mayor-Commissioner Pro Tem Johnson absent.

RECESS - 4:38 PM

RECONVENE - 5:30 PM

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

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

BD-7 [210272.](#) City Parking Lot # 10 - AMJ Term Sheet (B)

This item involves City Commission review of a term sheet for City Parking Lot #10 submitted by AMJ Group consistent with direction provided by the City Commission on May 6, 2021

Motion: 1) Accept term sheet and sale of Lot 10 with the exception of the lease of office space and before closing bring back negotiation on an affordable housing program; and 2) Direct staff to bring back information to the Commission a structure on the affordability subsidies as well as the "My Neighborhood" program, with recommendations included from the Office of Equity and Inclusion and options specifically for this development.

Erik Bredfeldt, Director of Economic Development and Innovation gave a presentation.

Mike Warren gave a presentation.

Donald Gray spoke to the item.

Lee Feldman spoke to the item.

Anthony Lyons, AMJ spoke to the item.

Public Comment: Debbie Martinez, Nathan Skop, Steve Cannon, Leslie Florence, Mary Jean Brunnell, Jo Beaty, Stacie Bertrand and Armando Grundy Gomes.

RECOMMENDATION

The City Commission: 1) hear a presentation on the term sheet; 2) direct staff as deemed appropriate.

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

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

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 (RE)

RE-1 [210225.](#) **Acceptance of FAA AIP Grant No. 3-12-0028-048-2021 in the amount of \$2,140,265 from the US Department of Transportation, Federal Aviation Administration (FAA) (B)**

Eric Bredfeldt, spoke to the item.

Mr. Penska spoke to the item.

Public Comment: Nathan Skop

RECOMMENDATION *The City Commission adopt the resolution.*

A motion was made by Commissioner Hayes-Santos, 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 Saco, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Arreola, and Mayor-Commissioner Pro Tem Johnson

RE-2 [210115.](#) **Maximum Parking Rates for Street Parking, Parking Meters, Lots and Garages (B)**

Resolution establishing the Maximum Parking Rates for on Street Parking, Off Street Parking, Parking Meters, Parking Lots and Parking Garages in accordance with Division 2, Article III, Chapter 26 of the Code of Ordinances of the City of Gainesville, Florida; authorizing the City Manager to establish Rates up to the Maximum Rate; providing a Repealing Clause; and providing an Immediate Effective Date

Public Comment: Nathan Skop

RECOMMENDATION *The City Commission: 1) adopt the Resolution as drafted; and 2) authorize the City Manager to execute any necessary documents, subject to review and approval by the City Attorney as to form and legality.*

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

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

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

RE-3 [210287.](#) **Acceptance of Airports Rescue Grant Program (ACRGP) Grant No. 3-12-0028-049-2021 in the amount of \$3,547,689 (B)**

Public Comment: Nathan Skop

RECOMMENDATION *The City Commission adopt the resolution.*

A motion was made by Commissioner Hayes-Santos, 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 Saco, Commissioner Ward, Commissioner Duncan-Walker, Commissioner Arreola, and Mayor-Commissioner Pro Tem Johnson

NBR RESOLUTIONS (NBR) - NON BINDING

PH PUBLIC HEARINGS (PH)

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

SR-1 [210005](#) Amending the Open Container Ordinance (B)

ORDINANCE NO. 210005

An ordinance of the City of Gainesville, Florida, amending Sections 4-1 and 4-4 of the City Code of Ordinances relating to the sale, dispensing, possession and consumption of alcohol; amending Section 18-20 of the City Code of Ordinances relating to the purchase or sale of alcohol in parks; and Section 2-339 of the City Code of Ordinances relating to civil citation for the possession or consumption of an open container of an alcoholic beverage; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Public Comment: Robert Mounts, Debbie Martinez, Nathan Skop, Eve Goldman, Wilbur Holloway, Jenny Hooper, Jo Beaty, Ernesto Martinez, Christina Fields, Alma Stevens, Patrick Dobbs and David Wilson.

Lonnie Scott, Assistant GPD Chief spoke to the item.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner 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 Saco, Commissioner Ward, and Commissioner Arreola

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

AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED

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

Motion by Commissioner Hayes Santos, seconded by Commissioner Arreola: Look at loading issues in urban core of the city and bring back information. Motion passed unanimously.

Commissioner Ward: Future with less carbon in Gainesville, to include GRU and partners who can help. Local Government for Sustainability has a program called "Race to Zero" and several Florida city governments are a part of (Jacksonville, Tampa and Orlando).

Motion by Commissioner Ward, seconded by Commissioner Hayes-Santos: Ask Policy staff to bring back recommendation to join "Race to Zero" or other measures for accountability measures. Meeting adjourned before any vote could be made. Nathan Skop spoke to the item.

ADJOURNMENT - 8:02 PM