

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final-Revised

February 3, 2022

10:00 AM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large, Seat A)
Commissioner Desmon Duncan-Walker (District 1)
Commissioner Harvey Ward (District 2)
Mayor Commissioner Pro-Tem David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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!

Learn about the meeting process and how to participate.

The City Commission makes policies and conducts City business in an open forum. The **agenda** outlines what will happen during the meeting. It includes the following sections:

Consent Agenda (CA): Business items that the Commission approves together in one motion to save time. The Commission may remove an item to discuss separately.

Regular Agenda: Includes Business Discussion (**BD**) items considered by the Commission for action during the meeting. The Commission may re-order or remove discussion items.

Note: The **(B)** after an agenda item's title means that Backup materials are included. Click the links on the agenda to view the documents. An **(NB)** after the title means there are no Backup materials for the item.

Public Comment. Share your opinion with the Commission for the official record. The following public comment options may be available for this meeting.

Find specific public comment details for each meeting on the [Public Meeting Calendar](#) or the Notice of Meetings on the City's website. Verbal comments are usually limited to three (3) minutes.

General Public Comment: Share a comment about a topic or issue *not* on the Meeting Agenda. There is one 30-minute General Public Comment period at the beginning of the meeting.

- **Pre-recorded comment:** Call to record a voice comment *before* the meeting. Visit the [Public Meeting Calendar](#) for details. Comments received by the deadline will be played at the meeting.
- **In-person comment:** Neighbors present in the meeting chambers may comment at the designated time. Safety protocols will be observed.
- **Comment by phone:** Neighbors may call by phone to share a comment during the meeting. Dial toll-free: 1-800-742-1099. A moderator will call on you to speak. Mute the sound on your computer/device if you are watching the meeting online. State your name clearly for the record.

Public Comment on Agenda Items

- **In-person comment:** Neighbors present in the meeting chambers may comment at the designated times. Safety protocols will be observed.
- **Comment by phone:** Neighbors may call by phone to share a comment during the meeting. Dial toll-free: 1-800-742-1099. A moderator will call on you to speak. Mute the sound on your computer/device if you are watching the meeting online. State your name clearly for the record.

Written Public Comment: Submit a general comment or a comment on the meeting agenda. Your comments will be shared with the City Commissioners and added to the official meeting record.

- **Mail** to the City of Gainesville, City Clerk: P.O. Box 490, Station 19, 32627-0490
- **Email** to citycomm@cityofgainesville.org
- **E-Comment:** Visit the "Agenda & Minutes" page on the City's website www.cityofgainesville.org. Click the "eComment" link for a meeting agenda to leave comments on specific items.

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.

10:00 AM - Call to Order Morning Session**AGENDA STATEMENT**

"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 AGENDA (Includes both Consent and Regular Agenda Items. Consent Agenda Items that will not be discussed, may include Advocacy Resolutions)****CONSENT AGENDA ITEMS****CA-1 [210821](#). **Dondrea Meeks v. City of Gainesville; Case No. 2020-CA-1452; Eighth Judicial Circuit, in and for Alachua County, Florida. (NB)****

Explanation: On December 8, 2017, Mr. Meeks was the driver of a vehicle that was involved in an automobile accident with a City vehicle on SW 8th Avenue near 1250 SW 8th Avenue, in Gainesville. The City employee transit operator was acting in the course and scope of employment when the bus he was operating rear-ended the vehicle driven by Mr. Meeks. The employee received progressive discipline and is no longer employed by the City.

Plaintiff sought treatment for injuries to his lower back. While treatment consisted mostly of physical therapy, Plaintiff has continued that treatment for the past four years and claims to continue to suffer pain due to the accident. At trial, the plaintiff's attorneys were prepared to offer evidence of over \$25,000 in past medical expenses. They argued that he would additionally suffer future medical expenses along with damages related to pain and suffering, mental anguish, inconvenience, and loss of capacity for the enjoyment of life.

The City Attorney's Office and Risk Management Department conducted a thorough evaluation and investigation of this lawsuit in conjunction with the Regional Transit System. Per the application of Florida's limited waiver of sovereign immunity contained in section 768.28, Florida Statutes, the City's liability and authority to settle claims such as this is limited to \$200,000 per person, and \$300,000 per incident. The City Attorney's Office was able to negotiate a settlement with Plaintiff's attorneys. Representatives for the City agreed to recommend a settlement in the amount of \$27,500, subject to the approval of the City

Commission of the City of Gainesville, and, in exchange, the plaintiff will provide a full and complete Release to the City. It is the recommendation of the City Attorney's Office and the Risk Management Department that the case be settled for that amount.

Fiscal Impact: Funds are available in the City's General Insurance Fund.

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

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

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

[210849_January 20, 2022 Minutes_20220203.pdf](#)

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

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

[210829_TAB Resignation_20220203](#)

[210829_PRPB Resignation_20220203](#)

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

Explanation: This item is a request for the City Commission to consider a request for a lien reduction or rescission for 24 NE 20th Street. The property was found in violation of City Ordinance Sec. 13-171 Outdoor Storage and Trash. A lien was placed on this property that accumulated to \$59,775.00 (@ \$25.00 a day) plus Administrative Costs of \$79.11 (paid).

Ms. Tracey Wells requested a reduction/rescission of the accumulated fines and costs. Ms. Wells met with Pete Backhaus, Neighborhood Enhancement Manager and Sustainable Development Director, Andrew Persons to discuss the violation and remedy. Ms. Wells advised that she left the country prior to correcting the violation to care for a relative with cancer. She believes that the violation was corrected in 2015 or 2016.

The lien is attached to other properties that she is attempting to sell and would like the lien resolved. After discussion, it was agreed to recommend that the fine be reduced to \$2,000.

The Administrative Costs of \$79.11 have been paid and the property is currently in compliance with City Ordinances.

A Reduction/Rescission hearing was held on November 10, 2021 before the Special Magistrate. Based on information presented, the Magistrate recommended the remaining amount of the lien be reduced to \$2,000.

Strategic Connection:

Goal 3 of the City Commission's Strategic Plan Concerns making Gainesville a great place to live and experience.

Fiscal Note: The current lien amounts total \$59,775.00. The City has recovered \$79.11 in Administrative Costs.

RECOMMENDATION

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

Legislative History

11/10/21 Special Magistrate Heard
Hearing

[210627 Summary Wells Lien 20220203](#)

CA-5 [210731.](#)

Second Amendment to Agreement Between the City of Gainesville and Keep Alachua Beautiful, Inc. (KACB) for Anti-litter and Anti-graffiti Activities (B)

Explanation: This item is a request for the City Commission to approve the second and final renewal of the agreement between the City of Gainesville and Keep Alachua Beautiful, Inc. extending the term through September 30, 2022.

The City Commission approved the execution of a two (2) year agreement between the City and KACB for anti-litter and anti-graffiti services that expired on September 30, 2020. The agreement allows for two (2) one (1) year renewals for an annual cost of \$55,000. The City Commission approved the first renewal extension of the agreement that expired on September 30, 2021.

The City of Gainesville has been a member of KACB since its inception in 1995 and has worked cooperatively to address litter, removing graffiti, painting dilapidated buildings, cleaning up illegal dumps sites, and coordinating the Great American Cleanup.

From July 1, 2020 thru June 30, 2021, Keep Alachua County Beautiful engaged 3,003 volunteers to clean up litter and collected 417,867 pounds of litter including 5,945 pounds of recyclables. The volunteers provided over 15,648 hours of service for litter removal, removal of invasive plant species, community gardening, planting trees, and removing. As a nonprofit organization, KACB was able to realize \$462,600 in value from volunteer hours, in-kind donations, and other contributions amounting to an \$8.26 return of investment for each \$1 of governmental funding.

The services provided in the agreement include \$15,000 for membership in KACB, \$10,000 for the Beautiful Block Program, \$10,000 for the Community Outreach Program and up to \$20,000 for beautification projects including the Great American Cleanup.

Strategic Connection: Goal 2: Sustainable Community - a high priority item.

Fiscal Note: Funding for \$55,000 is budgeted in the Solid Waste Fund Other Contractual Services in the FY 2022 budget.

RECOMMENDATION

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

[210731A AI 180709 KACB Executed Agreement 20220203](#)

[210731B AI 180709 KACB-Passed 20220203](#)

[210731C AI 200454 KACB 1st Amendment Agreement 20220203](#)

[210731D KACB 2nd Amendment Agreement 20220203](#)

CA-6 [210735.](#)

Third Amendment to the Interlocal Agreement between Alachua County and the City of Gainesville for Recycling Processing (B)

Explanation: This item is a request for the City Commission to approve the third amendment to the Interlocal Agreement between Alachua County and the City of Gainesville for Recycling Processing extending the term through FY22.

Alachua County has processed and marketed the City's curbside recycling since 2014 at the County's Material Recovery Facility at the Leveda Brown Environmental Park. The City Commission originally approved the Interlocal Recycling Processing agreement in 2019 with the option to extend term for additional one-year periods under the same terms and conditions. The First Amendment extended the Agreement through FY20. The Second Amendment extension expired on September 30, 2021.

Costs and revenues from the contract are dependent on the average price of recyclables marketed by Alachua County. Recycling processing is provided to the City on a sliding scale. When the average market value is \$139.99 per ton or less, the City pays the County for processing. When the average market value is \$150.00 per ton or greater, the County provides revenue to the City.

The Alachua County material recycling facility is the only dual stream recycling processing facility in the area.

Strategic Connection: Goal 2: Sustainable Community - a high priority item.

Fiscal Note: Funding in the estimated amount of \$50,000 is budgeted in FY22 Solid Waste Fund Account.

RECOMMENDATION

The City Commission: 1) approve the Third Amendment to the Interlocal Agreement between Alachua County and the City of Gainesville for Recycling Processing through September 30, 2022; and 2) authorize the City Manager, or designee, to execute the appropriate contract documents subject to approval by the City Attorney as to form and legality.

[210735A Executed Interlocal Agreement for Recycling Processing 20220203](#)

[210735B First Amendment Agreement for Recycling Processing 20220203](#)

[210735C Second Amendment Agreement for Recycling Processing 20220203](#)

[210735D Draft 3rd Amdt Alachua Cty Recycling Interlocal Agreement 20220203](#)

CA-7 [210738.](#)

First Amendment to Government Recycling Services with Recycling Services of America (B)

Explanation: This item is a request for the City Commission to approve the first renewal extension of the agreement between the City of Gainesville and Recycling Services of America, Inc. through September 30, 2023 by piggybacking on the Alachua County's contract to provide collection and processing of office paper and corrugated cardboard from all City facilities.

On December 1, 2016, the City Commission approved the use of Alachua County's contract for Annual Collection, Processing, and Marketing of Recyclables from County Government Office Bid 17-46 for FY 2017-2021. The County agreement is effective for five (5) years beginning on the date of execution and continuing through September 2021. The County has the option of renewing this Agreement for two (2) additional two-year periods at the same terms and conditions. The County has signed the First Amendment to the contract extending the agreement until September 30, 2023. The City Commission originally approved the

piggyback agreement in 2016 that expired on September 30, 2021.

The contractor, Recycling Services of America (RSA), provides indoor collection of office paper using centralized containers. The City provides a list of buildings for collection.

Strategic Connection

Goal 2: Sustainable Community - a high priority item.

Fiscal Note: Funding in the estimated amount of \$50,000 is budgeted in FY22 Solid Waste Fund Account.

RECOMMENDATION

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

[210738A Alachua County RSA Agreement 20220203](#)

[210738B Alachua Cty 1st Amend Bid 17-46 Annual Office Recycling Svcs to R](#)

[210738C COG Recycling Services of America Agreement 20220203](#)

[210738D Draft 1st Amdt to Recycling Services of America 20220203](#)

CA-8 [210791.](#)

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

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

Explanation: The Parks, Recreation and Cultural Affairs (PRCA) Department manages the City's three public swimming pools and adjacent splash pads, which utilize sodium hypochlorite (liquid chlorine) as a sanitizing/disinfectant agent. Dwight H. Hunter (Northeast) Pool and H. Spurgeon Cherry (Westside) Pool are now open year-round and Andrew R. Mickle, Sr. Pool at T.B. McPherson Park is in use for about half the year, so PRCA uses about 60,000 gallons of liquid chlorine annually.

An Invitation to Bid for the contract for sodium hypochlorite was issued by the Procurement Division of the City's Budget and Finance Department on November 22, 2021 and only one bid was received, but it was deemed responsive and responsible. The bid requested pricing on a per-gallon basis for the purchase of sodium hypochlorite. Based on their ability to meet all material requirements of the specifications, the PRCA

Department is requesting approval to execute a contract with Hawkins, Inc. to purchase sodium hypochlorite at a price of \$1.80 per gallon, with the option of a price increase or decrease based on the Consumer Price Index as of February 15, 2024.

The new contract will begin February 16, 2022 and continue through February 15, 2024, with up to three possible 12-month extensions. A Recommendation of Award was posted on December 30, 2021.

Strategic Connection: This item is connected to Goal 3: A Great Place to Live and Experience in the City's Strategic Plan.

Fiscal Note: Hawkins, Inc. will charge \$1.80 per gallon for liquid sodium hypochlorite (NaOCl) 12.5% solution. Based on the estimated use of 60,000 gallons per year, the City would pay approximately \$108,000 annually or \$216,000 over the first two years of the contract. Funds have been allocated in Parks, Recreation & Cultural Affairs Department's general fund budget to cover this cost.

RECOMMENDATION

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

[290791A Addenda 3-1 and ITB Liquid Chlorine FY22 20220203.pdf](#)

[290791B Bid Response Hawkins Chlorine FY22 20220203.pdf](#)

[290791C Bid Tabulation Chlorine ITB FY22 20220203.PDF](#)

CA-9 [210818.](#)

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

Explanation: Since 1992, the City of Gainesville has participated in the State Housing Initiatives Partnership (SHIP) Program, which provides Florida Cities and Counties with funds to implement programs to promote and preserve affordable housing and homeownership. State law requires Cities to adopt a Local Housing Assistance Plan (LHAP) to receive SHIP funds. The LHAP describes program activities and management plans for the utilization of funds through public/private partnerships which expand the production and preservation of affordable housing within the city limits of the City of Gainesville. The LHAP addresses several affordable housing needs in the community, including homeownership, housing rehabilitation, new construction, down payment assistance, mortgage foreclosure intervention, and rental housing. The goal of the plan is to provide affordable housing opportunities for income eligible residents within the City.

Due to increased construction costs, and to provide more efficient and effective service to applicants, this agenda item proposes three minor revisions to the LHAP's House Replacement Program (HRP), within the Owner Occupied Rehabilitation Strategy. Those changes include: 1) increasing the maximum funding for the HRP; 2) allowing contingency funding to cover unexpected costs during the construction project; and 3) providing supplementary funding to assist homeowner with temporary relocation costs.

The specific language of the proposed changes is provided in the backup attached to this agenda item.

Strategic Connection:

This item is connected to Goal 3: A Great Place to Live and Experience in the City's Strategic Plan.

Fiscal Note: The revised maximum HRP Program funding limit will increase to \$175,000, which will include all project related costs such as, construction, contingency and temporary relocation costs.

RECOMMENDATION

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

[210818A Draft LHAP Changes 20220203](#)

CA-10 [210823.](#)

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

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

Explanation: On November 8, 2021, the City's Purchasing Division issued a Request for Proposals (RFP) for Painting and Pressure Washing Services for the Neighborhood Paint Program for the Gainesville Community Reinvestment Area (GCRA). The RFP process was implemented in compliance with, and as required by, Florida Statutes and City of Gainesville policies.

Five (5) proposals were submitted by the deadline. The submissions contained technical, written, and price proposals. An evaluation team consisting of City staff evaluated and ranked proposals. The highest-ranked proposals were submitted by Elite Sandblasting and Painting, Inc. and Quick Painting Group Corp. The City desires to enter into a contract for Painting and Pressure Washing Services for the Neighborhood Paint Program with these vendors.

Strategic Connection: This item is connected to Goal 3: “A Great Place to Live” in the City’s Strategic Plan.

Fiscal Note: The not-to-exceed amount of \$222,000 is allocated for Painting and Pressure Washing Services for the Neighborhood Paint Program from the GCRA fiscal year 2022 budget.

RECOMMENDATION

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

[210823 A 220025-RFP-CRAX-Paint Program 2022.02.03.pdf](#)

[210823 B 220025-Department Award Recommendation Signed 2022.02.03.p](#)

[210823 C 220025-CCom Bid Tabulation 2022.02.03.pdf](#)

[210823 D 220025-Eval Summary-Procurement 2022.02.03.pdf](#)

[210823 E 220025-Procurement Pricing Evaluation 2022.02.03.pdf](#)

CA-11 [210810.](#) GRU Operational Update for the Month of December 2021 (B)

Explanation: Staff has prepared a report of statistical and other data for GRU's operations in the month of December 2021.

Fiscal Note: None.

RECOMMENDATION

Receive report.

[210810 GRU Dec 2021 Ops Update All Depts 20220113](#)

CA-12 [210879.](#) Interim General Manager for Utilities Employment Agreement (B)

AGENDA UPDATE - ADDED ITEM

Explanation: At the January 27, 2021, General Policy Meeting of the City Commission, the Commission selected Anthony Cunningham as the interim General Manager for Utilities and authorized the Mayor to negotiate an

employment agreement with Mr. Cunningham. An agreement has been reached between the Mayor and Mr. Cunningham and is presented to the Commission for approval.

The agreement is consistent with all other Charter Officer agreements and is included in the item as backup.

Fiscal Note: The funds necessary to compensate Mr. Cunningham for salary and benefits is included in the Fiscal Year 2022 Gainesville Regional Utilities operating plan.

RECOMMENDATION

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

[Employment Agreement Interim GM Anthony Cunningham.pdf](#)

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.

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

BD-1 [210356.](#) Boards, Commissions and Committees Review (B)

Explanation: At the September 2, 2021 City Commission meeting it was presented that there was a need to review Advisory Boards, Commissions and Committee. The goal of the review is to consolidate boards with similar missions and/or subject matter and eliminate boards that no longer serve the purpose for which they were created by the City Commission.

At the October 28, 2021 City Commission meeting the Commission moved to combine the Gainesville Cultural Affairs Board and the Art In Public Places Trust. Additionally, the Commission moved to eliminate the StudentCommunity Relations Board. For both of these actions, the Commission requested a transition plan be submitted.

On January 20, 2022, the Commission received a memo from the Gainesville Cultural Affairs Board and the Art In Public Places Trust requesting a revisit of this issue. Commissioner Desmon Duncan-Walker requested the item to be brought back to the February 3, 2022 commission meeting.

RECOMMENDATION

The City Commission discuss their action on this

item and take any action as deemed necessary.

Legislative History

9/2/21	City Commission	Approved, as shown above
10/28/21	General Policy Committee	Approved, as shown above

[210356 Advisory Board Details 20211028](#)

[210356 Joint Memo from APPT and CAB Chair to the Mayor and Commission](#)

[210356 Memo RE Sunsetting-Transition of SCRAB 20220203](#)

BD-2 [210824.](#) **Commissioner Harvey Ward - Discussion of Outdoor Performance / Busking (B)**

Explanation: Commissioners Saco, Ward and Hayes-Santos met for a sunshine meeting on January 18, 2022 to discuss outdoor performance/busking in downtown Gainesville. The discussion led to the idea of funding a pilot program.

Fiscal Note: \$25,000 to come from the 2% set-aside for the Arts.

RECOMMENDATION

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

[210824 Business Plan - Street Performance Program Comm Hayes-Santos](#)

BD-3 [210129.](#) **Solid Waste Ordinance Draft (B)**

Explanation: The Zero Waste Subcommittee has met regularly since September 2020 to recommend new ordinances related to solid waste. The Zero Waste Subcommittee, community builders, and the City Attorney's Office have worked together to draft 3 ordinances that contain changes and additions to Article III, Solid Waste of Chapter 27, Code of Ordinances. One ordinance amends Article III by adding requirements for commercial generators of solid waste, multi-family properties a/k/a commercially-collected residential properties, and recovered materials registrants. Among other things, new regulations include requirements for larger multi-family properties to have lease transition plans to encourage reuse of household goods; requirements for retail prescription drug distributors to provide a take back program for prescription drugs; and new regulations relating to single-use plastic and polystyrene products. The second ordinance creates a new Division 6 titled "Food Waste," which sets forth a new regulatory scheme for food composting and collection of food waste. The third ordinance creates a new Division 7 titled "Food Diversion," which requires certain food oriented commercial establishments to divert food and food waste from the waste stream and to follow a food waste hierarchy.

Fiscal Note: Enforcement relating to this ordinance may require the services of the Special Magistrate and additional staff time to enforce the new regulations. There may be additional costs associated with informing neighbors of the new regulations.

RECOMMENDATION

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

Legislative History

7/20/21	Zero Waste Subcommittee	Discussed
8/3/21	Zero Waste Subcommittee	Approved, as shown above - See Motion(s)
8/31/21	Zero Waste Subcommittee	Approved, as shown above - See Motion(s)
9/28/21	Zero Waste Subcommittee	Discussed
10/26/21	Zero Waste Subcommittee	Discussed
11/9/21	Zero Waste Subcommittee	Discussed
12/7/21	Zero Waste Subcommittee	Discussed

[210129A Subcommittee Ordinance Update Presentation 20210720](#)
[210129B Draft -SW Ordinance Updates 20210720](#)
[210129C Comm Hayes-Santos Zero Waste Ordinance Recommended Clarific](#)
[210129D Summary of Ordinance Changes 20210831](#)
[210129E SW Ordinance Proposed Changes 20210831](#)
[210129F Subcommittee Ordinance Updates 20210831](#)
[210129 FINAL Minutes 080321 Zero Waste 20210831](#)
[210129 Solid Waste Ordinance Approved Updates 20210831](#)
[210129 Ordinance Update 20210928](#)
[210129 Solid Waste Ordinance draft 9.28 meeting 20210928](#)
[210129K Commercially Collected Residential Definition Update 20211026](#)
[210129A Solid Waste Ordinance 10.26.21 ZWC 20211026](#)
[210129 Solid Waste Ordinance 20211109](#)
[210129N Draft SW Div. 6 Food Waste Ord. 20211207](#)
[210129O SW Div. 7 Food Diversion Ord. Draft 20211207](#)
[210129P Draft SW General Ordinance 20211207](#)
[210129Q Florida Retail Federation Comments 20211207](#)
[210129R NRDC Estimating FW & Type at the City Level 20211207](#)
[210129 Comm Hayes-Santos Waste Ordinance Questions and Clarifications 2](#)
[210129A Food Diversion ordinance division 7 20220104](#)
[210129B Food Waste Ordinance Division 6 20220104](#)
[210129C Solid Waste Ordinance 20220104](#)
[210129 CityofGainesvilleFRLA 20220104](#)
[210129A Food Waste Ordinance 20220203](#)
[210129B Food Diversion Ordinance 20220203](#)
[210129C Solid Waste Ordinance 20220203](#)
[210129 Ordinance Update Presentation 20220203](#)
[210129D Food Waste Reduction Recovery Presentation 20220203](#)
[210129E Food Waste Diversion Survey - Food Generating Businesses 202202](#)

BD-4 [210601.](#)

Parking Discussion(B)

RECOMMENDATION

The City Commission discuss the recent parking management changes.

Legislative History

11/4/21	City Commission	Withdrawn
11/18/21	City Commission	Approved as Recommended

[210601_Parking Meter Locations Downtown.pdf](#)

[210601_2022 Parking Management Changes Update_20220203.pdf](#)

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

12:00 PM - 1:00 PM LUNCH BREAK

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.

GENERAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

BD BUSINESS DISCUSSION ITEMS

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

AGENDA UPDATE - ADDITIONAL BACK-UP

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

[210827_RideRTS App Status Update_02032022](#)

[210827_Comm Hayes_Santos RTS App Reviews_20220203](#)

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

Explanation: The City Commission directed the City Clerk's Office to research options for Commission Discretionary Spending. After consulting with the Department of Financial Services and the City Auditor's Office, the below recommendations have been made.

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

[210848_City Commission Discretionary Spending_20220203.pdf](#)

RE RESOLUTIONS

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

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

Explanation: Recently the City of Gainesville partnered with Alachua County on a pilot project offering free fare for 18-and-under and 65-and-over passengers. In addition, federal funds have been made available through the Federal Transit Administration (FTA) and the Florida Department of Transportation (FDOT) 49 U.S. Code Chapter 53, Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities grant program, and RTS will be submitting an application for a “Free Fare for Seniors” grant application. This application, if successful, is anticipated to enable extension of the City-County pilot program through supplementing funds for a portion of the ridership in the City-County pilot.

The 5310 grant program is administered by FDOT, providing assistance throughout the state with federal funding to support specific, identified prioritized transportation needs. FDOT requires that applying agencies’ adopted resolutions are included with submitted federal grant application packages. RTS is requesting that the City Commission pass the Resolution to complete the application package.

Strategic Connection: The Regional Transit System network provides transportation access to many services within our community and supports all five goals in the City’s strategic plan including Equitable Community, A More Sustainable Community, a Great Place to Live and Experience, a Resilient Local Economy, and “Best in Class” Neighbor Services.

Fiscal Note: Funds are allocated in the Department of Transportation, RTS FY22 budget to provide the required matches. RTS’s application requests \$200,000 for the grant project; the 50% match for the grant is allocated in the FY22 RTS budget.

RECOMMENDATION *The City Commission adopt the Resolution.*

[210825A Draft 5310 Resolution 20220203](#)

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

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

AGENDA UPDATE - ADDED ITEM

Explanation: On January 25, 2022, a city run-off election for the election of Commissioner for the At Large B Seat was held.

The Report of the Board of Canvassers for the City of Gainesville showing that Cynthia Moore Chestnut was elected to the At Large B Seat, is adopted by this resolution of the City Commission.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

[210859_Resolution Accepting Run-Off Election Board of Canvassers Report_20](#)

OR ORDINANCES**ADOPTION READING**

AR-1

[210330.](#)**Land Use Change - 5.89 Acres of Property Located in the 3041-3155 block of Old Archer Road (B)**

Ordinance No. 210330

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road, as more specifically described in this ordinance; providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road. This proposed amendment to the Comprehensive Plan qualifies as a small-scale development

amendment, and therefore the City Commission may adopt the ordinance with a single public hearing.

This ordinance will become effective immediately upon adoption. However, the effective date of this amendment to the City of Gainesville Comprehensive Plan, if not timely challenged, will be 31 days after adoption. If challenged within 30 days after adoption, this amendment will become effective on the date the state land planning agency or the Administration Commission issues a final order determining the amendment to be in compliance with Chapter 163, Florida Statutes. No development orders, development permits, or land uses dependent on this Comprehensive Plan amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION *The City Commission continue first reading to February 17, 2022.*

Legislative History

9/30/21 City Plan Board Approved

[210330B_PB_21_102_LUC_Archer_Place_StaffReport_andAppendices_20220](#)

[210330C_Archer_Place_Land_Use_Change_and_Rezoning_CCOM_20220203](#)

[210330A_draft_ordinance_20220203.pdf](#)

FIRST READINGS

FR-1 [200744.](#)

Ordinance Creating Qualifying Fee and Alternative Petition Process for Qualifying for City Office (B)

ORDINANCE NO. 200744

An ordinance of the City of Gainesville, Florida, amending Section 9-10 of the Code of Ordinances by creating additional requirements for candidate qualifying; providing for an additional qualifying fee or petition signatures in lieu of a qualifying fee; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The General Policy Committee, at its meeting of December 9, 2021, directed the City Attorney's Office to draft an ordinance that would impose additional requirements upon candidates seeking to qualify for office to the City Commission. This ordinance adds a 2% qualifying fee to the mandatory 1% election assessment required by section 99.093, Florida Statutes (2021). In lieu of paying the qualifying fee, a candidate may choose the petition process of qualifying, which means the candidate must collect signatures of 1% of registered voters in the geographical area of the office sought. The ordinance provides that during the redistricting process after the decennial census, candidates may collect signatures from anywhere in the city. The ordinance does not provide for

a hardship exemption for the qualifying fee or petition process.

The City intends to contract with the Supervisor of Elections to perform the service of verifying signatures. The current Supervisor of Elections has expressed willingness to perform this service.

Although the current actual cost for the Supervisor of Elections to verify a signature is 30 cents (\$0.30) per signature, General Policy Committee gave direction to only charge candidates 10 cents (\$0.10) to verify a signature. The City will fund the difference between the 10 cents per signature to be paid by candidates and the actual cost of the Supervisor of Elections to verify signatures.

Fiscal Note: The City will be responsible for approximately \$0.20 cents per petition checked, or the actual cost for the Supervisor of Elections to verify signatures, if greater. A candidate for a mayoral or at-large seat is required to obtain 895 signatures, but will likely submit approximately 1,119 signatures to account for mismatching or invalid signatures. The city will incur approximately \$223.80 for each at-large seat candidate. A candidate for a district seat is required to obtain 224 signatures, but will likely submit 280 signatures to account for mismatching or invalid signatures. The city will incur approximately \$56.00 for each district seat candidate. The ultimate cost to the city will depend on the number of prospective candidates who avail themselves of the petition process.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

4/22/21	General Policy Committee	Approved, as shown above
12/9/21	General Policy Committee	Approved, as shown above

[200744 Candidate Qualification Requirements Research 20210422.pdf](#)

[200744 Candidate Qualification Presentation 20210422.pdf](#)

[200744 Alachua County Candidate Qualifying Process - Fees and Petition Me](#)

[200744 draft ordinance 20220203.pdf](#)

FR-2 [200722.](#)

Text Change - Neighborhood Workshop and Development Review Notification

Ordinance No. 200722

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by amending development thresholds and applicable reviewing authorities; by amending Section 30-3.1 Development Review Coordinator; by

amending Section 30-3.2 Technical Review Committee; by amending Section 30-3.7 Neighborhood Workshop; by amending Section 30-3.8 Public Notice; by amending Section 30-3.18 Review Procedures; by amending Section 30-3.36 Minor Subdivisions; by amending Section 30-3.45 Levels of Development Review; by amending Section 30-3.47 Review Procedures; by amending Section 30-3.56 Land Use Hearing Officer; by amending Section 30-6.4 Level of Service Review; by amending Section 30-6.6 Design Standards; by amending Section 30-6.12 Outdoor Lighting; by amending Section 30-7.2 Off-Street Vehicle Parking; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - CHANGED TEXT FILE

Explanation: STAFF REPORT

This ordinance will amend various provisions in the Land Development Code to enhance existing processes for public notification and participation in development review. Every application that requires board approval, including future land use map changes, rezonings, special use permits, as well as subdivisions and development plans which do not require board approval, must first hold a neighborhood workshop and include in the application a written record of such meeting. Amendments include a more robust neighborhood workshop and public participation process, including submittal of a Public Participation Report documenting the results of the public participation effort as well as public participation in quasi-judicial hearings for review of all major developments.

This ordinance requires two hearings and will become effective upon adoption.

RECOMMENDATION *The City Commission continue First Reading to February 17, 2022.*

[200722B_Neighborhood_workshop_Amendments](#)

[200722C_CodeChangeinfo_Neighborhood_workshop_notification](#)

[200722D_PB-20-159_TCH_Text_Change_Staff_Presentation_CCOM_2.3.22](#)

[200722A_draft_ordinance_20220203.pdf](#)

FR-3 [200730.](#)

Text Change - Modification of Building Form and Design Standards

Ordinance No. 200730

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) Section 30-2.1 Definitions, Section 30-4.13 Building Form Standards, and Section 30-4.14 Building Design Standards to modify building

frontages, building entrance, building materials, and ground floor tenant space requirements for properties in transect zones; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: STAFF REPORT

This ordinance will amend Section 30-4.13 Building Form Standards and Section 30-4.14 Building Design Standards of the Land Development Code to clarify existing requirements for building frontage and building entrances, add new requirements for building materials, and add requirements for the build out of ground floor tenant spaces in transect zones.

This amendment exempts single-family home construction from building frontage requirements. It also clarifies building entrance requirements for new commercial construction and adds new language to specify acceptable materials for new construction, including a maximum percentage of certain types of accent materials. The amendment also requires the provision of exhaust ventilation and grease interceptors during building construction for new commercial ground floor spaces.

This ordinance requires two hearings and will become effective upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/26/21 City Plan Board Approved

[200730B_PB-20-160 TCH_Building Text Change_20220203](#)

[200730C_PB-20-160 TCH_BuildingFormandDesign_StaffMemo_20220203](#)

[200730D_PB-20-160 TCH_BuildingFormandDesign_StaffPresentation_2.3.22_1](#)

[200730A_draft ordinance_20220203.pdf](#)

COMMISSION COMMENT

4:30 - 5:30pm DINNER BREAK

5:30pm - CALL TO ORDER - Evening Session

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [210841.](#)

World Hijab Day - February 1, 2022 (B)

RECOMMENDATION

World Hijab Day Volunteers Laila Fakhoury and Manal Fakhoury to accept the proclamation.

[210841_World Hijab Day_20220203](#)

EARLY PUBLIC COMMENT - Members of the public who are unable to wait for their agenda item(s) to be called during the meeting may speak during Early Public Comment. Comment is limited to three (3) minutes on one agenda item or five (5) minutes on two or more agenda items. Speaking during Early Public Comment waives the right to comment during later agenda items.

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

BD BUSINESS DISCUSSION ITEMS

PH PUBLIC HEARINGS (Including Planning Petitions)

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

SR SECOND READINGS

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

Ordinance No. 210278

An ordinance of the City of Gainesville, Florida, annexing approximately four (4) acres of privately-owned property generally located west of SW 13th Street and south of SW 36th Place, as more specifically described in this ordinance, as petitioned for by the property owner(s) pursuant to Chapter 171, Florida Statutes; making certain findings; providing for inclusion of the property in Appendix I of the City Charter; providing for land use plan, zoning, and subdivision regulations, and enforcement of same; providing for persons engaged in any occupation, business, trade, or profession; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: This ordinance will annex into the corporate limits of the City of Gainesville tax parcels 07253-000-000, 07254-000-000, and 07251-009-000; consisting of approximately four (4) acres of privately-owned property generally located west of SW 13th Street and south of SW 36th Place. On August 19, 2021, the City Commission

received and accepted a petition for voluntary annexation and directed the City Attorney to prepare this annexation ordinance.

Municipal annexation in Florida is governed by the Municipal Annexation or Contraction Act (the "Act"), which is found in Chapter 171, Florida Statutes. Section 171.044, F.S., sets forth the requirements and procedure for voluntary annexation, whereby property owners may voluntarily request a municipality to include their property within the corporate limits of that municipality. Besides various procedural requirements, Section 171.044, F.S., sets forth the following substantive requirements for voluntary annexations: 1) the proposed annexation area must be "contiguous" to the municipality; 2) the proposed annexation area must be "reasonably compact"; and 3) the annexation must not create any "enclaves."

It is the opinion of city staff that the procedural and substantive requirements for voluntary annexation described in Section 171.044, F.S., have been met as follows: First, the annexation area is "contiguous" to the city limits because a substantial part of a boundary of the annexation area is coterminous with a part of the city boundary, and is touching or adjoining the city limits in a reasonably substantial sense. Second, the annexation area is "reasonably compact" because it is a reasonable concentration of property in a single area and does not create any enclaves, pockets, or finger areas in serpentine patterns. This annexation would not result in a pattern of land that is winding or turning, and would not create any small isolated unincorporated area that is left in a sea of incorporated property when viewed in relationship to the overall scope and configuration of the annexation area and surrounding municipal property. Third, this annexation would not create any "enclaves" because the annexation would not result in any unincorporated property that is either enclosed and bound on all sides by the city limits; or enclosed within and bounded by the city limits and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the city.

Therefore, and in light of the general purpose of municipal incorporation and the fact that a property owner has voluntarily requested to be annexed into the City of Gainesville, city staff recommends adoption of this voluntary annexation ordinance. The City Commission must decide, based on the map of the annexation area, the opinion and testimony of city staff, and other competent substantial evidence included in the record, whether the proposed annexation meets the essential requirements of the applicable state annexation law as described herein.

This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

8/19/21 City Commission Approved as Recommended

1/20/22 City Commission Adopted on First Reading (Ordinance)

[210278B_Patel_Voluntary_Annexation_Petitions_20220120](#)

[210278C_Staff_PPT_20220120](#)

[210278D_PatelPrprty USR - Voluntary Annexation_20220120](#)

[210278A_draft ordinance_20220120.pdf](#)

FR FIRST READINGS

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

Ordinance No. 210729

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

Explanation: STAFF REPORT

This ordinance adds a Property Rights Element to the City's Comprehensive Plan in accordance with a state law requirement (Section 163.3177(6)(i), Florida Statutes) that became effective on July 1, 2021. Section 163.3177(6), Florida Statutes, sets forth the procedure for amending the Comprehensive Plan. The first hearing is the transmittal stage and must be advertised at least seven days prior to the hearing. The second hearing is the adoption stage and must be advertised at least five days prior to the hearing. Within ten working days after the first hearing, the City must transmit the amendment to the reviewing agencies and to any other local government or state agency that has filed a written request for same. These agencies have 30 days after receipt of the amendment to forward comments to the City. The City must consider any written comments received during the second hearing. If adopted on second reading, the City will forward the amendment within ten working days to the state land planning agency and any party that submitted written comments.

Within 30 days following the City's adoption of this amendment to the Comprehensive Plan, any affected person may file a petition with the State Division of Administrative Hearings to request a hearing to challenge the amendment's compliance with Chapter 163, Florida Statutes. If not timely challenged, this amendment shall become effective 31 days after the state land planning agency notifies the City that the amendment package is complete. If timely challenged, this amendment shall become effective when the state land planning agency or the Administration Commission issues a final order determining that this amendment is in compliance with Chapter 163, Florida Statutes. No

development orders, development permits, or land uses dependent on this amendment may be issued or commenced before this amendment has become effective.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

1/20/22 City Commission Continued

[210729_Property_rights_BackUp_20211214](#)

[210729A_draft ordinance_20220120.pdf](#)

[210729B_Property_rights_BackUp_20211214](#)

[210729C_CCM_Property_Rights_Presentation20220203](#)

COMMISSION COMMENT

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