

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Agenda - Final-Revised

May 5, 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 Equity and Inclusion 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 to Spanish relay, please call 1-877-955-8773. For STS Spanish to English relay, please call 1-844-463-9710.

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.

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.

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 [211142.](#) **Approval of Minutes from the April 7, April 18, April 19 and April 21, 2022 City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the minutes of April 7, April 18, April 19 and April 21, 2022.*

[211142_April 7, 2022 Minutes_20220505.pdf](#)

[211141_April 18, 2022 Minutes_20220428.pdf](#)

[211142_April 19, 2022 Minutes_20220505.pdf](#)

[211142_April 21, 2022 Minutes_20220505.pdf](#)

CA-2 [211069.](#) **Project Development, Environment Study & Design for University Ave and W 13th St (B)**

This item is a request for the City Commission to approve the ranking of Professional Service Consulting firms and to authorize negotiations for a Project Development and Environment Study (PD&E) and Design for the reconstruction of University Avenue between NW 34th Street and NE 31st Street, and W 13th Street between SW 16th Avenue and NW 8th Avenue as complete streets.

Explanation: The City of Gainesville is committed to expediting a plan to increase

safety in areas of high pedestrian volume, in particular University Avenue and W 13th Street. HDR Inc. was retained by the City to evaluate existing conditions and develop concept recommendations for implementation in the short- and long-term horizons. The HDR study recommendations were developed based on extensive evaluation of existing conditions and standards, building upon the findings of previous studies, and on extensive coordination with stakeholders including the Florida Department of Transportation, the University of Florida, and Gainesville Citizens for Active Transportation (GCAT). Such recommendations were approved by the City Commission under Legislative Items #210418 and #210986.

The next steps for the project require the preparation of a PD&E and Design. On February 7, 2022, the City's Procurement Division solicited written statements of qualifications to provide a PD&E and Design (RFQ No. DOMX-220040-SG). Two (2) Consulting firms submitted statements on March 8, 2022.

This solicitation was broadcasted and notified 658 suppliers (including 14 supplemental suppliers), the solicitation received 33 plan holders, of which two providers submitted statements of qualifications by the deadline (3/8/2022). Evaluation of the written and technical submittals resulted in established qualifications, project approach and methodology for study & design.

The evaluators ranked the firms as follows:

1. Kimley-Horn
2. Stantec Consulting Services, Inc.

Strategic Connection:

Goal 3: A Great Place to Live and Experience

Fiscal Note: The City Commission allocated \$1 million to advance the PD&E and Design for the corridors. The Florida Department of Transportation is collaborating through the performance of services that advance the project goals including collection of traffic counts and design of roundabouts.

RECOMMENDATION

The City Commission: 1) accept the selection of the two top ranked firms in the order of ranking; and 2) authorize the City Manager or designee to execute all necessary contract documents with the top ranked firm per the RFQ for project development, environment study & design services, subject to approval by the City Attorney as to form and legality.

[211069A Addendum 1 DOMX-220040-SG PD&E 04212022](#)

[211069B Addendum 2 DOMX-220040-SG PD&E 04212022](#)

[211069C Bid Record 04212022](#)

[211069D DOMX-220040-SG Bid Doc Final 04212022](#)

[211069E Eval Scoring 1 04212022](#)

[211069F Eval Scoring 2 04212022](#)

[211069G Eval Scoring 3 04212022](#)

[211069H Final Ranking for Recommendation 04212022](#)

[211069I RFQ Submittal Response Kimley-Horn and Associates Inc 04212022](#)

[211069J RFQ Submittal Response Stantec Consulting Services Inc 04212022](#)

[211069K SIGN IN SHEET 04212022](#)

CA-3 [211081](#)

Authorization to Accept the FTA Bus & Bus Facilities Grant Award (B)

This item requests 1) authorization to accept an award by the Federal Transit Administration (FTA) for an east Gainesville transfer station and replacement buses; 2) authorize the Interim City Manager to execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; 3) authorize approval of related procurements and expenditures, to include land acquisition, construction, bus purchase and associated activities required for the completion of the projects in the grant, and 4) direct the Budget Office to include this award in the next available FY22 Budget Amendment Resolution.

Explanation: As outlined in its approved Spring 2021 Program of Projects, Regional Transit System (RTS) applied for and recently received a grant award from the Federal Transit Administration (FTA) Bus & Bus Facilities grant program. The award is in response to a proposal submitted by RTS in November 2021 for capital funding for two projects: an east Gainesville transfer station for public transit, and acquisition of twelve replacement diesel buses.

The award amount is \$10,660,817, and will support a much-needed transfer station in East Gainesville, as well as the purchase of replacement buses for Gainesville's public transit service fleet. Gainesville's need for a public transit transfer station on the east side of town has been well documented by RTS. Efforts to secure funding for the transfer station have been on-going for years through a variety of resources, including legislative funding requests to the FL House and Senate, other FTA grant applications, City of Gainesville capital funding requests, and partnership opportunities that might result in reduced expenses for the project in order to facilitate its completion. This past year, the FTA revamped program objectives for its federal grant

opportunities, and applicants were requested to provide additional, specific details regarding needs in underserved communities. With this opportunity, RTS was able to align its request closely to the program goals, resulting in an award that will substantially address community needs.

RTS anticipates that after completing required regional planning & FTA processes, the grant agreement can be executed within the next few months, and hopes to complete construction of the transfer station project sometime in the latter half of 2024 or early 2025. It is anticipated that once the station becomes operational, adjustments will be made to routes in east Gainesville, improving route frequency and access to critical services for those using public transportation.

The City of Gainesville Department of Transportation and Regional Transit System are grateful to the FTA for their support of this project.

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

Fiscal Note: Reimbursement funds will be received from the FTA in the amount of \$10,660,817.

RECOMMENDATION

The City Commission: 1) authorize the City Manager to accept the FTA's Bus & Bus Facilities grant award; 2) authorize the Interim City Manager to execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality; 3) authorize approval of related procurements and expenditures, to include land acquisition, construction, bus purchase and associated activities required for the completion of the projects in the grant, and 4) direct the Budget Office to include this award in the next available FY22 Budget Amendment resolution in order to enable start-up of project-related expenses.

[211081A_B&BF Award back-up approved POP_20220505](#)

[211081B_B&BF Award back-up FY21 FTA Projects_20220505](#)

CA-4 [211084.](#)

Florida Department of State, Division of Cultural Affairs General Program Support, Multidisciplinary Organization Grant Application(NB)

This item requests approval by the City Commission for the Department of Parks, Recreation and Cultural Affairs (PRCA) to submit an application for and

accept if awarded a General Program Support grant from the Florida Division of Cultural Affairs.

Explanation: The City of Gainesville Parks Recreation and Cultural Affairs' Department, Cultural Affairs Division, annually applies to the Florida Department of State, Division of Cultural Affairs (DCA) for a general program support grant. The Department qualifies as a Level III organization and can apply for the highest level of funding, \$150,000. Staff prepared a general program support grant to be submitted by the June 1st deadline, requesting grant funds for FY 2023-2024 in the Multidisciplinary Organization category.

In FY 2021-2022 the City received \$76,417 from this grant and the FY 2022-2023 award amount, though not announced, is expected to be considerably higher than the previous year.

Though this grant is for general program support, a detailed outline of how the funds will be spent is required with the application. The grant award for FY 2022-2023 will be applied to initiatives that will build PRCA's cultural program capacity to fulfill its program goals. The grant will provide funding for elements of the "352ArtsRoadmap" cultural master plan for the City of Gainesville and related marketing initiatives. It will provide support for the Thomas Center Galleries' exhibition curation and marketing; 352walls coordination and artist fees, as well as cultural programming artist fees. In addition, the grant will provide funding for collaborative inclusive arts programming as identified as a strategy of the new Comprehensive Plan. We anticipate the budget in the grant application for FY 2023-2024 to have similar goals.

The grant submission deadline is June 1, 2022; a panel review of applications will be scheduled for September; final recommendations are subject to approval by the Florida Legislature and Governor and will be announced in June 2023. The grant period for the next grant is July 1, 2023 - June 30, 2024.

Fiscal Note: The FY 2023-24 General Program Support, \$150,000 grant requires a 1:1 match. The matching funds will be met by expenses from recurring cultural affairs staffing costs, cultural programming artist fees, event marketing costs for the Hoggetowne Medieval Faire and the Downtown Cultural Series, which includes the Downtown Festival and Art Show, and materials and supplies. No additional funds will be necessary to facilitate this request.

RECOMMENDATION

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

Attorney as to form and legality.

CA-5 [211090.](#) **Amend the Agreement for the Provision of Emergency Homeless Services with the Alachua County Coalition for the Homeless and Hungry (B)**

This item requests the City Commission to amend an agreement and allocate funding an additional \$10,000 for Emergency Homeless Hotel Services.

Explanation: On November 18, 2021, the City entered into an Agreement for the Provision of Emergency Homeless Services with the Alachua County Coalition for the Homeless and Hungry (ACCHH). That agreement (included in the backup for reference) funded emergency hotel services in the amount of \$65,200.00. Those services were associated with a plan to close an encampment of 38 homeless persons living at 427 South Main Street (formerly the site of Fire Station 1). The Term of that agreement was from September 10, 2021, through December 9, 2021.

On December 3, 2021, the ACCHH notified the City that the camp had been closed and that all 38 persons were either housed or sheltered elsewhere. At that time, the ACCHH informed the City that the total cost of the project would be \$25,964.00 over the approved budget and requested additional financial support from the City. In response, the previous City Manager authorized increasing the City's support for the project by an additional \$10,000.00 to cover a portion of the costs for the hotel services. The ACCHH will be responsible for paying the remaining \$15,964.00 to the hotel vendor.

Section 26 of the agreement states that the City Commission must approve funding increases. A draft amendment is included in the backup for reference. In addition to the budget change, the draft amendment also makes minor changes to the Term, the Scope, and City Contact Information.

Strategic Connection:

This item is connected to Goal 3: A Great Place to Live and Experience, and to Goal 5: "Best in Class" Neighbor Services in the City's Strategic Plan.

Fiscal Note: City staff has identified \$10,000.00 in the General Fund operating budget from personnel savings to cover a portion of the additional costs of the hotel services.

RECOMMENDATION

Staff recommends that the City Commission: 1) Allocate the additional \$10,000.00 to cover a portion of the additional costs of the hotel services; 2) Approve the proposed amendment; and 3) Authorize the City Manager or designee to execute

the proposed amendment, subject to the City Attorney's approval for legality and form.

[211090_DRAFT First Amend-Hotels for Homeless_20220505](#)

[211090_Executed Agreement-Hotels for Homeless_20220505](#)

[211090_Memo_20220505](#)

CA-6 [211107.](#) **Closed Captioning Services (B)**

The City is seeking a qualified firm that can provide high quality, Americans with Disabilities Act (ADA) approved and Federal Communications Commission (FCC) compliant, real-time closed captioning services during all live broadcasts of City meetings, select live special events and offline captioning services as needed.

Explanation: On September 21, 2021, the City's Procurement Division solicited request for proposal to provide Closed Captioning Services (RFP No. PIOX-220014-SG). One (1) vendor submitted a proposal by the October 26, 2021 deadline.

Live/human captioning is utilized for all broadcast/streamed meetings for the City Commission and advisory boards (approximately 60% of archived videos) as well as non-broadcast meetings such as Digital Access and GCRA meetings (approximately 40%).

Evaluation of the written and technical submittals resulted in an intended recommendation to Florida Captioning Services.

*Strategic Connection:
"Best in Class" Neighbor Services*

Fiscal Note: The annual cost is included in the Communications Broadcast Unit baseline budget. 2-year contract with three 1-year extensions for a total 2-year price of \$126,720, based on an average of 720 hours captioned per year at \$88/hour. The previous captioning contracted rate was \$82.95/hour.

RECOMMENDATION

The City Commission: (1) authorize the City Manager or designee to execute a contract with Florida Captioning Services for Closed Captioning Services subject to approval by the City Attorney as to form and legality.

[211107A_RFP Submittal Response_202205205](#)

[211107B_PIOX-220014-SG Final_20220505](#)

[211107C_Addendum 1 PIOX-220014-SG_20220505](#)

CA-7 [211110.](#) **Contract Award for Grounds Maintenance for Regional Transit System**

Facilities (B)

This item is a request to approve the recommended award for Invitation to Bid (ITB) #RTSX-220045-DS and execute a contract with Kelly Klean LLC for Grounds Maintenance for Regional Transit System Facilities.

Explanation: On March 1, 2022, the City's Procurement Division issued an Invitation to Bid (ITB) to provide grounds maintenance services for Regional Transit System facilities. The ITB process was implemented in compliance with, and as required by Florida Statutes and City of Gainesville policies.

Eight (8) responses were submitted by the deadline. The lowest, responsive, and responsible bidder was Kelly Klean LLC. RTS desires to enter into a contract with Kelly Klean LLC.

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

Fiscal Note: Funds in the amount not to exceed \$100,787.50 for the 17-month term are available in the FY22 and proposed FY23 RTS Maintenance budget for Building and Grounds Maintenance.

RECOMMENDATION

The City Commission authorizes the interim City Manager or designee to execute a contract with Kelly Klean LLC, for Grounds Maintenance for Regional Transit System Facilities, subject to approval by the City Attorney as to form and legality.

[211110A ITB including Addendum 20220505](#)

[211110B Bid Record 20220505](#)

[211110C Term Contract Price Summary 20220505](#)

[211110D Big Sherm Lawn Service Response 20220505](#)

[211110E E-Tec Lawn Care Response 20220505](#)

[211110F Kelly Klean Response 20220505](#)

[211110G Oasis Landscape Service Inc Response 20220505](#)

[211110H T&N Lawn Masters Response 20220505](#)

[211110I Bid Tabulation RTS Grounds 20220505](#)

CA-8 [210898.](#)

Amendment the Gainesville Community Reinvestment Area (GCRA) Advisory Board Rules (B)

Explanation: On January 20, 2022, the City Commission, on second reading, amended the GCRA's City ordinance (Legistar #210666), reducing the number of Board members from fifteen (15) to nine (9). As a result of the amendment, the GCRA Advisory Board Rules must also be revised to reflect the change.

Additionally, in consultation with the City Attorney, it was suggested that this also provided an opportunity to address/recommend any other edits to the Rules. Accordingly, upon review of the document, staff identified a discrepancy in Article VI - Order of Business as shown.

Current Order

1. Roll Call
2. Approval of Agenda
3. Approval of Previous Meeting's Minutes
4. Request to Address the Board
5. Communications
6. Old Business
7. New Business
8. Board Member Comment
9. Next Meeting Date
10. Public Comment
11. Adjournment

Proposed Order

1. Call to Order
2. Roll Call
3. Adoption of the Agenda
4. Approval of Minutes
5. Communications
6. Consent Agenda
7. Business Discussion
8. Public Comment
9. Board Member Comment
10. Next Meeting Date
11. Adjournment

RECOMMENDATION

The City Commission approves the amendment to the GCRA Advisory Board Rules to reflect 1) the reduction in membership from fifteen (15) to nine (9) and 2) approve the changes to the agenda structure in Article VI - Order of Business.

[210898_A_AMENDMENT to Rules of the GCRA Advisory Board_2022.05.05.pc](#)

CA-9 [211159.](#)

**Appointments to City Commission Advisory Boards and Committees
(B)**

RECOMMENDATION

The City Commission appoint:

Jonathan Stephens to the student seat of the Nature Centers Commission for a partial term ending 9/30/2022.

Norbert Dunkel to the Police Advisory Council for a partial term ending 1/21/2022.

Jennifer Rivers to the SHIP - Affordable Housing Advisory Committee for a partial term ending 7/31/2022.

[211159_NCC Application_20220505](#)

[211159_PAC Applications_20220505](#)

[211159_SHIP Application_20220505](#)

[Advisory Board and Commission Ballot Form_20220505](#)

CA-10 [211108.](#)

Memorandum from the Interim City Manager regarding General Government Financial Services Update and the Status of the General Government External Financial Statement Audit (B)

AGENDA UPDATE - MOVED TO THE CONSENT AGENDA

Explanation: A memorandum from the Interim City Manager to the City Commission regarding the state of General Government Financial Services and a presentation with the status of the General Government External Financial Statement Audit.

RECOMMENDATION

The Interim City Manager recommends that the Audit Committee review and recommend the City Commission accept the Interim City Manager's memo and presentation.

Legislative History

4/20/22 Audit Committee Approved as Recommended

4/21/22 City Commission Continued

[211108 A_220023_General Government Financial Services_20220420](#)

[211108 B_General Government FY 21 External Audit Status Update_20220420](#)

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** [211145.](#) **Commissioner Reina Saco - Open Container (B)**
AGENDA UPDATE - ADDITIONAL BACK-UP
- RECOMMENDATION** *The City Commission discuss and take action deemed appropriate.*
- [211145_May 5th Open Container_20220505](#)
[Hyperlink](#)
-
- BD-2** [211116.](#) **Constituent Services and Intern Support (B)**
- Explanation: At the March 10, 2022 General Policy Committee meeting, the committee requested that a workshop be scheduled regarding existing constituent services support that is available to the Commission, such as myGNV, fellowship and internship opportunities in the City to maximize the Commission's workload and job effectiveness.*
- RECOMMENDATION** *The City Commission hear a presentation from staff and discuss.*
- [211116 Student Engagement and myGNV \(1\)20220505.pdf](#)
-
- BD-3** [211100.](#) **Updates to Lighting Program within the City of Gainesville Code of Ordinances, Chapter 27 and Appendix A (B)**
- **This item was presented to the UAB on 4/15/22 and their recommendation is listed below the staff recommendation.****
- Explanation: In accordance with standard practices, Gainesville Regional Utilities Energy Delivery Department reviews lighting and pole rates and related standards annually. Pole rates have remained unchanged for 14 years. In FY2020, Energy Delivery requested and the City Commission approved lighting rate increases in addition to correcting the pole rates closer to cost of service. Due to customer inquiries and direction from leadership, Energy Delivery requested and received Commission approval to roll the FY2020 rates back to FY2019 rates with a commitment to review the internal processes (Ordinance 190514) and follow up with the City Commission when complete. In August 2021, GRU initiated discussions but postponed due to Covid-19 priorities. Staff would like to present the results of this review.*
- Fiscal Note: Combining the Rental Pole, Public Pole, Rental Light, and Public Light programs will yield approximately \$119,162 per month of additional*

revenue. These rates are being brought in line with cost of service.

RECOMMENDATION

The City Commission 1) receive a presentation from staff; and 2) authorize the City Attorney to draft and the City Clerk to advertise revisions to Chapter 27 and Appendix A of the City of Gainesville Code of Ordinances for an anticipated October 1, 2022 effective date.

The UAB voted unanimously to advise the City Commission to approve the staff recommendation with the following amendment: 1) ask staff to do a comparison of light and pole rates to other utilities; 2) ask staff to present some real case information of how the new rates will affect a few different entities (e.g., a large commercial customer, a small commercial customer, a government entity); and 3) ask staff to do a breakdown of the methodology used to calculate the new rates and explain it in detail.

[211100 Lighting and Pole Rate Presentation 20220214.](#)

BD-4

[211045.](#)

Streetlight Asset Transfer from General Government to Gainesville Regional Utilities (B)

Explanation: This item is a request to transfer ownership of 620 roadway and pedestrian lighting units from General Government (GG) to Gainesville Regional Utilities (GRU). GG installed the majority of the units as part of an initiative to utilize light emitting diode (LED) fixtures, prior to GRU's implementation of LED fixtures. GG's ownership of public streetlights is contrary to Section 27-29, City of Gainesville Code of Ordinances, which requires ownership of the public streetlight system to reside with the City's utilities department. In addition to establishing compliance with the Code of Ordinances, this transfer will improve efficiency and minimize response time for outages by eliminating the uncertainty of the responsible agency as it pertains to streetlight maintenance. The fiscal impact of this transfer is expected to be \$300,000 annually, which includes costs for electricity and comprehensive asset management (routine maintenance, repairs, replacements, utility locates, etc.); the current funding structure does not take into account comprehensive asset management and the GRU rate structure does which is the basis of the budget increase.

The Public Works Department submitted a funding increment to be included in the FY23 budget to cover the additional costs of the transfer if approved.

Strategic Connection

The transfer program meets Goal 3: A Great Place to Live and Experience and Goal 5: "Best in Class" Neighbor Services of the City's Strategic Plan.

Fiscal Note: The anticipated fiscal impact is \$300,000 annually and a budget increment is included in the FY23 General Fund Operating Budget to fund the operational costs of the transfer.

RECOMMENDATION

The General Policy Committee: 1) approve the transfer of streetlight assets; and 2) authorize the City Manager or designee to execute all necessary documents for the transfer of streetlight assets, subject to approval by the City Attorney as to form and legality.

[211045A Fiscal Impact Calc 220322 Streetlight transfer 20220421](#)

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-5 [190531.](#) Gainesville Police Department Quarterly Briefing (B)

AGENDA UPDATE - REVISED BACK-UP

Explanation: Gainesville Police Department will provide quarterly briefings in reference to their daily operations and community efforts within the City of Gainesville.

Topics to be included:

NIBRS stats including property and violent crime, Mental Health Co-Responder Team, Community Engagement efforts, and other diversion deflection efforts. This briefing is offered to provide insight into the department and project future actions in regards to our service to the community.

Fiscal Note: No fiscal impact.

RECOMMENDATION For the City Commission to hear the presentation from speakers and ask any questions as it relates to the presented information.

[190531. GPD Quarterly Stats Report 1st Quarter 20220505](#)

BD-6 [211135.](#) **Appointments to the Gainesville/Alachua County Regional Airport, Gainesville Human Rights Board and the Utility Advisory Board (B)**

AGENDA UPDATE - ADDED ITEM

RECOMMENDATION The City Commission discuss the appointments to the Gainesville/Alachua County Regional Airport, Gainesville Human Rights Board and the Utility Advisory Board and take appropriate action.

[211135_GACRAA Ballot & Applications_20220505](#)

[211135_GHRB Ballot_20220505](#)

[211135_UAB Ballot & Applications_20220505](#)

RE RESOLUTIONS

RE-1 [211075.](#) **Public Hearing and Resolution for the Regional Transit System (RTS) Program of Projects (POP) for Federal Fiscal Year (FFY) 2022 (B)**

This item is a request to accept comments at a Public Hearing on the Regional Transit System Program of Projects (POP) for FFY 2022, and adopt a Resolution authorizing the filing of grant applications with the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT).

Explanation: On an annual basis, Regional Transit System prepares a Program of Projects (POP) that forms the basis for grant applications submitted to the Federal Transit Administration (FTA) and Florida Department of Transportation (FDOT) for funding. This is required to maintain eligibility for federal and state grants. The POP is the list of transit projects proposed to be funded from FTA Section 5307, 5310, 5311 and 5339 programs, and from FDOT state funds. These federal and state programs pay for a variety of eligible transit projects, which can include engineering

and design, bus purchases, maintenance and operations, and implementing fixed route service improvements.

For the federal funding, each year, Congress passes legislation which, when signed by the President, appropriates funds for the Department of Transportation and related agencies. The FTA's public transportation assistance program authorization is provided by federal transit law and Chapter 53 of Title 49, U.S. Code. The most recent authorization, the Bipartisan Infrastructure Law, was signed by President Biden on November 15, 2021, and reauthorizes surface transportation programs for Fiscal Year 2022 through FY 2026. The FFY2022 apportionment of federal funding represents funding allocated for various FTA programs; RTS participation in opportunities tied to federal apportionments is not dependent on City fiscal year timelines or constraints, and applications for FFY2022 federal funds may fall outside of similar City fiscal cycles. This resolution requests authorization for RTS to participate in FFY2022 programs that may span multiple City fiscal years, depending on when those federal funding opportunities utilizing FFY2022 apportionments may become available.

The state funding is made available annually by FDOT, through state budgeting and appropriations processes. Through several different programs designed to support transit agencies, FDOT solicits applications roughly eighteen months prior to actual award. Project selections are based on fund availability, the value returned by transit agency proposals for service and ridership, and overall enhancement of Florida's transportation services.

The finalization of the POP process requires notice to the public to provide opportunity for comment and input. The POP was published in the Gainesville Sun on April 27, 2022, encouraging citizens to contact RTS with any questions or comments. Citizens may also provide comments at the public hearing during the City Commission meeting. RTS ensures that the final POP incorporates modifications based on input during the public comment opportunities.

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

Fiscal Note: The revenue for the FFY2022 Program of Projects of \$33,719,000 is included in the Transportation Improvement Program approved by the Metropolitan Transportation Planning Organization.

RECOMMENDATION

The City Commission: 1) accept comments at a Public Hearing on the Regional Transit System Program of Projects for FFY 2022; and 2) adopt the Resolution authorizing the Regional Transit System to file grant applications with the Federal Transit

Administration and Florida Department of
Transportation as outlined in the Program of
Projects for FFY 2022.

[211075A_Draft 2022 POP Resolution_20220505](#)

[211075B_RTS FFY22 POP_20220505](#)

OR ORDINANCES

SECOND READINGS

SR-1 [210570.](#) **Quasi-Judicial - Rezoning 0.60 Acres of Property Located at the 1200 Block of SW 25th Place (B)**

Ordinance No. 210570

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning approximately 0.60 acres of property generally located at the 1200 block of SW 25th Place and 350 feet east of SW 13th Street, as more specifically described in this ordinance, from Single-Family Residential (RSF-1) to Urban 7 (U7); providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance will rezone approximately 0.60 acres of property located at the 1200 block of SW 25th Place and 350 feet east of SW 13th Street, from Single-Family Residential (RSF-1) to Urban 7 (U7). This ordinance was generated by an application from the private property land owners. The City Plan Board held a public hearing on January 27, 2022, where it voted to recommend approval of this rezoning.

This ordinance requires two hearings and will become effective when the amendment to the City of Gainesville Comprehensive Plan adopted by Ordinance No. 210571 becomes effective as provided therein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

4/21/22 City Commission Adopted on First Reading (Ordinance)

[210570_StaffReport_PB-21-158ZON_withAttachmentsAthroughC_20220127](#)

[210570A_draft ordinance_20220421.pdf](#)

[210570_StaffPPT_PB-21-158_ZON_20220421](#)

[210570_Rezoning PPT for Legistar 210570_20220421](#)

SR-2 [210837](#)**Vacation of Public Right-of-Way - 400 Block of NW 12th Terrace,
between NW 5th Avenue and NW 4th Place (B)**

Ordinance No. 210837

An ordinance of the City of Gainesville, Florida, to vacate, abandon, and close a certain public right-of-way generally located in the 400 block of NW 12th Terrace, between NW 5th Avenue and NW 4th Place, as more specifically described in this ordinance, subject to terms and conditions; providing directions to the City Clerk; providing a severability clause; providing a repealing clause; and providing an effective date.

Explanation: STAFF REPORT

This ordinance was privately initiated and requests to vacate, abandon, and close a certain public right-of-way generally located in the 400 block of NW 12th Terrace, between NW 5th Avenue and NW 4th Place. The ROW is paved, maintained, and does not have curbing along the edge of pavement. The current use is limited and a connection to NW 12th Street is provided to the east via NW 4th Place. At least one property uses NW 12th Terrace and NW 4th Place to provide vehicular access to the rear of the property. All property owners for the abutting properties have signed the application requesting this ROW vacation. The ROW to be vacated is approximately 0.16 acres in total, with the total length of the proposed ROW vacation being approximately 6969 sq. ft.

As a condition of this ROW vacation, the owner/developer of the subject property must grant the City ownership rights necessary for the extension of NW 4th Place, as public ROW, westward to NW 12th Drive, and the Developer shall construct at the Developer's sole expense all necessary and required improvements to the NW 4th Place extension.

Per Section 30-3.41 of the Land Development Code, the City Commission may vacate a public right-of-way only upon its finding that the criteria in both 1 and 2 as provided below have been met:

- 1. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:*
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;*
 - b. Whether the proposed action is consistent with the Comprehensive Plan;*
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;*
 - d. Whether the proposed action would deny access to private property;*
 - e. The effect of the proposed action upon public safety;*
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;*

- g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;*
- h. The necessity to relocate utilities both public and private; and*
- i. The effect of the proposed action on the design and character of the area.*

- 2. If the public right-of-way is a street, the city shall not vacate the right-of-way except if the following additional criteria are met:*
 - a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;*
 - b. The loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;*
 - c. The loss of the street is necessary for the construction of a high density, mixed-use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses; and*
 - d. There is no reasonably foreseeable need for any type of transportation corridor for the area.*

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

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

4/21/22 City Commission Adopted on First Reading (Ordinance)

[210837A_draft ordinance_20220421.pdf](#)

[210837B_PB-21-00194_SVA NW 12th Ter-NW 4th PI Staff Report_20220421](#)

[210837C_PB-21-00194_SVA NW 12th Ter-NW 4th PL Presentation_20220421](#)

FIRST READINGS

FR-1 [210356.](#) **Ordinance Revising Code Sections Relating to Boards and Committees (B)**

Ordinance No. 210356

An ordinance of the City of Gainesville, Florida; revising Article V of Chapter 2 of the City Code of Ordinances relating to boards and committees; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Explanation: At the City Commission meeting on September 2, 2021, the City Clerk presented a proposed update of code sections regarding City boards and committees. The City Commission directed the Clerk to work with the

*City Attorney to prepare an ordinance.
This ordinance requires two readings and will become effective immediately upon adoption at the second reading.*

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Legislative History

9/2/21	City Commission	Approved, as shown above
10/28/21	General Policy Committee	Approved, as shown above
2/3/22	City Commission	Approved, as shown above

[210356 Advisory Board Details 20211028](#)

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

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

[210356 draft ordinance 20220505](#)

FR-2 [210163.](#)

Redistricting the City's Election Districts Based upon 2020 Census Data (B)

Ordinance No. 210163

An ordinance of the City of Gainesville, Florida, amending Section 9-1.1 Election districts of the Code of Ordinances by redistricting the City of Gainesville into four ratably or equally proportioned election districts as required by law; making findings; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

AGENDA UPDATE - ADDITIONAL AND REVISED BACK-UP

Explanation: 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.

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. 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, and provide redistricting options. Neighbors have been given an opportunity to participate in the process by submitting their own maps to the consultants and the City.

Historically, the City defines its districts by grouping contiguous voting precincts as codified in section 9-1.1 of the City Code of Ordinances. Adherence to precinct lines in redistricting minimizes split precincts and the complexity that results from split precincts. Additionally, adherence to precinct lines is significant in this redistricting effort due to the lack of time to explore redistricting based upon surveyed metes and bounds or census block methodology.

New City election districts must be established before the upcoming 2022 election, because the Supervisor of Elections is drawing new precinct boundaries which will alter and potentially remove or add some City precincts. Therefore, it will not be possible to conduct the upcoming 2022 election based upon existing City Commission districts that are defined by the 2012 precincts set forth in section 9-1.1.

The Alachua County Board of County Commissioners must adopt the precincts subject to the recommendation and approval by the Supervisor of Elections. After the Alachua County Board of County Commissioners adopts the precincts, the City Commission can establish City election districts by ordinance. A draft ordinance is included in the backup.

UPDATE: On April 26, 2022, the Alachua County Board of County Commissioners adopted the Supervisor of Elections' recommended and approved precincts. The General Policy Committee, at its meeting of April 28, 2022, voted to amend the proposed draft ordinance to split Precinct 25 by placing the portion of Precinct 25 located north of the center line of NW 8th Avenue into the proposed District 4. The City Attorney's Office has revised the draft ordinance to reflect the amendment.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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
3/3/22	City Commission	Approved, as shown above
3/17/22	City Commission	Approved, as shown above
3/28/22	City Commission	Approved, as shown above
3/31/22	City Commission	Discussed
4/7/22	City Commission	Discussed

[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](#)
[210163 Gainesville Plans Presentation 20220317](#)
[210163 Comm Adrian Hayes-Santos Redistricting - Option 3 Adjusted 202203](#)
[210163 northeast-gainesville-3-25-02 20220328.pdf](#)
[210163 southwest-gainesville-3-25-02 20220328.pdf](#)
[210163 southeast-gainesville-3-25-02 20220328.pdf](#)
[210163 north-gainesville-3-25-02 20220328.pdf](#)
[210163 west-center-Gainesville-3-25-02 20220328.pdf](#)
[210163 Changes in Precincts-UPDATED-3-25 -Gainesville-only 20220328.pdf](#)
[210163 Comm Hayes-Santos New Map Proposal 20220328.pdf](#)
[210163 Redistricting Map \(Senate & House Districts\) 20220331](#)
[210163 Redistricting Map \(Single Map Draft 1\) 20220331](#)
[210163 Com Ward Map Proposal 20220407](#)
[210163 draft ordinance 20220428](#)
[210163 draft ordinance 20220505](#)
[210163 Gainesville Plans Presentation 20220505](#)
[210163 Alachua County Precincts Map Adopted 4-26-22 20220505](#)
[210163 Comm Hayes-Santos New Map Proposal 20220505](#)
[210163 revised draft ordinance 20220505](#)
[210163 Gainesville Redistricting Plans Penultimate Options 20220505](#)
[210163 Voting precincts among City Commission districts Letter 050222](#)
[210163 2nd Revised Draft Ordinance 20220505](#)

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 [211157.](#)

Professional Municipal Clerks Week - 2022 (B)

RECOMMENDATION *City Clerk's Office to accept the proclamation.*

[211157_Proclamation Municipal Clerk_20220505](#)

PR-2 [211163.](#) National Historic Preservation Month - 2022 (B)

RECOMMENDATION *Jay Reeves to accept the proclamation.*

[211163_Proclamation National Historic Preservation_20220505](#)

PR-3 [211164.](#) Emergency Medical Services Week - 2022 (B).

RECOMMENDATION *Joe Dixon and David Sutton to accept the proclamation.*

[211164_EMS Week_20220505](#)

PR-4 [211155.](#) Parental Alienation Awareness Day - 2022(B)

RECOMMENDATION *Mark Combs to accept the proclamation.*

[211155_Parental Alienation Awareness Day_20220505](#)

PR-5 [211190.](#) Asian American and Pacific Islander Heritage Month -2022 (B)

AGENDA UPDATE - ADDED ITEM

RECOMMENDATION *Jyoti Parmar to accept the proclamation.*

[211190_AsianPacific American Heritage Month_20220503_1](#)

[211190_AsianPacific American Heritage Month_20220305_2](#)

PR-6 [211191.](#) Youth Week - 2022 (B)

AGENDA UPDATE - ADDED ITEM

RECOMMENDATION *Dayna Miller to accept the proclamation.*

[211191_Youth Week_20220503](#)

PR-7 [211068.](#) Subterranean Circus Day - 2022 (B)

AGENDA UPDATE - ADDED ITEM

RECOMMENDATION *Bill Killeen to accept the proclamation.*

[211068_Subterranean Circus Day_20220505](#)

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

RE RESOLUTIONS - ROLL CALL REQUIRED (required by state law to be heard after 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 5:00 pm)

SR SECOND READINGS

FR FIRST READINGS

FR-3 [200727.](#) **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; by amending Section 30-5.38 Fowl or livestock, accessory to residential uses; 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)
3/3/22 City Commission Adopted on First Reading (Ordinance)

[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](#)

[200727A_draft ordinance_20220505.pdf](#)

FR-4 [210129.](#)

Ordinance Enacting Comprehensive Changes to the Solid Waste Code (B)

Ordinance No. 210129

An ordinance of the City of Gainesville, Florida, amending Article III titled "Solid Waste" of Chapter 27 of the Code of Ordinances by revising definitions; adding requirements for commercial generators of solid waste, commercially-collected residential property, and recovered material registrants; requiring commercially-collected properties of a certain size to have a lease transition plan; requiring retail prescription drug distributors to provide take back programs for prescription drugs; requiring commercial establishments to have additional recycling containers; requiring property owners to provide commercial tenants with adequate space for solid waste and recycling; creating a new division regulating single-use plastic and polystyrene products; providing for civil citations, general penalties in section 1-9, injunctive relief, and code enforcement; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date and an enforcement date.

Explanation: The Zero Waste Subcommittee has met regularly since September 2020

to recommend new ordinances related to solid waste. The subcommittee, community builders and the City Attorney's Office have worked together to draft 3 ordinances that contain changes and additions to Article III, Solid Waste of Chapter 27, Code of Ordinances. The attached ordinance amends Article III by adding requirements for commercial generators of solid waste, multi-family properties a/k/a commercially-collected residential properties, and recovered materials registrants. Among other things, new regulations include requirements for larger multi-family properties to have lease transition plans to encourage reuse of household goods; requirements for retail prescription drug distributors to provide a take back program for prescription drugs; and new regulations relating to single-use plastic and polystyrene products. This ordinance also includes new definitions related to food waste. As such, this ordinance should be passed prior to Ordinances 200381 and 210626.

Fiscal Note: There will be additional administrative costs associated with enforcing the new regulations.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

7/20/21	Zero Waste Subcommittee	Discussed
8/3/21	Zero Waste Subcommittee	Approved, as shown above - See Motion(s)
8/31/21	Zero Waste Subcommittee	Approved, as shown above - See Motion(s)
9/28/21	Zero Waste Subcommittee	Discussed
10/26/21	Zero Waste Subcommittee	Discussed
11/9/21	Zero Waste Subcommittee	Discussed
12/7/21	Zero Waste Subcommittee	Discussed
2/3/22	City Commission	Approved, as shown above

[210129A Subcommittee Ordinance Update Presentation 20210720](#)
[210129B Draft -SW Ordinance Updates 20210720](#)
[210129C Comm Hayes-Santos Zero Waste Ordinance Recommended Clarific](#)
[210129D Summary of Ordinance Changes 20210831](#)
[210129E SW Ordinance Proposed Changes 20210831](#)
[210129F Subcommittee Ordinance Updates 20210831](#)
[210129 FINAL Minutes 080321 Zero Waste 20210831](#)
[210129 Solid Waste Ordinance Approved Updates 20210831](#)
[210129 Ordinance Update 20210928](#)
[210129 Solid Waste Ordinance draft 9.28 meeting 20210928](#)
[210129K Commercially Collected Residential Definition Update 20211026](#)
[210129A Solid Waste Ordinance 10.26.21 ZWC 20211026](#)
[210129 Solid Waste Ordinance 20211109](#)
[210129N Draft SW Div. 6 Food Waste Ord. 20211207](#)
[210129O SW Div. 7 Food Diversion Ord. Draft 20211207](#)
[210129P Draft SW General Ordinance 20211207](#)
[210129Q Florida Retail Federation Comments 20211207](#)
[210129R NRDC Estimating FW & Type at the City Level 20211207](#)
[210129 Comm Hayes-Santos Waste Ordinance Questions and Clarifications 2](#)
[210129A Food Diversion ordinance division 7 20220104](#)
[210129B Food Waste Ordinance Division 6 20220104](#)
[210129C Solid Waste Ordinance 20220104](#)
[210129 CityofGainesvilleFRLA 20220104](#)
[210129A Food Waste Ordinance 20220203](#)
[210129B Food Diversion Ordinance 20220203](#)
[210129C Solid Waste Ordinance 20220203](#)
[210129 Ordinance Update Presentation 20220203](#)
[210129D Food Waste Reduction Recovery Presentation 20220203](#)
[210129E Food Waste Diversion Survey - Food Generating Businesses 202202](#)
[210129 draft ordinance 20220505](#)

FR-5 [200381](#)

Ordinance Creating New Regulations Regarding Food Waste (B)

Ordinance No. 200381

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by creating Division 6, titled "Food Waste" within Article III of Chapter 27; requiring registrations for food waste collectors; providing for an

appeal process for revocation of food waste registrations; requiring commercially-collected residential properties to establish a food waste collection program; requiring commercial establishments to collect food waste and provide food waste containers; providing for civil citations, general penalties in section 1-9, injunctive relief, and code enforcement; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date and an enforcement date.

Explanation: The Zero Waste Subcommittee has met regularly since September 2020 to recommend new ordinances related to solid waste. The subcommittee, community builders and the City Attorney's Office have worked together to draft 3 ordinances that contain changes and additions to Article III, Solid Waste of Chapter 27, Code of Ordinances. The attached ordinance creates a new Division 6 titled "Food Waste", which sets forth a new regulatory scheme for food waste composting and collection of food waste. Because this ordinance relies upon new definitions that are contained within Ordinance No. 210129, it should not be passed until Ordinance No. 210129 is passed.

Fiscal Note: There will be additional administrative costs associated with enforcing the new regulations.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

10/13/20	Zero Waste Subcommittee	Discussed
11/24/20	Zero Waste Subcommittee	Discussed
1/5/21	Zero Waste Subcommittee	Approved, as shown above - See Motion(s)

[200381A Sub Committee Food Waste 20201013.pdf](#)

[200381B NYC Organic Waste Ordinance 20201013.pdf](#)

[200381C Alachua Cty Draft Landscape Reqmts Soil Amend 20201013.pdf](#)

[200381D Sub Committee Food Waste Beaten Path 20201013.pdf](#)

[200381E Commercial Composting Program 20201013.pdf](#)

[200381F Residential Composting Research Report 20201013.pdf](#)

[200381G Residential Curbside Composting 20201013.pdf](#)

[200381H ZWSC Food Waste Recommendation 20201124](#)

[200381I CA Organic Waste Legislation 20201124](#)

[200381J Food Waste Ordinance Recommendations 20210105](#)

[200381 draft ordinance 20220505](#)

Follow a Food Waste Diversion Hierarchy (B)

Ordinance No. 210626

An ordinance of the City of Gainesville, Florida, amending the Code of Ordinances by creating Division 7, titled "Food Diversion" within Article III of Chapter 27; requiring certain food oriented commercial establishments to follow a food waste diversion hierarchy; providing for general penalties in section 1-9, injunctive relief, and code enforcement; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date and an enforcement date.

Explanation: The Zero Waste Subcommittee has met regularly since September 2020 to recommend new ordinances related to solid waste. The subcommittee, community builders and the City Attorney's Office have worked together to draft 3 ordinances that contain changes and additions to Article III, Solid Waste of Chapter 27, Code of Ordinances. The attached ordinance creates a new Division 7 titled "Food Diversion", which requires certain food oriented commercial establishments to divert food and food waste from the waste stream and to follow a food waste hierarchy. Because this ordinance relies upon new definitions that are contained within Ordinance No. 210129, it should not be passed until Ordinance No. 210129 is passed.

Fiscal Note: There will be additional administrative costs associated with enforcing the new regulations.

RECOMMENDATION

The City Commission adopt the proposed ordinance.

Legislative History

11/9/21	Zero Waste Subcommittee	Discussed
12/7/21	Zero Waste Subcommittee	Discussed

[210626 Food Diversion ordinance division 7 \(11.9.21 meeting\) update_20211111](#)

[210626 Food Waste Ordinance Division 6_20211109](#)

[210626A Food Waste Reduction & Recovery Presentation_20211109](#)

[210626B Toolkit-Inc. FW in Municipal Climate Action Plans_20211109](#)

[210626C Food Generating Business Survey_20211109](#)

[210626F Means Database Presentation_20211207](#)

[210626 draft ordinance_20220505](#)

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

