

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final-Revised

September 2, 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.

Welcome to the City Commission meeting! Learn about the meeting process and how to participate.

The public may attend this meeting *virtually* or *in person*. Limited in-person capacity is available during the State of Emergency for the COVID-19 Pandemic. Safety protocols including facial coverings and social distancing will be observed at all times.

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. Please see the city's [Public Meeting Calendar](#) for specific public comment options for upcoming meetings.

The following public comment opportunities may be available for this meeting. Verbal comments are limited to three (3) minutes unless otherwise specified.

General Public Comment: Share a comment about a topic or issue *not* on the Meeting Agenda.

Note: *In-person General Public Comment is not available during the COVID-19 health emergency.*

- **Record a comment *before* the meeting:** Dial 352-334-5003 to leave a voice message with a general public comment. The line is open from 8:00am on Friday until Noon on Wednesday prior to the meeting. All pre-recorded comments will be played during the meeting.
- **Comment by phone *during* the meeting:** At the start of the afternoon session (1:00 pm), dial toll-free 1-800-876-7516. 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

- **Speak in person:** Safety protocols will be observed at all times.
- **Comment by phone *during* the meeting:** Dial toll-free 1-800-876-7516. 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 sent to 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.

1:00pm - CALL TO ORDER - Afternoon 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 CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items****CA-1 [210343.](#) Approval of Minutes from the July 13, 2021 City Commission Meeting - Revise a Scrivener's Error (B)**

Explanation: At the July 13, 2021 City Commission meeting, there was a motion to adopt the resolution with amendment 5.5 maximum millage rate. The minutes that were previously adopted, showed adopt the resolution with amendment 5.536 maximum millage rate.

RECOMMENDATION *The City Commission approve the revised minutes to reflect the 5.5 maximum millage rate.*

[210343_July 13, 2021 Minutes_20210902.pdf](#)

CA-2 [210316.](#) Approval of Minutes from the August 18, August 19 (2), August 23 and August 24, 2021 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the August 18, August 19 (2), August 23 and August 24, 2021 City Commission minutes.*

[210316_August 18, 2021 Minutes_20210902.pdf](#)

[210316_BOT August 19, 2021 Minutes_20210902.pdf](#)

[210316_August 19, 2021 Minutes_20210902.pdf](#)

[210316_August 23, 2021 Minutes_20210902.pdf](#)

[210316_August 24, 2021 Minutes_20210902.pdf](#)

CA-3 [210348.](#) Appointment to City Commission Advisory Board (B)

RECOMMENDATION *The City Commission appoint:*

Jamarr Akins to the Citizens' Advisory Committee for Community Development for one (1) partial term ending on 11/1/2023.

[210348 Advisory Board and Commission Ballot Form 20210902](#)

[210348 CACCD Applications 20210824](#)

CA-4 [210263.](#)

Little Hatchett Creek Stabilization (B)

Explanation: This item is a request for the City Commission to approve the guaranteed maximum price (GMP) of \$1,419,415 for construction of Little Hatchett Creek Stabilization facilities with Wharton-Smith, Inc. Due to the level of difficulty of constructing facilities in the Little Hatchett Creek stream bed, Public Works recommends the use of the City's Construction Manager at Risk contracts to accomplish this work. Wharton-Smith has provided pre-construction services during the design process. The work will include construction of a retaining wall and installation of a grade control structure.

Little Hatchett Creek is subject to stream channel erosion. The project will stabilize the creek bank with an engineered wall system and protect the Airport Helicopter Hanger from failure into the creek bed. Stream bank failure and channel incision has exposed the Hawthorn geologic feature that contains phosphate. Erosion of this material contributes nutrient pollutants to Newnans Lake. The water quality benefit of this project is estimated to be the removal of 4,723 pounds of total phosphorus per year. The project will achieve the City of Gainesville's required total phosphorus nutrient reduction under the Orange Creek Basin Management Action Plan for Newnans Lake.

Strategic Connection

This item is connected to Goal 2: Sustainable Community in the City's Strategic Plan and is a regular priority item.

Fiscal Note: Funding for this project in the amount of \$1,419,415 is available through the Fiscal Year 2022 Stormwater Management Utility Capital Improvement Budget, the undesignated Stormwater Management Utility fund balance, and a \$505,000 contribution from the Florida Department of Transportation. This contribution is established within the 2017 Interlocal Agreement for Allocation and Implementation of the National Pollutant Discharge Elimination System Program Requirements and for Basin Management Action Plan Projects.

RECOMMENDATION

The City Commission: 1) approve the Guaranteed Maximum Price Agreement with Wharton-Smith, Inc. in the amount of \$1,419,415 for the Little Hatchett Creek Stabilization; 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.

[210263A_LHC GMP_20210819](#)

[210263B_LHC Location Map_20210819](#)

CA-5 [210286.](#) Approve the Ranking for Federal Lobbyist Services (B)

Explanation: The City is currently under contract for Federal lobbying services with Van Scoyoc Associates, Inc. Last year, City staff asked the City Commission to extend the contract for Van Scoyoc Associates, Inc. for one additional year beginning October 1, 2020 through September 30, 2021 due to COVID-19 and the State and local Emergency Orders. At that time, staff believed that it would be difficult to retain a firm to provide federal lobbying services who understood the City's needs, therefore, staff requested an extension of the existing contract. Staff notified the City Commission that the City would issue a Request for Proposal (RFP) for Federal Lobbying Services for FY 2022. The Procurement division issued an RFP for Federal Lobbying Services on May 12, 2021. Proposals were due by June 10, 2021. The Procurement division distributed two proposals to the evaluation committee on June 16, 2021 to review and evaluate the proposals. The evaluation committee consisted of two employees from General Government and one employee from General Regional Utilities (GRU).

On June 28, 2021, the evaluation committee provided the official scores for the written proposals. The evaluation committee made the recommendation that the two lobbying firms move forward to the next round: oral presentations. Oral presentations were conducted on August 4, 2021 and based on the criteria, the firms were ranked as follows: #1 Van Scoyoc Associates, Inc. and # 2 Alcalde & Faye, Ltd. On August 4, 2021 reference checks were conducted and both firms received an overall excellent rating. The evaluation committee recommends Van Scoyoc Associates, Inc. as the first ranked firm and Alcalde & Faye, Ltd as the second ranked firm for Federal Lobbyist Services for the City of Gainesville.

Strategic Connection:

Goal 1: Equitable Community

Goal 2: Sustainable Community

Goal 3: A Great Place to Live & Experience

Goal 4: Resilient Local Economy

Goal 5: "Best in Class" Neighbor Services

Fiscal Note: The current contract for federal lobbying services is \$108,000.00 plus travel per diem. The proposal contract is subject to negotiation and staff is asking for approval up to \$108,000.00 plus travel per diem annually.

RECOMMENDATION

The City Commission: 1) Approve the ranking of the firms as recommended by the evaluation

committee; 2) Authorize the City Manager or designee and the GRU Manager or designee to negotiate and execute a contract with Van Scoyoc Associates, Inc., the first ranked firm or if no contact agreement can be reached with them to negotiate and execute a contract with the second ranked firm (Alacade and Faye, Ltd) subject to approval of the City Attorney as to form and legality.

[210286.A Meeting Agenda 20210604 20210902](#)

[210286.B Published RFP 2021 20210902](#)

[210286.C Van Scoyoc Associates 20210902](#)

[210286.D Alcalde & Faye 20210902](#)

[210286.E Federal Lobbying Firms Submittal List 20210902](#)

[210286.F 210046-RFP Federal Lobbying services-Evaluation Written Summary](#)

[210286.G 210046-RFP Federal Lobbyist-Oral Evaluation summary-score, sumi](#)

[210286.H 210046-Federal Lobbying Svc-Oral presentation updated-vanscoyoc](#)

[210286.I 210046-Federal Lobbying Svc-Oral presentation ppp-alcaldefay 2021](#)

[210286.J 210046-RFP Federal Lobbyist-Agenda Item backup-memo for record](#)

CA-6 [201163.](#)

Amended and Restated Declaration of Covenants, Conditions and Restriction for Heartwood Community (B)

Explanation: At the January 4, 2018, City Commission meeting the staff recommendation was approved and authorized the Mayor to execute the Declaration of Covenants, Conditions and Restrictions for the Heartwood Community (Declaration), and authorized the City Manager to record the Declaration in the Public Records of Alachua County.

Accordingly, on January 19, 2018, the Declaration was recorded in the Official Records (Instrument #3101857) Book 4570, Page 1751. Also approved during the January 4, 2018 meeting were the Heartwood subdivision plat and recording of the same, the names listed in the Articles of Incorporation of the Heartwood Homeowners' Association, Inc., to serve as officers of the Board, authorization for the Mayor to execute the Articles of Incorporation of the Heartwood Homeowners' Association, Inc., authorization for the City Attorney to file the Articles of Incorporation with the Secretary of State, and direction to CRA staff to bring an item to the City Commission to establish guidelines and a budget for CRA staff to act as the Board of Directors and Officers of the HOA.

Since that time, GCRA Staff has been working with the Heartwood Homeowners' Association outside counsel, Clayton and McCulloh, to review and clarify some of the clauses stated in the original Declaration of Covenants document. These changes were necessary due to the

CRA/GCRA acting as Developer of the Heartwood Neighborhood. The redlined document with proposed changes is included as backup to this agenda item.

Proposed changes focus on areas of the Declaration that needed clarification, correct scrivener's errors, and make changes to the document to alleviate excessive application fees/deposits that added constraints to Homeowners for minor changes such as paint choices and repairs to their homes. Outside legal counsel recommended these fees be removed as they are not normally included in Homeowner Association Declarations as a matter of practice.

Fiscal Note: There is no fiscal impact to the budget at this time.

RECOMMENDATION

The City Commission to authorize the City Manager, or designee, to: 1) Approve of the recommended changes as shown in the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heartwood Community and 2) Authorize the Mayor to execute the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heartwood Community and 3) authorize the City Attorney to record the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heartwood Community in the Public Records of Alachua County.

[201163_A City Commission Agenda 2018-01-04_2021.09.02.pdf](#)

[201163_B City Commission Minutes 2018-01-04_2021.09.02.pdf](#)

[201163_C Declaration of Covenants Conditions & Restrictions - Recorded_2021.09.02.pdf](#)

[201163_D Additional redline revisions to Amended and Restated Dec. 2021.09.02.pdf](#)

CA-7 [210321.](#)

Approval and Authorization to Execute a Lease Agreement (B)

This item is a request to Approve and Authorize the Execution of a Lease Agreement with How Bazar Co., a Florida Profit Corporation.

AGENDA UPDATE - REMOVE ITEM

Explanation: On August 17, 2021, the City of Gainesville executed a Letter of Intent with Jose Peruyero, Jr., President of How Bazar Co., for the purpose of renting the southern space of the SW Downtown Parking Garage, known as 60 Southwest 2nd Street. Suite 60 consists of 2,822 square feet. How Bazar is a local, diverse, minority-owned retail establishment that specializes in vintage clothing from around the world, and was previously a tenant in the Seagle Building located in Downtown Gainesville.

*Terms of the Lease include the following:
Six Year Base Lease Term*

Years 1 - 2 priced at \$8.08 / SF
 Years 3 - 6 priced at \$11.91 / SF with a 2% Annual Increase
 Option to Renew for one 4-Year Term at \$16.16 / SF with a 2% Annual Increase
 No Tenant Improvement Allowance and No Reduced / Free Rent as a Concession
 Tenant pays Property Tax (Estimated at \$241.67 per month) and Sales Tax (6.5%)
 Two Dedicated Parking Spaces in Garage
 Occupancy and Lease Signing September 2021

Strategic Connection

Goal 3: A Great Place to Live & Experience...develop a vibrant, alive downtown with expanded residential and commercial opportunities.

Goal 4: Resilient Local Economy...increase the number of successful and sustainable, small and locally owned businesses.

Fiscal Note: The total revenue anticipated over the six year term of the lease is \$213,498 including estimated property and sales tax.

RECOMMENDATION

The City Commission: 1) approve the Lease Agreement with How Bazar Co. for the space available at 60 Southwest 2nd Street; and 2) authorize the City Manager, or designee, to execute the Lease Agreement with How Bazar Co., subject to review and approval of the City Attorney's Office as to form and legality.

[210321.A Fully Executed-Final! How Bazar LOI 7-24-21Stationery.docx 20210](#)

[210321.B How Bazar Draft Lease 20210902](#)

CA-8 [210349.](#)

Agenda and Meeting Management System (B)

Explanation: Since the late 1990's, the City of Gainesville has maintained a contractual agreement with Granicus, LLC for agenda and meeting management services. The Office of the City Clerk decided to bid out the service to ensure that the city is utilizing the best solution for operations and to expand the organization's agenda management and meeting capabilities.

On May 12, 2021, the Clerk's Office issued a Request for Proposal (CCLK-210044-MS) for an Agenda and Meeting Management System. All solicitations were due to the Procurement division on June 9, 2021. Five firms submitted proposals. An evaluation committee consisting of two representatives of the Clerk's Office, a member of Broadcast Services and IT representatives from General Government and Gainesville Regional Utilities reviewed the proposals. The committee recommended inviting the following three firms to the second round of the interview process (oral presentations): Provox System, Inc.; Granicus, LLC; and eSCRIBE Software Ltd.

The evaluation committee met for oral presentations on August 11, 2021

and August 13, 2021. At a public meeting on August 13, 2021, the committee scored and ranked the firms. The firm eSCRIBE Software Ltd. was ranked the number one bidder and Granicus, LLC as second for the Agenda and Meeting Management Services.

eSCRIBE's proposed software solution will benefit neighbors and community-builders by increasing efficiency of agenda management and meeting administration; improving access to public information; and ensuring compliance with ADA requirements. The cloud-based product will reduce IT resources needed for maintenance and support. Also, the software is capable of integrating with the City's existing systems, including Microsoft applications and the City Clerk's records management system.

Strategic Connection Goal:

- 1: Equal Community Goal
- 5: Best in Class "Neighbor Services"

Fiscal Note: The City's current contract for Agenda and Meeting Management Services is \$64,991.75. The City will negotiate a contract with the bidder not to exceed \$76,830.00 for year one, including up to \$28,490.00 in one-time implementation costs and \$48,340 in recurring annual subscription fees, saving the city approximately \$16,000 annually after the first year. At the end of the contract period, upon satisfactory performance, the parties may agree to extend the contact for up to four additional one-year periods.

RECOMMENDATION

The Mayor and the City Commission:

- 1) Approve the ranking of the firms for Agenda and Meeting Management Services;
- 2) Approve a budget amount for agenda and management services for an amount not to exceed \$76,830.00 or the amount included in the proposal per fiscal year;
- 3) Authorize the City Clerk or designee to negotiate an agreement with the top ranked firm for agenda and meeting management services and if not successful, be allowed to go to the second ranked firm; and
- 4) Authorize the City Clerk or designee to execute the contract subject to approval of the City Attorney as to form and legality.

[210349 A RFP Agenda Management System 20210902](#)
[210349 B 210044-Addendum 1 RFP Agenda Management System 20210902](#)
[210349 C 210044-Addendum 2 RFP Agenda Management System 20210902](#)
[210349 D 210044-Addendum 3 RFP Agenda Management System 20210902](#)
[210349 E 210044-Written Eval Summary RFP Agenda Management 20210902](#)
[210349 F 210044-Oral Eval Summary RFP Agenda Management 20210902](#)
[210349 G eSCRIBE Submittal RFP-CCLK-210044-MS-0-2021 Redacted 20210902](#)
[210349 H Granicus Submittal RFP Cover Page RFP Agenda Management 20210902](#)
[210349 I Granicus Submittal Response RFP Agenda Services 20210902](#)
[210349 J 210044-Bid Tabulation RFP Agenda Management System 20210902](#)

CA-9 [210329.](#)

Approval and Authorization to Execute Two Lease Amendments to the Original Lease (B)

This item is a request to Approve and Authorize the Execution of two Lease Amendments with Teledyne FLIR Detection, Inc., a Delaware Corporation.

Explanation: Over the past three years, since the Prioria bankruptcy, the Catalyst Building has been jointly occupied by three separate tenants: the City of Gainesville, University of Florida (FIBER) program and Altavian, a local drone company, which was bought by Teledyne FLIR Detection, Inc. The latter two tenants executed three year leases for 7,500 square feet and 10,000 square feet respectively (in August/September, 2018), and they expire on August 31, 2021.

Terms of the Lease include the following:

Two Year Base Lease Term (for the entire building - 22,000 square feet)

Priced at \$14.00 / SF with a 3% Annual Increase

Two Options to Renew for a Two Year Term Each at Fair Market Value

No Tenant Improvement Allowance and No Rent Abatement

City will provide expanded parking spaces for a total of 100 spaces (paved and striped)

Tenant pays Property Tax (Estimated at \$1,350 per month) and Sales Tax (6.5%)

Strategic Connection

Goal 4: Resilient Local Economy...increase the number of successful and sustainable, small and locally owned businesses.

Fiscal Note: The total revenue anticipated over the two year term of the lease is \$688,440 including estimated property and sales tax. The increase of revenue, due to the entire building being leased at a higher rate and being placed back on the tax rolls, will fund the cost of the parking improvements.

RECOMMENDATION

The City Commission: 1) approve the two Lease Amendments with Teledyne FLIR Detection, Inc. for the space available at 606 Southeast Depot Avenue; and 2) authorize the City Manager, or designee, to execute the two Lease Amendments with Teledyne FLIR Detection, Inc., subject to review and approval of the City Attorney's Office as to form and legality.

[210329.A Teledyne - Catalyst Building Gainesville FL - LOI 8-17-2021 CLEAN](#)

[210329.B Teledyne FLIR Detection - Gainesville Lease - NEW AMD One 8-16-](#)

[210329.C Teledyne FLIR Detection - Gainesville Lease - NEW AMD Two 8-20-](#)

[210329.D Catalyst Building Parking Lot License 20210902](#)

CA-10 [200403.](#)

Black on Black Crime Task Force Violence Interrupters Agreement (B)

AGENDA UPDATE - REMOVE ITEM

Explanation: The Black on Black Crime Task Force Violence Interrupters also known as Nspire is a culmination of multi-disciplinary professionals from the fields of Intervention and Prevention, Employment Outreach, Education, Mental Health, and Social Services, who work together to case manage to prevent violence by identifying and mediating potentially lethal conflicts in the community (violence detection and interruption), and follow up to ensure that the conflict does not reignite. The mission is to engage leaders in the community as well as community residents, local business owners, faith leaders, service providers, and at-risk individuals promulgating the message that violence should not be viewed as normal but as a behavior that can be changed. Ultimately, modifying behaviors and changing potentially violent trajectories.

The target areas within communities is to mediate disturbances, develop trusting relationships with carriers of violence, introduce community resources, and advocate for safe zones such as schools, daycare centers, churches, etc. This in turn will impact re-entry and improve public safety.

This is a request to continue the program for another year and continue to expand the program.

Fiscal Note: The total amount to pay for two (2) Violence Interrupters for a total of \$105,000.00 and will be funded by freezing two (2) police officer positions in FY22.

RECOMMENDATION

The City Commission authorize the City Manager to execute the agreement subject to approval by the City Attorney as to form and legality and approve the expenditure as outlined in the agreement.

Legislative History

10/15/20 City Commission Approved as Recommended

[200403A Black on Black CTF Violence Interrupters 20201015](#)

[200403 AGREEMENT FOR VIOLENCE INTERRUPTER 2020 \(for 1 and two.\)](#)

[200403-2021-22 Black on Black - Agmt for Violence Interrupters 2 FTEs 2021C](#)

CA-11 [210376.](#)

Director of the Office of Diversity, Equity and Inclusion (Equal Opportunity Director) Interim Employment Agreement Approval (B)

Explanation: At the August 19, 2021 City Commission Meeting, the Commission selected Zeria Folston as the interim Diversity, Equity and Inclusion Director and authorized the Mayor to negotiate an employment agreement with Mr. Folston. An agreement has been reached between the Mayor and Mr. Folston 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. Folston for salary and benefits are included in the Fiscal Year 2021 operating funds and are also a component of the Fiscal Year 2022 Operating and Financial Plan.

RECOMMENDATION

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

[210376 Interim Equity and Inclusion Director Employment Agreement 202109C](#)

ADOPTION OF REGULAR AGENDA

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. General Public Comment may be submitted in advance by pre-recorded voice message only (see page 2 for details). The General Public Comment period shall not exceed 30 minutes total.

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

BD-1 [210370](#) Special Election Discussion (B)

AGENDA UPDATE - ADDED ITEM

Explanation: At the August 23, 2021 City Commission Special Meeting, Commissioner At-Large Gail Johnson read a statement expressing her intent to resign as a Commissioner for Seat B. She stated that her last City Commission meeting would be September 23, 2021 and that she would leave office on September 30, 2021. In accordance with Section 2.04 of the City Charter, if a vacancy occurs on the City Commission more than six months from the next General Election, a special election shall be held within 60 days.

After consulting with the City Attorney's office and the Supervisor of Elections office, the City Clerk proposes several steps to ensure the election is held within the allotted time frame.

Fiscal Note: \$200,000 budget advance to the Supervisor of Elections for the cost of the election.

RECOMMENDATION

The City Commission:

1) authorize the City Clerk to engage the Supervisor of Elections Office to hold a Special Election for the City of Gainesville with the following dates:

· Qualifying will be September 20, 2021 beginning at 12:00 pm and ending on September 24, 2021 at 12:00 pm.

· November 16, 2021 for the Special Election, with early voting November 12-14, 2021, 9:00 am - 6:00 pm, at the Supervisor of Elections office and Millhopper Branch Library. Mail-in ballot drop boxes to be open at the Supervisor of Elections Office from 9:00 am - 6:00 pm during early voting; 8:30 am - 5:00 pm after early voting; and 7:00 am-7:00 pm on Election Day. The Mail-in drop box at the Millhopper Branch Library will be open from 9:00 am - 6:00 pm during early voting only.

· January 25, 2022 for the Run-Off Election (if needed), with early voting January 21-23, 2022.

2) appoint a commissioner to serve on the canvassing board

3) authorize the City Clerk to advertise for a citizen seat on the canvassing board from September 2-30, 2021, with the City Commission to review applications and appoint a member at the October 21, 2021 meeting.

4) approve a \$200,000 budget advance to the Supervisor of Elections for the cost of the election.

[210370 Certificate City Commission Resignation 20210902](#)

[210370 City of Gainesville 2021 and 2019 Early Voting Statistics 20210902](#)

[210370 Special Election Marketing Presentation 20210902](#)

[210730 City of Gainesville Special Election Presentation 20210902](#)

BD-2 [210311.](#)

FY21 Agenda Adoption of Zero Waste Strategy Report and Implementation Plan (B)

Explanation: On August 15, 2019, the City Commission approved executing an interlocal agreement with Alachua County to develop a joint strategic Zero Waste Plan. By working cooperatively with common goals, the County and the City can move toward Zero Waste more efficiently.

Alachua County executed an agreement with Kessler Consulting Inc. to provide the analysis. The City paid for half of the study, which was \$62,260.

The Zero Waste Strategy Report and Implementation Plan is designed to evaluate the County and City's existing reuse and recycling infrastructure and evaluate policies and programs in the community to maximize reuse and recovery.

City and County Community Builders have identified five guiding principles for evaluating Zero Waste strategies: (1) Keep Resources Local; (2) Foster Job Growth; (3) Emphasize and Support Upstream Solutions (4) Mitigate Climate Change; and, (5) Ensure Environmental Justice and Equality of Service.

Kessler, with input from stakeholders, has developed a three-phase Implementation Plan for Zero Waste strategies. These strategies address food waste recovery, construction and demolition debris recycling, and the promotion of reuse. Because of the work of Community Builders and the Zero Waste Subcommittee, many Phase I strategies are already underway.

Strategic Connection

This item is connected to Goal 2: Sustainable Community and Goal 3: A Great Place to Live and Experience - a high priority item.

Fiscal Note: The direct fiscal impact on the policies is unclear at this time.

RECOMMENDATION

The City Commission: 1) hear a presentation from Kessler Consulting Inc.; 2) provide feedback; and 3) accept the Alachua County/City of Gainesville Zero Waste Strategy Report and Implementation Plan.

[210311A_Proposed Alachua ZW Strategy Report with Appendix_20210916](#)

[210311B_Gainesville_ZW Plan Presentation_20210916](#)

BD-3

[201087.](#)

American Rescue Plan Act (B)

Explanation: This is a discussion on the American Rescue Plan funds to include the guidance from the Commission on how to proceed with proposal selection. On May 13, 2021, the City Commission directed the Office of Equity and Inclusion (OEI) to develop an Equity Covid Budget Tool to assist with the equitable spending of the American Rescue Plan funding of \$32 Million. On May 27, 2021, the Commission reviewed and adopted the Equity Covid Budget tool and assigned the timeline for implementation. The OEI evaluated proposals from Commissioners and community applicants returning all applications for review to the Commission. At the 8/5 City Commission meeting, the Commission directed staff to submit a matrix of all existing proposals by project name and requested a special meeting to discuss proposals.

Strategic Connection: This is connected to all goals.

RECOMMENDATION

The City Commission authorize:

- 1) City Manager's Office lead effort to streamline matrix and place data into usage categories.
- 2) Charters collectively review and make recommendations for ARP funds.
- 3) Charters propose methodology for how community partners can access ARP funds.
- 4) Charters bring the above items back to the October 21st City Commission meeting for review, discussion and approval.

Legislative History

5/13/21	General Policy Committee	Approved, as shown above
5/27/21	General Policy Committee	Discussed

[201087A American Rescue Plan ACT \(ARPA\) 20210513.pdf](#)
[201087B Treasury Guidelines 20210513.pdf](#)
[201087C FRF-Interim-Final-Rule 20210513.pdf](#)
[201087 American Rescue Plan Act Equity Framework 20210527.pdf](#)
[201087 Appendix 1 Equity Covid Budget Tool.docx 20210825](#)
[201087 Appendix 2 Community Engagement Feedback 20210825](#)
[201087 Appendix 3 Community Engagement Powerpoint Presentation \(1\) 20:](#)
[201087 Appendix 4 Defining Community Population Results 20210825](#)
[201087 Appendix 5 Demographic Categories 20210825](#)
[201087 Copy of Appendix 6 Tracking Spreadsheet 20210825](#)
[201087 FinalReport EquityCovidBudgetTool \(1\) 20210825](#)
[201087 Appendix 8 Proposal Matrix \(8.23.21\) 20210825](#)

BD-4 [210356.](#) **Boards, Commissions and Committees, Proposed Ordinance Revisions (B)**

Explanation: The proposed update of the referenced ordinance sections is to correct inconsistencies and standardize policy affecting city advisory boards, commissions and committees.

RECOMMENDATION

1) Accept the proposed ordinance revisions and direct the City Attorney to draft the ordinance and the City Clerk to advertise.

2) Discuss and take action on the consolidation/elimination of boards as outlined in the presentation.

[210356 ABC Ordinance Recommendations Draft 20210902](#)

BD-5 [210357.](#) **Utility Assistance Update (NB)**

This item requests the City Commission to hear an update regarding the development of a Utility Assistance Program.

Explanation: On July 19, 2021, the City Commission adopted Resolution #210125, which states that the Commission will consider increasing electric and wastewater rates for Fiscal Years 2022 through 2027; and, the Commission will consider developing and funding utility assistance programs to mitigate the financial impacts to those most negatively impacted by those rate increases.

On February 24, 2015, Gainesville Regional Utilities (GRU) executed a Memorandum of Understanding with local non-profit agencies Catholic

Charities, Gainesville Community Ministry, and The Salvation Army to manage a program called Project Share. The purpose of that program is to provide financial assistance to GRU customers who qualify for emergency support due to a financial hardship. GRU uses multiple funding sources, including voluntary contributions from its customers and employees, to support Project Share. The agencies use 100% of the funds for the financial assistance program.

Staff is currently researching options to determine how to fund and manage a similar Utility Assistance Program, including exploring potential partnerships with third-party providers. Additionally, a program budget and funding source will have to be identified to implement the program.

Fiscal Note: There is no fiscal impact at this time. A future funding source will need to be determined if a program is authorized.

RECOMMENDATION

The City Commission receive a presentation on a Utility Assistance Program, discuss and provide direction.

CC 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 [210351.](#) **Constitution Week September 17-23, 2021 (B)**

RECOMMENDATION

DAR Honorary Chapter Regent Kay Hall to accept the proclamation.

[210351_Constitution Week_20210902](#)

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 [210151.](#) **Fourth Budget Amendment to the FY 2021 General Government**

Financial and Operating Plan Budget

Resolution No. 210151

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, Resolution No. 201058 and Resolution No. 201115 by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

AGENDA UPDATE - REVISED BACK-UP

Explanation: The General Government Financial and Operating Plan, which includes budgets for the General Fund, Special Revenue, Debt Service, Capital Projects, Proprietary, and Pension & OPEB Trust Funds for Fiscal Year 2021, was adopted by the Mayor and City Commission on September 24, 2020 via Resolution No. 200316. The First Budget Amendment was adopted by the Mayor and City Commission on April 1, 2021 via Resolution No. 200933. The Second Budget Amendment was adopted by the Mayor and City Commission on April 15, 2021 via Resolution No. 201058. The Third Budget Amendment was adopted by the Mayor and City Commission on June 17, 2021 via Resolution No. 201115.

As the fiscal year progresses, certain routine and periodic budget adjustments and transfers of appropriated funds continue to be appropriate and necessary to ensure prudent financial management. Additionally, certain obligations, plans and projects extend between fiscal years and require an uninterrupted and sufficient source of appropriated funds to meet obligations and complete projects in progress.

This resolution seeks authorization to recognize revenue an appropriate funding as explained in the attached memorandum and as shown in Attachment "A".

Strategic Connection: Goal 5: "Best in Class" Neighbor Services

Fiscal Note: The recommended amendments are funded either by increases in revenue appropriations or offset by decreases in expenditures.

RECOMMENDATION

City Commission adopt the proposed resolution.

[210151.A_4th Budget Amendment Resolution_20210819](#)

[210151.B_FY2021 Fourth Budget Amendment Memorandum - revised_202109](#)

[210151.C_FY2021 4th Budget Amendment Attachment A - revised_20210902](#)

NBR RESOLUTIONS (NBR) - NON BINDING

NBR-1 [210350.](#) Resolution In Support of Local Employers Mandating the COVID 19 Vaccine (B)

RECOMMENDATION *The City Commission adopt the resolution.*

[210350_AHS COVID 19 Vaccine Resolution_20210825](#)

BD BUSINESS DISCUSSION ITEMS

PH PUBLIC HEARINGS (PH)

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

AR ORDINANCES, ADOPTION READINGS - ROLL CALL REQUIRED

AR-1 [210032.](#) Land Use Change - 0.945 Acres of Property Located at the SW Corner Intersection of W University Avenue and SW 12th Street (B)

Ordinance No. 210032

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 0.945 acres of property generally located at the SW corner of the intersection of W University Avenue and SW 12th Street, 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.

AGENDA UPDATE - ADDED BACK-UP

Explanation: STAFF REPORT

This ordinance will amend the Future Land Use Map of the Comprehensive Plan by overlaying the Planned Use District (PUD) land use category on approximately 0.945 acres of property located at the SW corner intersection of W University Avenue and SW 12th Street (the property will retain its underlying land use category of Urban Mixed-Use High-Intensity (UMUH)). This ordinance was generated by an application of the private property owner. The City Plan Board held a public hearing on May 27, 2021, where it voted to recommend approval of this amendment to the Future Land Use Map of the Comprehensive Plan. 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.

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 adoption. 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.*

[210032_PB-21-55_LUC_StaffReportandAppendices_20210527](#)

[210032B_PB-21-55_LUC_GHA_MOU_lincolnventuresqnv_May_25_2021](#)

[210032C_PB-21-55_LUC_StaffReportandAppendices_20210805](#)

[210032D_PB-21-55LUC_Lincoln_Ventures_LUC_Staff_Presentation_CCOM_8.5.](#)

[210032E_PB_21_55_LUC_CPB210527Minutes](#)

[210032A_draft_ordinance_20210902](#)

[210032_PRES_DRAFT_210902_Lincoln_Ventures_CC1_20210902_MOD](#)

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

FR-1 [210033.](#) **Quasi-Judicial - Rezoning 0.945 Acres of Property Located at the SW Corner Intersection of W University Avenue and SW 12th Street (B)**

Ordinance No. 210033

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.945 acres of property generally located at the SW corner of the intersection of W University Avenue and SW 12th Street, as more specifically described in this ordinance, from Urban 9 (U9) to Planned Development (PD); providing land development regulations; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDED BACK-UP

Explanation: STAFF REPORT

This ordinance will rezone approximately 0.945 acres of property located at the SW corner intersection of W University Avenue and SW 12th

Street from Urban 9 (U9) to Planned Development (PD). This ordinance was generated by an application from the private property land owners. The City Plan Board held a public hearing on May 27, 2021, where it voted to recommend approval of this rezoning.

The purpose of the planned development (PD) district is to provide a particularized zoning district that recognizes unique conditions, allows design flexibility, and promotes planned diversification and integration of uses and structures, which other zoning districts cannot accommodate, while also retaining the city commission's authority to establish such limitations and regulations as it deems necessary to protect the public health, safety, and general welfare.

This ordinance requires two hearings and will become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 210032 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[210033B PB 21 57 ZON CPB210527Minutes](#)

[210033C PB-21-57 ZON GHA MOU lincolnventuresqnv May 25 2021](#)

[210033D PB-21-57 ZON Staff PresentationCCOM 8.5.21](#)

[210033E PB-21-57 ZON StaffReportandAppendices 20210805](#)

[210033A draft ordinance 20210902](#)

[210033 PRES DRAFT 210902 Lincoln Ventures CC1 20210902 MOD](#)

FR-2 [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 Education (E); 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 Zoning Map Atlas of the City of Gainesville by rezoning approximately 42.973 acres of property known as Oak Hall School generally located at 1700 SW 75th Street. This property was voluntarily annexed into the city on February 20, 2020. As a result of annexation, the city must now assign appropriate land use and zoning

designations. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria. The City Plan Board held a public hearing on January 28, 2021, where it voted to provide a recommendation.

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 200723 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

8/5/21 City Commission Approved, as shown above

[200724_PB-20-02_ZON_Oak_Hall_School_CPB_210128_Minutes](#)

[200724_PB-20-02_ZON_Oak_Hall_School_Staff_Report_w_Appendices_20210](#)

[200724_PB-20-02_ZON - Oak Hall School - Staff Presentation CCOM 8.5.21](#)

[200724A_draft_ordinance_20210805](#)

[200724A_draft_ordinance_20210902](#)

FR-3 [210195.](#)

Text Change - Amending the Land Development Code to Comply with a Federal Emergency Management Agency (FEMA) Mandated Update (B)

Ordinance No. 210195

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) relating to floodplain management regulations provided in Sections 30-8.23 through 30-8.38; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

AGENDA UPDATE - ADDED BACK-UP

Explanation: STAFF REPORT

This ordinance was City-initiated in order to comply with a Federal Emergency Management Agency (FEMA) mandated update (FEMA Policy #104-008-03) which requires Florida's local jurisdictions to revise their existing flood control ordinances for consistency with Florida Building Code updates. This code amendment was reviewed and edited by FEMA staff and approved by the Florida Division of Emergency Management. The City Plan Board held a public hearing on July 22, 2021, where it voted to recommend approval of this amendment to the Land Development Code. This ordinance must be adopted by September 24, 2021. This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[210195A draft ordinance 20210902](#)

[210195B PB 21 00097 TCH CCStaffReport 20210722](#)

[210195C PB 21- 00097 TCH CCAppendixA 2020902](#)

[210195D PB-21-00097 TCH Engagement Note](#)

[210195E PB-21-00097 TCHCC PowerPoint 20210902](#)

[210195F CodeChange2021 PPT 20210902](#)

FR-4 [200038.](#)

City of Gainesville Registry of Protected Public Places Phase III Listing (B)

Ordinance No. 200038

An ordinance of the City of Gainesville, Florida, adding specified real properties owned in fee simple by the City of Gainesville to the City of Gainesville Registry of Protected Public Places; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: Section 5.09, City of Gainesville Charter, created a Registry of Protected Public Places for real properties owned in fee simple by the City that are acquired or used for conservation, recreation, or cultural purposes, and that are deemed by the City Commission to be worthy of the highest level of protection. At a public hearing the City Commission may add properties to the Registry by adopting an ordinance by a five-sevenths vote of the membership of the Commission. Once placed on the Registry, the properties may not be sold, or converted to a use that will result in a loss of values for which a property was placed on the Registry, except by a majority vote of the electors voting in a city-wide referendum election.

Six additional nature parks are proposed for listing as Phase III: 29th Road Nature Park Additions, Boulware Springs Nature Park, Colclough Pond Nature Park Additions, Forest Park Conservation Area Additions, Loblolly Woods Nature Park Additions, and Morningside Nature Park Additions. The property listing document provides legal descriptions, location maps, and a description of values for which the properties are to be protected.

This ordinance requires two hearings and will become effective immediately.

Fiscal Note: There is no cost to the City to list properties on the Registry of Protected Public Places.

RECOMMENDATION *The City Commission adopt the proposed*

ordinance.

[100523_PPT_20110131.pdf](#)
[100523A_Land Registry Phase I Listing_20110303.pdf](#)
[100523B_Land Resistry Ordinance_20110303.pdf](#)
[100523C_PPT_20110303.pdf](#)
[100523A_Reg Narr20130321.pdf](#)
[100523B_LandRegOrdFinal_20130321.pdf](#)
[100523A-MOD_RegistryPPT_20130905.pdf](#)
[100523B-MOD_080576Ordinance_20130905.pdf](#)
[100523C-MOD_PropertyList_20130905.pdf](#)
[100523_MOD LoblollyNeighborsPP_20130905.pdf](#)
[100523A_Land Reg PowerPt_20130923.pdf](#)
[100523B_Listing Plan_20130923.pdf](#)
[100523C_OrdFinal_20130923.pdf](#)
[100523D_Registration_20130923.pdf](#)
[100523E_Land Reg Map_20130923.pdf](#)
[100523A_OrdExh_20131107.pdf](#)
[100523B_PhasedListPln_20131107.pdf](#)
[100523C_RegNotc_20131107.pdf](#)
[100523D_IIBListMap_20131107.pdf](#)
[200038_draft ordinance 20210902](#)

FR-5 [200292.](#)

Renaming of Certain City Parks (B)

Ordinance No. 200292

An ordinance of the City of Gainesville, Florida, amending Section 18-18, Listing of city parks, to rename certain parks; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: The ordinance would make changes to the names of two City parks. The park at J.J. Finley Elementary School would be renamed to Carolyn Beatrice Parker Park, consistent with the new name of the school; and Loblolly Woods would be renamed Loblolly Woods Nature Park.

This ordinance requires two hearings and will become effective immediately.

Fiscal Note: There is no appreciable cost to the City to change the names of the two City parks.

RECOMMENDATION

The City Commission adopt the proposed

ordinance.

Legislative History

9/17/20 City Commission Approved as Recommended

[200292A 1st Am Thru Interlocal Joint Use of City Park 20200917.pdf](#)

[200292_draft ordinance 20210902](#)

FR-6 [210314.](#)

Ordinance Amending Chapter 26 related to Parking Meters, Parking Lots, and Parking Garages (B)

ORDINANCE NO. 210314

An ordinance of the City of Gainesville, Florida, amending Division 2 in Article III of Chapter 26 of the City Code of Ordinances related to parking meters, parking lots, and parking garages; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: New technology, such as remote parking payment systems and virtual parking permits, has rendered certain code provisions regulating parking obsolete. This ordinance updates obsolete provisions, grants authority to the city manager to establish locations, rate structures, rates, and methods of payment for on-street parking, parking lots, and parking garages. The flexibility granted to the city manager in this ordinance will enable the city to react to market conditions and create pricing structures according to demand. The city commission would retain authority to set maximum rates for parking.

Fiscal Note: None.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

[210314A_draft ordinance 20210902.pdf](#)

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