

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Draft

August 5, 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)

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.

CALL TO ORDER -

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

Public Comment: Nathan Skop

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

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

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

CA-1 [210200.](#) Approval of Minutes from the June 16, July 12, July 13, July 19, and July 21, 2021 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the minutes of June 16, July 12, July 13, July 19, and July 21, 2021.*

Approved as Recommended

CA-2 [200937.](#) My Neighborhood Program (B)

RECOMMENDATION *That the City Commission approve the My Neighborhood Program as presented.*

Approved as Recommended

CA-3 [210063.](#) Florida Department of State, Division of Cultural Affairs General Program Support, Multidisciplinary Organization Grant Application (B)

This item requests retroactive approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to approve submission of an application for and accept if awarded a General Program Support grant from the Florida Division of Cultural Affairs.

RECOMMENDATION

The City Commission to 1) retroactively approve the request for the Department of Parks, Recreation and Cultural Affairs (PRCA) to submit the grant and accept the grant, if awarded, from the Florida Department of State, Division of Cultural Affairs, and 2) authorize the City Manager or designee to execute the grant award agreement and other grant related documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-4 [210126.](#)

Bid Award for Legal Assistance for Eviction Prevention (B)**RECOMMENDATION**

The City Commission: 1) award the bid to Three Rivers Legal Services, Inc.; and 2) authorize the City Manager or designee to execute all documents and contract related to the provision of the Eviction Prevention Program, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-5 [210186.](#)

Howard Bishop Recreation Area Interlocal Agreement (B)

This item requests approval to enter into an Interlocal Agreement between the City of Gainesville and the School Board of Alachua County (SBAC) to reimburse the School Board for recreational improvements on Howard Bishop Middle School grounds.

RECOMMENDATION

The City Commission approve the agreement for recreational improvements on Howard Bishop Middle School grounds.

Approved as Recommended

CA-6 [180596.](#)

Amendment to Agreement for the Purchase of Police Uniforms (B)**RECOMMENDATION**

The City Commission: 1) authorize the transfer of ownership from Gold Nugget Uniform dba Argo Uniform Company to Municipal Emergency Services, Inc.; 2) approve the Amendment to the Agreement Between the City of Gainesville and Gold Nugget Uniform dba Argo Uniform Company; and 3) authorize the City Manager (or designee) to execute the agreement, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-7 [210237.](#)

Appointment to City Commission Advisory Boards and Committees (B)**RECOMMENDATION**

The City Commission appoint:

William Werther as an alternate to the Wild Spaces Public Places Citizen Oversight Committee for a partial term ending 9/30/2023.

Approved as Recommended

CA-8 [210197.](#)

Grounds Maintenance Contract at Evergreen Cemetery (B)

Request for approval of the multi-year contract for grounds maintenance at the historic Evergreen Cemetery with Wyatt J. Collins dba Collins Lawn Care.

RECOMMENDATION

The City Commission authorize the City Manager or designee to execute all contract documents for annual grounds maintenance services at Evergreen Cemetery with Wyatt J. Collins dba Collins Lawn Service, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Motion by Commissioner Ward, seconded by Mayor-Commissioner Pro Tem Johnson: Approve Modification List and also continue Item No. 210005 - Amending the Open Container Ordinance, Item No. 200877 - Text Change - Delete the 10-acre Minimum Transect Rezoning Requirement, Item No. 200878 - Land Use Change - 4.82 Acres of Property Located at 1015 South Main Street, and Item No. 200879 - Quasi-Judicial - Rezoning 4.82 Acres of Property Located at 1015 South Main Street. Motion failed 3-4. Commissioner Ward, Mayor-Commissioner Pro Tem Johnson and Commissioner Duncan-Walker in affirmative.. Public Comment: Nathan Skop, Tana Silva and Paula Backhaus.

Brittany McMullen, Planner IV spoke to Item No's 210218 and 210111.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Saco: Approve agenda with the following modifications. 1. File #200718 (Advisory Board and Committee Annual Reports) - Remove Item 2. File #210243 (Update on the Status of the Solar PPA) - Added Item 3. File #201001(Litigation to Challenge CS/House Bill 1 (2021) - Additional Back-up Added 4. File #200877 (Text Change - Delete the 10-acre Minimum Transect Rezoning Requirement) - Additional Back-up Added and Ordinance Order Changed. 5. File #200878 (Land Use Change - 4.82 Acres of Property Located at 1015 S Main St) - Additional Back-up Added and Ordinance Order Changed; and 6. File #200879 (Quasi-Judicial - Rezoning 4.82 Acres of Property Located at

1015 S Main St) - Additional Back-up Added and Ordinance Order Changed. Motion failed 3-4. Mayor Poe, Commissioner Hayes-Santos and Commissioner Saco in affirmative. Public Comment: Nathan Skop, Tana Silva and Malcolm Kiner.

Motion by Commissioner Ward, seconded by Commissioner Saco: Approve agenda with the following modifications. 1. File #200718 (Advisory Board and Committee Annual Reports) - Remove Item 2. File #210243 (Update on the Status of the Solar PPA) - Added Item 3. File #201001(Litigation to Challenge CS/House Bill 1 (2021) - Additional Back-up Added 4. File #200877 (Text Change - Delete the 10-acre Minimum Transect Rezoning Requirement) - Additional Back-up Added and Ordinance Order Changed. 5. File #200878 (Land Use Change - 4.82 Acres of Property Located at 1015 S Main St) - Additional Back-up Added and Ordinance Order Changed; and 6. File #200879 (Quasi-Judicial - Rezoning 4.82 Acres of Property Located at 1015 S Main St) - Additional Back-up Added and Ordinance Order Changed. Motion passed 5-2. Mayor-Commissioner Pro Tem Johnson and Commissioner Duncan-Walker in dissent. Public Comment: Nathan Skop, Brian O'Brien, George Strickland, Tana Silva, Dorothy Rountree, Jo Beaty, Leslie Moreen, Debbie Martinez, Nancy Daren and Sharon Bauer.

Approved as Shown Above.

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.

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda. Under the City Commission meeting rules during the COVID-19 health emergency, General Public Comment may be given by phone or by pre-recorded voice message only (see page 2 for details).

*Nathan Skop
Mark Sexton
Frederick Brown*

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

BD-1 [200718](#). Advisory Board and Committee Annual Reports (B)

RECOMMENDATION

The City Commission receive and review the advisory board and committee annual reports and hear a presentation.

Withdrawn

BD-8 [210243.](#)

Update on the Status of the Solar PPA (NB)

Ed Bielarski, GRU General Manager spoke to the item.

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

Public Comment: Nathan Skop, Geraldine Robinson, Ms. McMullen, Armando Grundy-Gomes, Hattie, Shirley Robinson Whitfield, Dorothy Robinson Rountree, Brian O'Brien, George Strickland, Laura Leslie, Mr. McMullen and Evelyn Foxx.

RECOMMENDATION

Hear an update from staff on the status of the solar project.

Discussed

BD-2 [210203.](#)

Award of the Low-Income Housing Tax Credit Project (B)

This item requests the City Commission to consider approving the use of ConnectFree Program funding to assist an Affordable Rental Housing Project.

John Wachtel, Neighborhood Planning Coordinator gave a presentation.

Dr. Michael Raburn spoke to the item.

Lee Feldman spoke to the item.

Brian Evy and Malcolm Kiner spoke to the item.

Public Comment: Nathan Skop

RECOMMENDATION

The AHAC recommends that the City Commission: 1) Hear a presentation from the AHAC and staff; 2) Approve funding the Woodland Park, Phase 2 Affordable Rental Housing Project in the form of a loan in the amount of \$460,000.00 from the ConnectFree Program; the terms of which shall be a 1% annual interest rate for an 18-year loan with a balloon payment at loan termination, and a 30-year amortization period. The entire balance, including principal and interest, shall be paid in full at the end of the 18-year period; and 3) Authorize the City Manager or designee to execute any documents necessary to such funding, subject to City Attorney approval as to form and legality.

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

Absent: 1 - Commissioner Duncan-Walker

BD-3 [210204.](#)

GCRA Business Improvement Grant Program Historic Masonic Lodge, LLC Application (B)

Daniel Blumberg, GCRA Project Manager gave a presentation.

Commissioner Hayes-Santos: Approve staff recommendation. Motion failed for lack of a second.

Motion by Commissioner Saco: Reject the application. Motion failed for lack of a second.

Motion by Commissioner Saco, seconded by Mayor-Commissioner Pro Tem Johnson: Deny funding request. Motion failed 3-4. Mayor-Commissioner Pro Tem Johnson, Commissioner Duncan-Walker and Commissioner Saco in dissent. Lewis Rodriguez, Laura and Keith Perry spoke to the item. Public Comment: Sharon Bauer, Nathan Skop, Jeff Goldstein, Jo Beaty and Tana Silva.

Motion by Commissioner Hayes-Santos, seconded by Commissioner Ward: 1) Approve up to - not to exceed \$85,000 for sidewalk improvements, flooding and drainage, public safety and lighting improvements; and 2) Refer to GCRA Advisory Committee to look at program guidelines and intentions. Motion passed 4-3. Mayor-Commissioner Pro Tem Johnson, Commissioner Ward and Commissioner Duncan-Walker in dissent. Public Comment: Keith Perry, Laura.

RECOMMENDATION *Approve the Historic Masonic Gainesville LLC's Business Improvement Grant application as described.*

Approved, as shown above

BD-4 [210240.](#)

Tom Petty Birthday Bash Event (B)

Staff presentation regarding the upcoming Tom Petty Birthday Bash, an annual community event, and a request for Commission direction.

Motion by Commissioner Hayes-Santos, seconded by Commissioner

Ward: 1) Direct the City Manager to move forward with Fest at Depot; 2) Work with Fest on fee structure; 3) Have the City Manager add in place minimum COVID safety standards; and 4) Follow all CDC guidelines including City/Local/County orders.

Lee Feldman City Manager introduced the item.

Roxy Gonzalez, Interim Director of Recreation, Parks and Cultural Affairs gave a presentation.

Alex gave a presentation.

Public Comment: Jason Hedges, Sam Wise, Robert Mounts, Cookie O'Brien, Jessica Hurvov, Maureen Leslie, Armando Grundy-Gomes, Mary Lou Hildreth, Cooperative Community Strategy, Stephanie Bales, Chris Nixon, Debbie Martinez, Mark Sexton, Betty Sofitas, Melanie Barr, Nathan Skop, Tom Miller, Sharon Bauer, Tana Silva, Hoch Shitama, Paula David Luis, Brian O'Brien, Grey Stetz, Sarah Hedges, Carol Gordon and Electra.

RECOMMENDATION City Commission 1) hear a presentation on the Tom Petty Birthday Bash, and 2) provide direction to the City Manager on amending the City's current application process to allow private, ticketed events in Depot Park or any City-owned parks.

A motion was made by Commissioner Hayes-Santos 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 Commissioner Arreola

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

BD-5 [210218.](#)

Request to Release Lien 530 NW 29th Ave (B)

Lee Feldman spoke to the item.

Pete Backhaus, Code Enforcement Manager spoke to the item.

Public Comment: John, and Mike Ryan Smanovich.

RECOMMENDATION The City Commission accept the Magistrate's ruling and reduce the lien to \$2,500.

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

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

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

BD-6 [210111.](#)

Request To Release Lien 425 NE 3rd Street (B)

Motion by Commissioner Arreola: Approve Magistrates recommendation. Motion failed for lack of a second.

Motion by Commissioner Ward, seconded by Commissioner Hayes-Santos: Staff recommends allowing 18 months under Item No. 2 vs. 180 days. Motion passed 6-1. Commissioner Arreola in dissent.

Lee Feldman spoke to the item.

Public Comment: Bradley Hunter, Mike Smonovich, Denise Inson, Tana Silva, Nathan Skop, Dr. Ashley Cage, Jay Reaves, Carolyn Webber, Michelle Hason, Greg Stetz, Melanie Barr and Reid Rivers.

RECOMMENDATION

The City Commission deny the applicant's request for lien rescission. Alternately, the Commission support the applicant's request contingent on the execution of aforementioned performance agreement and remittance of \$5,000 and \$708.24 in recorded code enforcement lien costs, to the City. Additionally, direct the City Attorney to draft said agreement and authorize the City Manager to sign any required lien release and performance agreement documents.

Approved, as shown above

BD-7 [210207.](#)

Southern Charm Kitchen Purchase Agreement (B)

Motion by Commissioner Hayes-Santos, seconded by Commissioner Duncan-Walker: Continue AR-1, FR-1, and FR-2 to September 2, 2021. Motion passed 7-0.

Lee Feldman introduced the item.

Sarah Vidal-Finn, GCRA Director gave a presentation.

Omar Oselino spoke to the item.

RECOMMENDATION

City Commission to authorize the City Manager or his designee to 1) Enter into a purchase agreement with Southern Charm Kitchen for \$215,000 the sale of tax parcels #11619-000-000 and #11618-000-000 and 2) Authorize the City Manager or his designee to execute all necessary

disposition and sale documents once approved by the City Attorney's office as to form and legality.

A motion was made by Commissioner Arreola, seconded by Commissioner Saco, 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

CC COMMISSION COMMENT

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [210220.](#) **Arbor Day September 24, 2021 (B)**

RECOMMENDATION *City Beautification Board Chair April O'Neal to accept the proclamation. City Beautification Board Staff Liaison Liliana Kolluri to accept the proclamation.*

Heard

PR-2 [210222.](#) **Gastroparesis Awareness Month August, 2021 (B)**

RECOMMENDATION *Living With Dys Founder Ambre Minty 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.

BUSINESS DISCUSSION ITEMS

BD-1 [210242.](#) **COVID Public Health Discussion (B)**

Motion by Commissioner Hayes-Santos, seconded by Commissioner Arreola.

1. City Commission supports Charter Officers masking requirements for employees and public. Motion passed 7-0.

2. Direct Charter Officers to create and implement a plan to require that

all city employees receive the COVID vaccine. Charters to determine reasonable dates to have vaccinations. Have an exemption for employees for medical/ADA reasons. Motion passed 4-3.

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

3. Direct City Attorney to draft an ordinance to allow the City Manager to implement measures to protect public health in the city including but not limited to PPE requirements, social distancing, occupancy limits or other measures to protect public health. Motion passed 7-0.

4. Give PTO day to all vaccinated employees. Motion passed 7-0.

5. Restrict travel for all unvaccinated employees. Motion passed 6-1. Mayor-Commissioner Pro Tem Johnson in dissent.

6. Direct City Clerk to draft resolution asking all employers in our community to mandate vaccinations for employees, ask members of our public to get vaccinated and for the public to wear masks indoors. Motion passed 5-2. Mayor-Commissioner Pro Tem Johnson and Commissioner Duncan-Walker in dissent.

7. Direct Charter Officers to bring back a plan for employees to work virtually. Motion passed 5-2. Commissioner Hayes-Santos and Mayor Poe in dissent.

8. Have EHS and Communications create and implement a plan to encourage employees to get vaccinated and work with unions on this. Implement plan as soon as a quality plan can be put together. Motion passed 7-0.

Public Comment: Police Union Rep, Debbie Martinez, Tristian Grunder, Nathan Skop, Mary Lou Hildreth, Tana Silva, Denise Laritas, Tim Hinson, Nancy Daren, Lisa Hasen, Grace Romo, Candace Chambers and Paula.

RECOMMENDATION

The City Commission discuss vaccinations of City employees, mask requirements and other public health measures.

Approved, as shown above

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-1 [210201.](#) **Resolution for Grant Agreements Associated with the NW 42nd Avenue Sidewalk Project (B)**

RECOMMENDATION

The City Commission adopt the Resolution which authorizes the City Manager or designee to execute all agreements, and any other necessary documents with FDOT pertaining to this project, subject to approval by the City Attorney or designee as to form and legality.

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

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

Absent: 1 - Commissioner Hayes-Santos

RE-2 [201001.](#) **Litigation to Challenge CS/House Bill 1 (2021) (B)**

Resolution No. 201001

A Resolution of the City Commission of the City of Gainesville, Florida, authorizing Public Rights Project, a project of the Tides Center and Community Justice Project, Inc. to file a lawsuit on behalf of the City of Gainesville, Florida, that facially challenges Section 1 of CS/HB 1 (2021); and providing an immediate effective date.

Nicolle Shalley spoke to the item.

Berbeth Jonathan Miller spoke to the item.

Motion by Mayor-Commissioner Pro Tem Johnson, seconded by Commissioner Saco: Waive the City Commission rules and extend the meeting to 11:00 pm. Motion passed 6-1. Commissioner Arreola in dissent.

Motion by Commissioner Saco, seconded by Commissioner Hayes-Santos: Waive the City Commission rules and extend the meeting to midnight. Motion passed 6-1. Commissioner Arreola in dissent.

Motion by Mayor-Commissioner Pro Tem Johnson, seconded by Commissioner Duncan-Walker: Move forward with lawsuit regarding HB1. Motion passed 4-3. Commissioner Saco, Commissioner Ward and Commissioner Hayes-Santos in dissent.

Public Comment: Danny Salzar, Nathan Skop, Alfredo Morales, Carter Smith, Paul Chavez, David Woods, Sarah Swan, David Kaplan, Pam Paris, Miranda Martin, Robert Mounts, Kiara Lawrence and Cassandra Tuchi.

RECOMMENDATION

The City Attorney's Office recommends the City Commission take no further action in pursuit of a facial challenge to CS/HB 1 at this time; and instead direct the City Attorney's Office to continue to monitor the implementation of Section 1 of CS/HB 1 and its effects, if any, on cities throughout the State and report back to the City Commission as needed.

The Outside Counsel recommends the City Commission adopt the Resolution.

Approved, as shown above

RESOLUTIONS (NBR) - NON BINDING

PUBLIC HEARINGS (PH)

PH-1 [190980](#). **Amend the Future Land Use Map from Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located Northwest of the Intersection of SW 43rd Street and SW 24th Avenue (B)**

Petition PB-19-145 LUC. eda, Agent. Petition for land use change from City of Gainesville Residential Medium (RM) and Residential Low (RL) to City of Gainesville Urban Mixed-Use High Intensity (UMUH). Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue. Related to PB-19-146 ZON.

Brittany McMullen, Planner IV gave a presentation.

Onelia Lazzari, EDA gave a presentation.

RECOMMENDATION

Staff to City Plan Board: Approve PB-19-145 LUC based on finding of compliance with applicable review criteria.

City Plan Board to City Commission: Approve with modifications: The portion of the Property with the existing land use of Residential Medium-Density (RM) should be designated as Urban Mixed Use (UMU); the portion of the property with Residential Low-Density (RL) land use should be designated as Mixed-Use Residential (MUR).

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Approved (Petition). 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

PH-2 [190981.](#)

Rezone Property from RMF-5: Single-Family/Multiple-Family Residential; RMF-7: Multiple-Family Residential; RMF-8: Multiple-Family Residential to Urban Transect: U-9. Generally located Northwest of the Intersection of SW 43rd Street and SW 24th Avenue (B)

Petition PB-19-146 ZON. eda, Agent. Rezone property from RMF-5 (Single/Multi-Family Residential), RFM-7 & RMF-8 (Multi-Family Residential) to Urban 9 Transect Zone. Generally located northwest of the intersection of SW 43rd Street and SW 24th Avenue. Related to PB-19-145 LUC.

Brittany McMullen, Planner IV gave a presentation.

Onelia Lazzari spoke to the item.

Public Comment: Jo Beaty

Mayor-Commissioner Pro Tem Johnson left the meeting at 11:35 pm.

RECOMMENDATION

Staff to City Plan Board: Approve PB-19-146 ZON based on finding of compliance with applicable review criteria.

City Plan Board to City Commission: Approve with modifications: the portion of the property with the recommended land use of Mixed-Use Residential (MUR) should be zoned U5; the portion of the property with the recommended land use of Urban Mixed-Use (UMU) should be zoned U8.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Approved (Petition). 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

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

SR-1 [200884.](#)

Quasi-Judicial - Rezoning 0.99 Acres of Property Located at 2020 West University Avenue (B)

Ordinance No. 200884

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by

rezoning approximately 0.99 acres of property generally located at 2020 West University Avenue, as more specifically described in this ordinance, from Planned Development (PD) to Urban 4 (U4); 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 Commissioner Saco, 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 Commissioner Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

SR-2 [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.

Motion: Continue to next meeting with amended language that would continue enforcement of prohibition of open container between the hours of 2:30 am - 7:00 am.

Public Comment: Debbie Martinez, Robert Mounts, Nathan Skop and Darlene Pifalo.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Approved, as shown above

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

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

SR-3 [210066.](#)

Ordinance Amending the Consolidated Police Officers and Firefighters Retirement Plan to Amend the Earnings Definition for Firefighters (B)

Ordinance No. 210066

An ordinance of the City of Gainesville, Florida, amending the definition of Earnings in Section 2-596 of Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; 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 Hayes-Santos, seconded by Commissioner Ward, 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 Commissioner Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

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

FR-1 [200877.](#) Text Change - Delete the 10-acre Minimum Transect Rezoning Requirement (B)

Ordinance No. 200877

An ordinance of the City of Gainesville, Florida, amending Section 30-3.14 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to revise the additional criteria for applications to rezone to a transect zone; 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.*

Continued to September 2, 2021.

AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED

AR-1 [200878.](#) Land Use Change - 4.82 Acres of Property Located at 1015 South Main Street (B)

Ordinance No. 200878

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 4.82 acres of property generally located at 1015 South Main Street, as more specifically described in this ordinance, from Industrial (IND) to Urban

Core (UC); 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.*

Continued to September 2, 2021.

ORDINANCES, 1ST READINGS - ROLL CALL REQUIRED

FR-2 [200879.](#) **Quasi-Judicial - Rezoning 4.82 Acres of Property Located at 1015 South Main Street (B)**

Ordinance No. 200879

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 4.82 acres of property generally located at 1015 South Main Street, as more specifically described in this ordinance, from General Industrial (I-2) to Downtown (DT); 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.*

Continued to September 2, 2021.

FR-3 [200886.](#) **Land Use Change - 83.79 Acres of Property located on the 755-1100 Block on the South Side of NE 39th Boulevard (B)**

Ordinance No. 200886

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 83.79 acres of property generally located on the 755-1100 block on the south side of NE 39th Boulevard, as more specifically described in this ordinance, from Planned Use District (PUD) to Commercial (C), Urban Mixed-Use (UMU), and Residential Low-Density (RL); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Nathaniel Chan, Planner 1 gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

FR-4 [200723.](#)

Land Use Change - 42.973 Acres of Property known as Oak Hall School (B)

Ordinance No. 200723

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by changing the land use category of approximately 42.973 acres of property known as Oak Hall School generally located at 1700 SW 75th Street, as more specifically described in this ordinance, from Alachua County Institutional to City of Gainesville Education (E); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Motion by Commissioner Saco, seconded by Commissioner Hayes-Santos: Waive the City Commission rules and extend the meeting to 12:15 am. Motion passed 5-1. Commissioner Duncan-Walker in dissent. Mayor-Commissioner Pro Tem Johnson absent.

Brittany McMullen gave a presentation.

Public Comment: Nathan Skop and Jamie Gresley.

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 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 Commissioner Arreola

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

FR-5 [200724.](#)

Quasi-Judicial - Rezoning 42.973 Acres of Property known as Oak Hall School (B)

Ordinance No. 200724

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 42.973 acres of property known as Oak Hall School generally located at 1700 SW 75th Street, as more specifically described in this ordinance, from Alachua County Planned Development (PD) to City of Gainesville

Planned Development (PD); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Motion: Re-Advertise to change to City of Gainesville education zoning.

Brittany McMullen gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Absent: 1 - Mayor-Commissioner Pro Tem Johnson

COMMISSION COMMENT

Commissioner Ward - ARP scheduled to come back on August 19, 2021. Wants a special meeting.

Motion by Commissioner Ward, seconded by Commissioner Arreola: 1) Schedule a special meeting to discuss ARP proposals. Motion passed 6-0. Mayor-Commissioner Pro Tem Johnson in dissent. 2) Staff send the Commission a matrix of all existing proposals by project name no later than August 13th. Motion passed 6-0. Mayor-Commissioner Pro Tem Johnson in dissent. 3) That any substantially-equivalent projects on that matrix proposed by a super-majority of the Commission be funded immediately and begin to be moved forward by the appropriate Charter Officer. Motion failed 1-5. Commissioner Ward in affirmative.

ADJOURNMENT - 12:10 AM