

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final

March 3, 2022

10:00 AM

City Hall Auditorium

City Commission

Mayor Lauren Poe (At Large)
Mayor-Commissioner Pro-Tem Reina Saco (At Large, Seat A)
Commissioner Cynthia Moore Chestnut (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 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**

Prophet George Young

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 [210939.](#) Approval of Minutes from the January 26, January 31, February 3 (Scrivener's Error) February 7, February 16, February 17 (2), February 22, and February 23, 2022 City Commission Meetings (B)

RECOMMENDATION *The City Commission approve the minutes from January 26, January 31, February 3, February 7, February 16, February 17 (2), February 22, and February 23, 2022 minutes.*

[210939 January 26, 2022 Minutes 20220303.pdf](#)

[210938 January 31, 2022 Minutes 20220303.pdf](#)

[210939 February 3, 2022 Minutes 20220303.pdf](#)

[210939 February 7, 2022 Minutes 20220303.pdf](#)

[210939 February 16, 2022 Minutes 20220303.pdf](#)

[210939 February 17, 2022 Minutes Swearing In 20220303.pdf](#)

[210939 February 17, 2022 Minutes Regular Meeting 20220303.pdf](#)

[210939 February 22, 2022 Minutes 20220303.pdf](#)

[210939 February 23, 2022 Minutes 20220303.pdf](#)

CA-2 [180183.](#) Approval of Senior Recreation Center Use (B)

Explanation: The City of Gainesville, through agreement with Alachua County Elder

Care, is allotted 6 free contractual uses of the Senior Center. Per City Policy, the request to use the facility for an event requires approval by the full Commission before being submitted to the City Manager for approval.

RECOMMENDATION

The City Commission permit the request to use the Senior Center on behalf of "Teach Me to Dance and the I AM STEM Program of Caring and Sharing Learning School.

Legislative History

7/19/18 City Commission Approved as Recommended

[180183_Recreation Center Use Request_20220303.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 [210163.](#) Redistricting the City's Election Districts Based Upon 2020 Census Data (B)

Explanation: The City Commission, at its meeting of February 17, 2022, directed that this matter be discussed at the next three City Commission meetings. The meetings dates are March 3, 2022, March 17, 2022 and April 7, 2022.

Section 2.02 of the Charter Laws of the City of Gainesville requires the City Commission to apportion the City into four consecutively numbered districts and to adjust the boundary lines of the districts by subsequently enacted ordinances whenever, in its judgment, the districts are not ratably or equally apportioned in accordance with the State Constitution and the Constitution of the United States, but not less frequently than within the second year following each decennial census. The City Commission previously redistricted the City by adoption of an ordinance in December 2012 using data from the 2010 Census.

The City has contracted with Dr. Michael McDonald and Dr. Daniel Smith, both Political Science Professors and redistricting experts at the University of Florida and acting under U.F. BEBR to analyze the data, provide 3 potential redistricting options, and a recommended option. Neighbors have been given an opportunity to participate in the process by submitting their own maps to the Consultant and the City.

On October 21, 2021, the City adopted Resolution No. 210163, which set forth the City Commission's intent to redistrict the City's election districts

according to certain criteria.

An updated timeline, which includes community engagement and communications efforts, is included in the attached memorandum.

RECOMMENDATION

The City Commission: 1) hear a presentation by the Consultant, 2) discuss the Consultant's recommendations, and 3) set future meeting dates to discuss redistricting.

Legislative History

7/22/21	General Policy Committee	Approved, as shown above
9/9/21	General Policy Committee	Approved, as shown above
10/21/21	City Commission	Adopted (Resolution)
2/17/22	City Commission	Approved, as shown above

[210163 draft resolution 20210909](#)

[210163 Spectrum of Public Participation Chart 20210909](#)

[210163 Resolution Final 20211021](#)

[210163 Gainesville Plans Presentation 20220217](#)

[210163 Redistricting Update 20220217](#)

[210163 Revised Gainesville Plans Presentation 20220217](#)

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 - 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-2

[210267.](#)**Discussion on Broadband Initiative (B)**

Explanation: At the City Commission Meeting of March 4, 2021, the City Commission approved an agreement with Magellan Advisors to prepare a Broadband Business Plan Strategy for the City of Gainesville. On the Digital Access Committee of August 9th, 2021, the committee reviewed Magellan's evaluation of the 2018 Community Broadband Study by CCG Consultants. On January 10, 2022, Digital Access Committee, the Broadband Business Model Options were presented and approved to move to the full Commission. At the General Policy Committee on January 27, 2022, the committee heard the same presentation on the Broadband Business Model Options. For lack of a quorum, no direction was given to staff or the vendor on which business model should be the focus of the final report.

Staff would like to review with the City Commission the Business Model Scenarios. We intend to have a robust discussion with the Committee about which business model would work best for the City of Gainesville to direct the next steps for Magellan.

RECOMMENDATION

City staff recommends that the City Commission hear an abbreviated presentation from Magellan Advisors about the Broadband Business Model Options and provide feedback to staff and the consultant so that the final report can be completed.

Legislative History

8/9/21	Digital Access Committee	Discussed
1/10/22	Digital Access Committee	Discussed
1/27/22	General Policy Committee	Discussed

[210267A_Rev_Final_DRAFT_City_of_Gainesville_Task_1_Interim_Deliverable_2021](#)
[210267B_2021-21_Magellan_Advisors_-_Contract_Broadband_Strategy_Srvcs_20](#)
[210267C_Broadband_Business_Plan_20210809_20220303.pptx](#)
[210267D_Magellan_Presentation_-_City_of_Gainesville_FL_20220127_20220303.](#)
[210267E170192_Benchmarking_Affordable_Internet_Expansion_20220303.pdf](#)
[210267F_170192_Vendor_List_20220303.pdf](#)
[210267G_170192_Updated_ITN_20220303.pdf](#)
[210267H_170192_RFP_for_Broadband_Expansion_20220303.pdf](#)
[210267I_170192_Project_Overview_Part_2_20220303.pdf](#)
[210267J_170192_Mayor_Poe_Letter_to_County_20220303.pdf](#)
[210267K_170192_ITN_20220303.pdf](#)
[210267L_170192_Doug_Dawson_Agenda_20220303.pdf](#)
[210267M_170192_Creating_Lifeline_Broadband_Program_20220303.pdf](#)
[210267N_170192_Cox_Letter_20220303.pdf](#)
[210267O_170192_Community_Broadband_RFP_Outline_20220303.pdf](#)
[210267P_170192_Budd_Media_Letter_20220303.pdf](#)
[210267Q_170192_Broadband_Study_Next_Steps_Staff_Analysis_20220303.pdf](#)
[210267R_Magellan_March_Presentation_-_City_of_Gainesville,_FL_20220303.pdf](#)

RE RESOLUTIONS

OR ORDINANCES - ROLL CALL REQUIRED

SECOND READINGS

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

Ordinance No. 200877

An ordinance of the City of Gainesville, Florida, amending Section 30-3.14 of the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) to revise the additional criteria for applications to rezone to a transect zone; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Land Development Code to delete the 10-acre minimum transect rezoning requirement for property that is not adjacent to an existing transect zone. The City Plan Board reviewed the

petition on March 18, 2021, and voted to recommend approval of this text change to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption at second reading.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

8/5/21	City Commission	Continued
10/21/21	City Commission	Continued
11/18/21	City Commission	Approved as Recommended
2/22/22	City Commission	Adopted on First Reading (Ordinance) and Approved the Recommendation

[Final Staff Report and Attachments A and B PB-21-13 TCH Coffey South Main](#)

[200877A draft ordinance 20210805](#)

[200877B Staff Report and Attachments PB 21 13 TCH 20211021](#)

[200877C Staff PPT PB-21-13 South Main 20211021](#)

[200877D PB-21-13 TCH Applicant MOD 20211021](#)

[200877A draft ordinance 20211021.pdf](#)

[200877 10-19-2021 LTR to L Calderon 20211118](#)

FIRST READINGS

FR-1 [200731.](#)

Text Change - Amending the Land Development Code Relating To Right-Of-Way Vacations (B)

Ordinance No. 200731

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 vacating City Rights-of-Way; by amending Section 30-3.41. Right-of-way-vacations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance amends the Land Development Code relating to vacations of City right-of-way. Specifically, this ordinance: 1) amends subsection 30-3.41B.2 to clarify that a mixed-use project is a vacation requirement when the ROW abuts property within the U4-U9 or mixed-use zoning districts; and 2) adds a new section requiring that the applicant pay all costs for relocating public utilities and infrastructure, as well as compensate the City as may be required in the City's Real Estate Policy

for the disposition of City real property. The City Plan Board held a public hearing on January 28, 2021, where it voted to recommend approval of this amendment to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

[200731B_PB-20-165TCH_Sec. 30 3.41_Proposed Amendments](#)

[200731B_PB-20-165 TCH CodeChangeinfo ROW Vacate 20220303](#)

[200731C_PB-20-165 TCH ROW Vacations Staff Presentation 20220303](#)

[200731A_draft ordinance 20220303.pdf](#)

COMMISSION COMMENT

4:30 - 5:30pm DINNER BREAK

5:30pm - CALL TO ORDER - Evening Session

PLEDGE OF ALLEGIANCE

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

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RE RESOLUTIONS - ROLL CALL REQUIRED (required by state law to be heard at 5:00 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 [210331.](#) **Quasi-Judicial - Rezoning 5.89 Acres of Property Located on the 3041-3155 Block of Old Archer Road (B)**

Ordinance No. 210331

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road, as more specifically described in this ordinance, from Mixed-Use Low-Intensity (MU-1) and Residential Multi-Family (RMF-8) 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.

Explanation: **STAFF REPORT**

This ordinance amends the Zoning Map Atlas of the City of Gainesville by rezoning approximately 5.89 acres of property generally located in the 3041-3155 block of Old Archer Road. The requested rezoning is consistent with the Comprehensive Plan and meets all applicable review criteria.

This ordinance requires two hearings and shall become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 210330 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/30/21	City Plan Board	Approved
2/17/22	City Commission	Adopted on First Reading (Ordinance)

[210331A_draft ordinance_20220203.pdf](#)

[210331B_PB_21_103_ZON_Archer_Place_StaffReport_andAppendices_20220](#)

[210331C_Archer Place Land Use Change and Rezoning CCOM_20220122](#)

[210331_Ordinance 210331 Archer Place rezoning_20220217](#)

FR FIRST READINGS

FR-1 [200727.](#) **Ordinance - Text Change to the City's Land Development Code to Allow Agricultural Uses Within Certain Zoning Districts (B)**

Ordinance No. 200727

An ordinance of the City of Gainesville, Florida, amending the Land Development Code (Chapter 30 of the City of Gainesville Code of Ordinances) by adding Subsistence Gardens and Urban Market Farms as permitted uses in certain zoning districts with associated regulations; by amending Section 30-2.1 Definitions; by amending Section 30-4.12 Permitted Uses; by amending Section 30-4.16 Permitted Uses; by amending Section

30-4.19 Permitted Uses; by amending Section 30-4.23 Permitted Uses; by adding Section 30-5.30 Urban Agriculture to provide associated regulations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: **STAFF REPORT**

This ordinance will amend the Land Development Code to allow Subsistence Gardens and Urban Market Farms as permitted uses in certain zoning districts with associated regulations. These uses would be permitted by-right or would require approval of a Special Use Permit, depending on the particular use and the zoning district. Associated use standards are provided in order to mitigate for potential impacts of the use. The City Plan Board held a public hearing on January 28, 2021, where it voted to recommend approval of this amendment to the Land Development Code. This ordinance requires two hearings and will become effective immediately upon adoption.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

5/20/21 City Commission Approved (Petition)

[200727A_draft_ordinance_20220303.pdf](#)

[200727B_Urban_Agriculture_Summary_Sheet_20210520](#)

[200727C_Urban_Ag_Ordinance_Public_Feedback_w_responses_9-14-2020](#)

[200727D_CPB_210128_Minutes_20210520](#)

[200727E_PB-20-158_TCH_Urban_Ag_Staff_Presentation_CCOM_20220303](#)

FR-2 [200732.](#)

Ordinance - Comprehensive Plan Amendment - Transportation Mobility Element (B)

Ordinance No. 200732

An ordinance of the City of Gainesville, Florida, amending the Comprehensive Plan of the City of Gainesville by amending Transportation Element Policy 10.2.1 relating to vacating City Rights-of-Way; 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 Policy 10.2.1 of the Transportation Mobility Element of the Comprehensive Plan to clarify that a mixed-use project is only a required condition for street vacations where the street abuts property within the U4-U9 or mixed-use zoning districts. The current

provision requires that all requests for the vacation of streets, regardless of location or zoning districts, be conditioned on the construction of high density, mixed-use projects.

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.

[200732B_PB-21-07 CPA CodeChangeinfo ROW Vacate 20220303](#)

[200732A_draft ordinance 20220303.pdf](#)

CC 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