

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

June 17, 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 - 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**

Public Comment: Nathan Skop, Brian O'Brien and Donald Shepherd.

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

Nay: 1 - Commissioner Arreola

CA-1 [210081.](#) Approval of Minutes from the June 3 (2) and June 7, 2021 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the minutes of June 3 (2) and June 7, 2021.*

Approved as Recommended

CA-2 [210058.](#) Special City Commission Meeting - Equitable and Sustainable Solution for Solid Waste Service Usage (NB)

RECOMMENDATION *The City Commission approve a special City Commission meeting scheduled for July 21, 2021 at 1:30 P.M.*

Approved as Recommended

CA-3 [201106.](#) Rebalancing Boards and Filling Vacancies (NB)

RECOMMENDATION *The City Commission approve the board rebalancing plan.*

Approved as Recommended

CA-4 [210009.](#) Contract Award for Digital Signage and Content Management Software (B)

This item is a request to approve the recommended award for Request for Proposal (RFP) #RTSX-210030-DS and execute a contract with Clever Devices Ltd for Digital Signage and Content Management Software.

RECOMMENDATION

The City Commission authorize the City Manager or his designee to execute a contract with Clever Devices Ltd, for Digital Signage and Content Management Software, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-5 [210053.](#)

Bid Award - SW 27th Street Multimodal Project (B)

RECOMMENDATION

The City Commission: 1) award the bid to American Design Engineering Construction Inc.in the amount of \$543,465.00; and 2) authorize the City Manager to execute the contract and all related documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-6 [210055.](#)

Gainesville Multifamily Pilot Composting Grant Application (B)

RECOMMENDATION

The City Commission: authorize the City Manager or designee to execute the grant application, grant award and any related documents, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-7 [210064.](#)

Henderson Voluntary Annexation Petitions For 280+/- Acres Of Property On SW Williston Rd (B)

This is the submission of petitions for the voluntary annexation of parcels 06982-000-000, 07002-000-000 (a portion of), 07231-000-000 (a portion of), and 06980-000-000, which are owned by James D. Henderson II, Prairie View Trust Co-trustee, Frederick L. Henderson, Prairie View Trust Co-trustee, and Gary Williams respectively. These parcels are located on the west side of SW Williston Rd. south of SW 62nd Avenue and the City of Gainesville city limits, north of SW 78th Lane and east of SW 63rd Boulevard.

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 Clerk of the Commission

to advertise ordinances relating to the annexation of the area, if appropriate.

Approved as Recommended

CA-8 [210065.](#)

Fred Bear Health Park Voluntary Annexation Petitions for 60 +/- Acres of Property on SW Archer Road and Fred Bear Road (B)

This is the submission of petitions for the voluntary annexation of parcels 06800-007-001, 06813-000-000, 06813-001-000, 06974-040-000, 07240-001-008, and 07240-050-000, which are owned by 4454 Properties, LLC; North Florida Regional Medical Center, Inc.; I-75 Business Park & Self Storage, Inc.; and Prairie View Trust, respectively. These parcels are located south of SW Archer Road, west of Interstate 75, north of current city limits, and east of SW 44th Street.

RECOMMENDATION

The City Commission: 1) receive the petitions for annexation and make findings that they contain the signatures 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.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modifications: 1) Move afternoon Commission Comment to beginning of agenda; 2) Move File #210015 (Gainesville Police Department and State Attorney Office Memorandum of Understanding for Pre-Arrest Deflection Program) to second on agenda; 3) File #210087 (Appointment of City Commissioner for Annual Meetings of Elected Officials regarding Coordination of Land Use and School Facilities Planning); 4) File #210089 (Resolution Authorizing the Cash Defeasance of Certain Outstanding Utility System Debt); 5) File #210090 (Proposed Development Incentive for Grocery Store Project) - New Back-up added; and 6) File #201115 (Third Budget Amendment to the FY 2021 General Government Financial & Operating Plan Budget) - Added Item.

Public Comment: Nathan Skop and Brian O'Brien.

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

Nay: 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.

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).

*Richard Selwach
Nathan Skop
Donald Shepherd
Brian O'Brien
Pastor Ron Rawls
Mary Lou Hildreth
Debbie Martinez
Sarah Poll*

CC COMMISSION COMMENT

Motion by Mayor-Commissioner Pro Tem Johnson, seconded by Commissioner Ward: Authorize the Charter Officers to allow non-essential personnel to observe the newly created federal holiday of Juneteenth. Motion passed unanimously.

Public Comment: Pastor Ron Rawls

Nicolle Shalley, City Attorney spoke to the matter.

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)

Dr. Jeanna Mastrodicasa, Member of the Gainesville Police Advisory Council gave a presentation.

Public Comment: Donald Shepherd spoke to the matter.

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

Heard

BD-7 [210015.](#) **Gainesville Police Department and State Attorney Office Memorandum of Understanding for Pre-Arrest Deflection Program (B)**

Lee Feldman, City Manager introduced the item.

State Attorney Jones spoke to the matter.

GPD Chief Tony Jones spoke to the matter.

Sharla Head, GPD Program Coordinator spoke to the matter.

Public Comment: Donald Shepherd

RECOMMENDATION *The City Commission to (1) approve the City Manager to sign the MOU (2) legal to approve as to form and legality*

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-2 [210061.](#) **Appointment to the Joint Water and Climate Policy Board (NB)**

Motion: Appoint Mayor Poe to the Joint Water and Climate Policy Board for the remainder of the term.

RECOMMENDATION *The City Commission discuss and appoint a city commissioner to the opening on the Joint Water and Climate Policy Board.*

A motion was made by Commissioner Ward, 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

BD-3 [210056.](#) **Department of Sustainable Development Fee Study (B)**

This is a request for the City Commission to hear a presentation from Berry Dunn McNeil & Parker, LLC and provide direction to staff.

Motion: Staff to move forward with the cost recovery phase-in plan, including further discussion about how to balance the implementation of the fees.

Lee Feldman introduced the item.

Andrew Persons, Director of Department of Sustainable Development spoke to the matter.

Jesse Myott, Berry Dunn McNeil & Parker, LLC gave a presentation.

Public Comment: Donald Shepherd and Nathan Skop.

RECOMMENDATION *The City Commission 1) receive a report and presentation from Berry Dunn McNeil & Parker, LLC and 2) provide direction on a cost-recovery percentage policy.*

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

Absent: 1 - Commissioner Arreola

BD-6 [201103.](#)

Update on St. Johns River Water Management District Lake Brooklyn and Geneva Minimum Flows and Levels (MFLs) (B)

Mike Register, Director of Water Supply Cleaning and Assessment for the SJRWMD gave a presentation.

Rick Hutton, GRU Engineer Designer spoke to the matter.

Public Comment: Nathan Skop, Donald Shepherd and Mary Lou Hildreth.

RECOMMENDATION *City Commission hear a presentation from St. John River Water Management District staff and an update from GRU staff.*

Heard

BD-8 [210090.](#)

Proposed Development Incentive for Grocery Store Project (B)

Motion by Commissioner Hayes-Santos, seconded by Commissioner Saco:

1) *Extend for 30 days the process of new proposals with a \$3.3 million incentive for a grocery store (source of funds are non-specific at this time). Motion passed 5-2. Commissioner Arreola and Commissioner Saco in dissent.*

2) *Take a term sheet and have the City Attorney's office work on a final contract, as well as other proposals received and analyzed with their own term sheets at the end of the 30-day period. Motion failed 3-4. Mayor Poe, Commissioner Hayes-Santos and Commissioner Saco in Affirmative.*

3) *Direct staff to create an Economic Development Policy for proposals brought to the Commission from non-solicited proposals, separate from this project. Motion passed unanimously.*

4) *Schedule a special meeting at the end of July to discuss. Motion passed unanimously.*

Lee Feldman spoke to the matter and introduced the item.

Fred Washington gave a presentation.

Nicolle Shalley spoke to the matter.

Public Comment: Donald Shepherd, Anna Prizza, Nathan Skop, Armando Grundy-Gomes and Nancy Daren.

RECOMMENDATION *The City Commission hear an update, discuss and take action as deemed appropriate.*

Approved, as shown above

RECESS - 5:48 PM

RECONVENE - 6:15 PM

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [210083](#) Local Students Drop Savers Water Conservation Contest Winners (NB)

RECOMMENDATION *The City Commission recognize local student winners from the Drop Savers Water Conservation Poster Contest.*

Heard

PR-2 [200544.](#) **FCCMA Centennial Council Management Award (NB)**

RECOMMENDATION *The commission accept the award.*

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.

RE **RESOLUTIONS - ROLL CALL REQUIRED (RE)****RE-1** [210002.](#) **Quasi-Judicial - Final Plat for Oaks Preserve Phase I, a Cluster Subdivision (B)**

Resolution No. 210002

A resolution of the City of Gainesville, Florida, approving the final plat named "OAKS PRESERVE PHASE I, A CLUSTER SUBDIVISION" located in the vicinity of the 5200 block of Archer Road, south side, Gainesville, Florida, as more specifically described in this resolution; authorizing the City Manager to execute a security agreement to secure required public improvements; accepting the dedication of the public rights-of-way, easements, and other dedicated portions as shown on the plat; providing directions to the City Clerk; and providing an immediate effective date.

Lawrence Calderon, Planner III gave a presentation.

Sergio Reyes, Eng, Denman & Associates spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed 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: 5 - Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, and Commissioner Duncan-Walker

Absent: 2 - Commissioner Arreola, and Mayor-Commissioner Pro Tem Johnson

RE-2 [210088.](#) **Resolution Authorizing the Execution of Gainesville Regional Utilities Financial Transactions (B)**

Mark Benton, Rates and Investment Director gave a presentation.

Public Comment: Nathan Skop, Brian O'Brien, Debbie Martinez, Ray Washington and Donald Shepherd.

RECOMMENDATION

The City Commission authorize the General Manager or his designee to negotiate and execute the listed transactions, and approve the

1) Thirty-fifth Supplemental Utilities System Revenue Bond Resolution

2) forms of the Escrow Deposit Agreement, Bond Purchase Contract, Preliminary Official Statement and Continuing Disclosure Certificate,

3) forms of a Forward Bond Purchase Agreement and Continuing Covenant Agreement used in connection with the forward delivery private placement of the refunding bonds and
4) the intent of the City for purposes of compliance with federal tax law to reimburse the expenditure of costs of certain capital projects with the proceeds of tax-exempt bonds, and authorize the execution and delivery thereof, subject to approval of the City Attorney as to form and legality.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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

Nay: 1 - Commissioner Duncan-Walker

RE-3 [210089.](#)

Resolution Authorizing the Cash Defeasance of Certain Outstanding Utility System Debt (B)

Mark Benton, Rates and Investment Director gave a presentation.

Public Comment: Nathan Skop, Brian O'Brien, Donald Shepherd and Debbie Martinez.

RECOMMENDATION

The City Commission approve:

1) the resolution authorizing the cash defeasance of certain outstanding utility system debt and

2) the form, execution and delivery of one or more escrow deposit agreements with respect to this cash defeasance and the appointment of the escrow agent.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Arreola, that this Matter be Adopted (Resolution) and Approved the Recommendation. 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-4 [201115.](#)

Third Budget Amendment to the FY 2021 General Government Financial

and Operating Plan Budget**Resolution No. 201115**

A Resolution of the City Commission of the City of Gainesville, Florida; relating to its general government budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021; amending Resolution No. 200316, as amended by Resolution No. 200933 and Resolution No. 201058, by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

Cintya Ramos, Finance Director gave a presentation.

Public Comment: Nathan Skop, Brian O'Brien and Paula.

RECOMMENDATION *City Commission adopt the proposed resolution.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Arreola, that this Matter be Adopted (Resolution). 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

RESOLUTIONS (NBR) - NON BINDING**NBR-1** [201080.](#)**Commissioner Harvey Ward - Resolution Condemning/Denouncing Genocide (B)**

Commissioner Ward introduced the item.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, 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-2 [201081.](#)**Commissioner Harvey Ward - Resolution In Support of a National Infrastructure Bank (B)**

Commissioner Ward introduced the item.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

A motion was made by Commissioner Ward, seconded by Commissioner

Arreola, 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

PUBLIC HEARINGS (PH)

PH-1 200729. Community Character Overlay District Text Change (B)

Petition PB-21-08 TCH. City of Gainesville. Amend the Land Development Code to modify the purpose, objectives, effect, criteria, and procedures for implementation of the community character overlay district.

RECOMMENDATION

*The City Plan Board recommended to strike the Heritage Overlay District from the Code in a 5-2 vote.
Staff recommends the City Commission review the materials related to this item provided in backup and provide direction to staff for further action.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Arreola, that this Matter be Striken from Agenda (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

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

SR-1 [201147](#). Code Amendments Regarding Residential Rental Unit Permits (B)

Ordinance No. 201147

An ordinance of the City of Gainesville, Florida, amending Chapter 14.5, Article I titled "Residential Rental Unit Permits"; amending Appendix A. titled "Schedule of Fees, Rates and Charges" to revise Residential Rental Unit Permit fees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing effective dates.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

A motion was made by Commissioner Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on Final Reading (Ordinance). 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-4 [210042.](#)**Commissioner Harvey Ward - Discussion of Resolution In Support of the City of Gainesville Being Certified a BEE CITY USA (B)**

Motion: Staff to come back with an analysis of how it would impact the city.

Commissioner Ward introduced the item.

Nicolle Shalley spoke to the matter.

RECOMMENDATION

The City Commission discuss and take such action that is deemed appropriate.

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

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

BD-5 [210082.](#)**Settlement of State Opioid Litigation (B)**

Nicolle Shalley spoke to the item.

RECOMMENDATION

The City Commission review the County's draft resolution and discuss whether to direct City staff to draft a similar City resolution for adoption at the July 15th Regular Meeting of the City Commission.

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

BD-9 [210087.](#)**Appointment of City Commissioner for Annual Meetings of Elected Officials regarding Coordination of Land Use and School Facilities Planning (NB)**

This is a request for the City Commission to appoint a member of the Commission to represent the City at the Annual Meetings of Elected Officials.

Motion: Appoint Commissioner Arreola to represent the City at the Annual Meetings of Elected Officials.

RECOMMENDATION

The City Commission appoint a member of the City Commission to represent the City at the Annual Meetings of Elected Officials.

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

AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED

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

COMMISSION COMMENT

Commissioner Ward - Pride Month

*Motion by Commissioner Ward, seconded by Commissioner Arreola:
Authorize the City Manager to light up Depot Stormwater Park to honor
Pride Month, as well as do that for Pride Week in October. Motion
passed unanimously.*

ADJOURNMENT - 7:41 PM