

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

June 4, 2020

5:30 PM

Virtual Teleconference Meeting

City Commission

Mayor Lauren Poe (At Large)
Commissioner Reina Saco (At Large)
Commissioner Gail Johnson (At Large)
Commissioner Gigi Simmons (District 1)
Commissioner Harvey Ward (District 2)
Mayor-Commissioner Pro Tem David Arreola (District 3)
Commissioner Adrian Hayes-Santos (District 4)

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CALL TO ORDER - 5:32 PM**AGENDA STATEMENT****ROLL CALL**

Present 7 - Commissioner Johnson, Commissioner Simmons, Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, Commissioner Ward, and Mayor-Commissioner Pro Tem Arreola

CA ADOPTION OF CONSENT AGENDA (CA) - GRU, General Government, Audit & Finance Committee and General Policy Committee Items

Nathan Skop spoke to the matter.

Ginger Bigbie spoke to the matter.

A motion was made by Commissioner Johnson, seconded by Commissioner Simmons, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

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

CA-1 [191234.](#) Request to Purchase Fire Protection Equipment for Gainesville Fire Rescue (NB)

This item involves a request for the City Commission to approve the issuance of a purchase order to Municipal Equipment Company of \$41,314 for bunker gear. When added to the initial purchase in FY20 of \$97,340, the total purchase shall not exceed \$138,654.

RECOMMENDATION *The City Commission authorize the City Manager to execute the purchase order not to exceed \$41,314 to Municipal Equipment Company for fire protection equipment resulting in a total cost not to exceed \$138,654.*

Approved as Recommended

CA-2 [191235.](#) Purchase of Intelligent Transportation System (ITS) Migration from Clever Devices LTD for Regional Transit System (B)

This item is a request for the City Commission authorize the City Manager to execute a contract with Clever Devices LTD for Intelligent Transportation System (ITS) Migration, including hosting and cellular service, for 136 fixed route vehicles.

RECOMMENDATION

The City Commission authorize the City Manager or his authorized designee to execute a contract and any necessary associated documents with Clever Devices LTD for Intelligent Transportation System (ITS) Migration, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-3 [180354.](#) **Federal Lobbying and Advocacy Services for the City of Gainesville and Gainesville Regional Utilities (B)**

RECOMMENDATION

The City Commission renew the contract with Van Scoyoc Associates, Inc. for fiscal year 2021 and authorize the City Manager and General Manager to execute the amendment, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-4 [180355.](#) **State Lobbying and Advocacy Services for the City of Gainesville and Gainesville Regional Utilities (B)**

RECOMMENDATION

The City Commission renew the contract with Peebles, Smith and Matthews, Inc. for fiscal year 2021 and authorize the City Manager and General Manager to execute the amendment, subject to approval by the City Attorney as to form and legality.

Approved as Recommended

CA-5 [191218.](#) **Audit of the General Government Enterprise Resource Planning System Implementation - Interim Report III (B)**

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission accept the City Auditor's report.

Approved as Recommended

CA-6 [191219.](#) **City Auditor Quarterly Update (B)**

RECOMMENDATION

The Audit and Finance Committee recommends the City Commission accept the City Auditor's report.

Approved as Recommended

CA-7 [191224.](#) **Gainesville Regional Utilities Fiscal Year 2019 Audited Financial Statements, Auditors' Reports, and Auditors' Communication to Those Charged with Governance and Management (B)**

RECOMMENDATION

The Audit and Finance Committee has reviewed and recommends that the City Commission accept the subject financial statements, auditors' reports, auditors' communication to those charged with governance and

management, and management representations.

Approved as Recommended

CA-8 [191225.](#) **Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the Period Ended March 31, 2020 (B)**

RECOMMENDATION *The Audit and Finance Committee has reviewed and recommends that the City Commission accept Gainesville Regional Utilities Unaudited Internally Prepared Financial Statements for the period ended March 31, 2020.*

Approved as Recommended

CA-9 [191226.](#) **Gainesville Regional Utilities Internally Prepared Budget to Actual Comparison for the Period Ended March 31, 2020 (B)**

RECOMMENDATION *The Audit and Finance Committee has reviewed and recommends that the City Commission accept Gainesville Regional Utilities Internally Prepared Budget to Actual Comparison for the period ended March 31, 2020.*

Approved as Recommended

CA-10 [191227.](#) **Gainesville Regional Utilities Internally Prepared Supplementary Data for the Period Ended March 31, 2020 (B)**

RECOMMENDATION *The Audit and Finance Committee has reviewed and recommends that the City Commission accept Gainesville Regional Utilities Internally Prepared Supplementary Data for the period ended March 31, 2020.*

Approved as Recommended

CA-11 [160027.](#) **Authorization of a Change Order Above 10% of the Approved Guaranteed Maximum Price Proposal Cost for the Renovation of the Hartman House at Hogtown Creek Headwaters Nature Park into a Nature Center (B)**

This item is a request for the City Commission to approve a change order for the renovation of the Hartman House at Hogtown Creek Headwaters Nature Park into a nature center, bringing the total project cost to \$478,105.47.

RECOMMENDATION *The City Commission: 1) approve the increased project cost; and 2) authorize the City Manager or designee to execute all contract documents and other necessary documents, subject to approval by the City Attorney as to form and legality.*

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modification: Continue Item No. 200016 and 191143 to the next

meeting.

Nathan Skop spoke to the matter.

A motion was made by Commissioner Johnson, seconded by Commissioner Hayes-Santos, that this Matter be Adopted with two modifications. The motion carried by the following vote:

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

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

BD-1 [200011.](#) COVID Discussion (NB)

Lee Feldman, City Manager gave an update.

Ed Bielarski, GRU General Manager spoke to the matter.

Nicolle Shalley, City Attorney spoke to the matter.

Mark Sexton, Alachua County Communications Coordinator spoke to the matter.

Omichele Gainey, Clerk spoke to the matter,

David Huelsman and Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission discuss and take action, as appropriate.*

Discussed

BD-2 [191239.](#) Mayor Lauren Poe - Committee Assignments (B)

Motion: City Commission Committee Appointments Listed Below:

Library Governing Board - Commissioner's Johnson and Simmons

NCFRPC - Commissioner's Saco, Simmons and Arreola

Tourist Development Council - Commissioner Hayes-Santos

Alachua County League of Cities - Commissioner Simmons

UF-Steering Committee on Responsible Alcohol Use - Commissioner Arreola

Joint Gainesville Alachua County Water Policy Committee - Commissioner's Ward and Hayes-Santos

RECOMMENDATION *The City Commission confirm the Mayor's appointments.*

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Approved, as shown above. The motion carried by the following vote:

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

BD-3 [200001.](#)

Motion to Approve Item No. 191120 (NB)

Omichele Gainey spoke to the matter.

RECOMMENDATION *The City Commission make a motion to approve Item No. 191120.*

A motion was made by Commissioner Simmons, seconded by Commissioner Hayes-Santos, that this Matter be Approved as Recommended. The motion carried by the following vote:

Aye: 6 - Commissioner Johnson, Commissioner Simmons, Commissioner Hayes-Santos, Commissioner Saco, Commissioner Ward, and Mayor-Commissioner Pro Tem Arreola

Absent: 1 - Mayor Poe

BD-4 [200004.](#)

Discussion of General Policy Committee (B)

Omichele Gainey, Clerk spoke to the matter.

Zeriah Folston, Policy Oversight Administrator spoke to the matter.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission discuss the continuation of the General Policy Committee and take action deemed necessary.*

Bring back options and continue to next meeting.

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

BD-5 [200010.](#)

Discussion of In-Person Commission Meetings (NB)

RECOMMENDATION *The City Commission discuss and take action deemed necessary.*

Discussed

BD-6 [200016.](#) **Broadband Discussion (NB)**

RECOMMENDATION *The City Commission discuss and take action deemed appropriate.*

Continued to next meeting.

PR **PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)****RE** **RESOLUTIONS - ROLL CALL REQUIRED (RE)****RE-1** [191143.](#) **Fire Assessment - Preliminary Rate Resolution (B)**

A resolution of the City of Gainesville, Florida, relating to the provision and funding of fire services, facilities and programs in the City of Gainesville; providing for the imposition and computation of fire services special assessments; providing for legislative determinations of special benefit and fair apportionment; describing the method of assessing fire services assessed costs against assessed property located within the City of Gainesville; establishing the estimated assessment rate for fire assessments for the fiscal year beginning October 1, 2020; directing the preparation of an assessment roll; providing for hardship assistance; providing for method of collection; authorizing a public hearing and directing the provision of notice thereof; providing for application of assessment proceeds; providing for severability; and providing an immediate effective date.

RECOMMENDATION *The City Commission: 1) establish a Preliminary Rate of \$133.00 per Net Factored Fire Protection Unit for the Fire Services Special Assessment; 2) set the public hearing on the Annual Rate Resolution at 6:00 pm (or as soon thereafter as may be heard) on September 10, 2020; and 3) adopt the proposed Preliminary Rate Resolution.*

Continued to next meeting.

RE-2 [191228.](#) **Public Transit Grant Award Agreement for Florida Department of Transportation Service Development Grant Funds for Regional Transit System (RTS) Project (B)**

This item requests that the City Commission adopt a resolution authorizing the City of Gainesville dba Regional Transit System to enter into a Public Transportation Grant Agreement (PTGA) for the acceptance of grant funds and authorizes the City Manager to execute a PTGA with Florida Department of Transportation for Service Development Grants for this RTS project.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission 1) adopt the resolution authorizing the*

City of Gainesville dba Regional Transit System to enter into a Public Transportation Grant Agreement for the acceptance of grant funds, and 2) authorize the City Manager or designee to execute the PTGA for the aforementioned project, subject to review and approval by the City Attorney as to form and legality.

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Simmons, that this Matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

RE-3 [191205.](#)

Resolution Amending the ICMA Retirement Corporation Governmental 457 Deferred Compensation Plan and Trust for the Benefit of the Eligible Employees and Their Beneficiaries (B)

Lee Feldman spoke to the matter.

Steve Varvell, Risk Management Director spoke to the matter.

Nathan Skop spoke to the matter.

RECOMMENDATION

The City Commission: 1) Adopt the Resolution and 2) Authorize the City Manager or his designee to execute the Governmental 457 Plan and Trust Optional Provisions Election Form subject to approval of the City Attorney as to form and legality.

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Ward, that this Matter be Adopted (Resolution) and Approved the Recommendation. The motion carried by the following vote:

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

RE-4 [191155.](#)

Second Quarter Amendment through March 31, 2020 to the FY 2020 General Government Financial and Operating Plan Budget(B)

Resolution No. 191155

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, 2019 and ending September 30, 2020; amending Resolution No. 190397, as amended by resolution No. 190880, by making certain adjustments to the General Government Financial and Operating Plan Budget; and providing an immediate effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION

City Commission adopt the proposed resolution.

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Ward, that this Matter be Adopted (Resolution). The motion carried by the following vote:

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

PUBLIC HEARINGS (PH)

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

SR-1 [190714.](#) Text Change - Amending the Land Development Code Related to Food Truck Parks (B)

Ordinance No. 190714

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 food truck park as a permitted use in certain zoning districts with associated regulations; by amending Section 30-2.1 Definitions; by amending Section 30-4.12 Permitted Uses in Transects; by amending Section 30-4.19 Permitted Uses in Mixed-Use and Nonresidential Districts; by amending Section 30-4.23 Permitted Uses in Special Districts; by adding Section 30-5.13 to provide regulations for food truck parks; by amending Section 30-5.37 relating to regulations for food trucks; by amending various sections in the Land Development Code and Appendix A Schedule of Fees, Rates and Charges to correct code references because of numbering changes and to make scrivener's corrections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

SR-2 [190291.](#) Text Change - Amending Transect Zone Street Designation for SW 2nd Street Between SW 2nd Avenue and SW 2nd Place (B)

Ordinance No. 190291

An ordinance of the City of Gainesville, Florida, amending the transect zone street designation of SW 2nd Street between SW 2nd Avenue and SW 2nd Place from Storefront street to Local street; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Johnson, seconded by Mayor-Commissioner Pro Tem Arreola, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

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

FR-1 [191051](#) Proposed Charter Amendment to Retitle the Clerk of the Commission to City Clerk (B)

ORDINANCE NO. 191051

An ordinance of the City of Gainesville, Florida; proposing an amendment to 3.04 titled "Clerk of the commission" of the Charter Laws of the City of Gainesville to change the name of the position to "city clerk"; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Johnson, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

FR-2 [191115](#) Proposed Charter Amendment to Eliminate the Restrictions on Use of Public and Private Funds for Construction of Paved Surfaces on City-Owned Land (B)

ORDINANCE NO. 191115

An ordinance of the City of Gainesville, Florida; proposing an amendment to eliminate 5.06 titled "Funds for construction of paved surfaces in designated areas" of the Charter Laws of the City of Gainesville; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this

charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Johnson, seconded by Commissioner Ward, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

FR-3 [191120.](#)

Proposed Charter Amendment to Further Limit the Authority of the City Commission to Dispose of Certain Utility Systems (B)

ORDINANCE NO. 191120

An ordinance of the City of Gainesville, Florida; proposing an amendment to 5.04 titled "Disposal of utilities" of the Charter Laws of the City of Gainesville, to further limit the authority of the City Commission to dispose of certain of the city's utility systems without prior approval of the qualified electors of the city; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Nathan Skop spoke to the matter,

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

FR-4 [191121.](#)

Proposed Charter Amendment to Create a Charter Preamble (B)

ORDINANCE NO. 191121

An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville, to insert a Preamble prior to Article I of the

Charter; providing for submission of this charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the title and question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Nathan Skop spoke to the matter,

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

**A motion was made that this Matter be Adopted on First Reading (Ordinance).
The motion carried by the following vote:**

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

FR-5 [191186.](#)

Ordinance Setting 2021 Election Dates, Early Voting Dates and Qualifying Dates (B)

Ordinance No. 191186

An ordinance of the City of Gainesville, Florida, setting the date for the 2021 regular City election and the date for the 2021 run-off election, if necessary; setting the early voting dates for the 2021 regular city election and 2021 run-off election, if necessary; setting the dates for qualifying for the 2021 regular election; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Modification: Election March 16, 2021; Early Voting March 5 - March 13, 2021; Run Off April 27, 2021; Early Voting April 16, 2021 - April 24, 2021.

Omichele Gainey spoke to the matter.

Nicolle Shalley spoke to the matter.

Nathan Skop spoke to the matter,

RECOMMENDATION *The City Commission (1) hear an update from the Clerk regarding election dates; and (2) adopt or amend the proposed ordinance on first reading.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Johnson, that this Matter be Adopted on First Reading, as modified (Ordinance). The motion carried by the following vote:

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

FR-6 [191242.](#)

Ordinance Providing for Civil Citation Enforcement for Violations of Declarations of Emergency (B)

ORDINANCE NO. 191242

An ordinance of the City of Gainesville, Florida, relating to penalties for violations of declarations of emergency; by amending Sec. 2-67 titled "Mayor may declare state of emergency, water emergency" within Article II of Chapter 2 of the City Code of Ordinances; by amending Sec. 2-339 titled "Applicable codes and ordinances" within Division 6 of Article V of Chapter 2 of the City Code of Ordinances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

Nathan Skop spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Aye: 5 - Commissioner Johnson, Commissioner Hayes-Santos, Mayor Poe, Commissioner Saco, and Commissioner Ward

Nay: 2 - Commissioner Simmons, and Mayor-Commissioner Pro Tem Arreola

NECESSARY DIRECTION TO CHARTER OFFICERS

Commissioner Ward - 1) Names of people who have passed due to COVID-19 - Pamela Jackson; 2) Alachua County Jail update for access force or abuse. Mr. Feldman suggested to invite Sheriff Darnell to speak to the matter. Put a placeholder on next agenda,

Commissioner Simmons 1) Moment of silence for George Floyd's family; 2) State of our country - EEO Director and Charters review/implement the NLC racial equity toolkit and put on next agenda; 3) Congratulations to all graduating seniors; and 4) Historical Planner looking at communities, historic overlays.

Commissioner Johnson 1) School Resource Officers insight from City Manager unfunded mandate and options for funding (discuss at the next budget meeting); and 2) JJ Finley School renaming.

ADJOURNMENT - 9:04 PM