

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

February 4, 2021

1:00 PM

City Hall Auditorium

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

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

[200682.](#) **Attendance Affidavit (B)**

Need to click on Item Number for attachment.

INVOCATION

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

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:

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

CA-1 [200761.](#) **Approval of Minutes from the January 20, and January 21, 2021 City Commission Meetings (B)**

RECOMMENDATION *The City Commission approve the minutes of January 20 and January 21, 2021.*

Approved as Recommended

CA-2 [200768.](#) **Resignation of Suzanne Kiker from the Gainesville Cultural Affairs Board, April O’Neal from the Citizen’s Advisory Committee and Community Development and Zachariah Chou from the Regional Transit System Citizen Advisory Board (B)**

RECOMMENDATION *The City Commission accepts the resignations of Suzanne Kiker from the Gainesville Cultural Affairs Board, April O’Neal from the Citizen’s Advisory Committee and Community Development and Zachariah Chou from the Regional Transit System Citizen Advisory Board, effective immediately.*

Approved as Recommended

CA-3 [200769.](#) **Appointments to City Commission Advisory Boards and Committees (B)**RECOMMENDATION

*The City Commission appoint:
Eric Milch to the City Beautification Board for a term to expire
on 11/1/2023.*

*Russel Adams and Ryan Klein to the Tree Advisory Board for
terms to expire on 1/1/2024.*

Approved as Recommended

CA-4 [200719.](#) **US Department of Homeland Security (DHS) FEMA Assistance to Firefighters Grant (AFG) Program FY2020 (NB)**

This item requests the City Commission authorize submittal of an application to the FY2020 AFG Grant Program and authorize the City Manager or designee to accept the award, expend the funds, and provide the required matching funds.

RECOMMENDATION

The City Commission authorize the City Manager or designee to: 1) apply, accept, and execute any and all related documents regarding the FY2020 AFG Grant subject to approval by the City Attorney as to form and legality; and 2) approve the necessary budget processes and expenditures for the required matching funds and purchases related to the grant award.

Approved as Recommended

ADOPTION OF REGULAR AGENDA

Modifications: File #200779 (added item), File #200770 (additional back-up), File #200777 (added item) and File # 200690 (open container portion will not be discussed).

Nathan Skop spoke to the matter.

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

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

GENERAL PUBLIC COMMENT - Members of the public may speak for up to three (3) minutes per meeting on any item not on the agenda.

Bruce Frendall

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

BD-1 [180361.](#)**Advanced Metering Infrastructure (AMI) Approval (B)**

Ed Bielarski, GRU Manager introduced.

Tom Brown, Chief Operating Officer gave a presentation.

Chad Parker, Utility Project /Team Leader III gave a presentation.

Claudia Rasnick, Chief Financial Officer spoke to the matter.

Walter Banks, Chief Information Officer spoke to the matter.

Nathan Skop and Ray Washington spoke to the matter.

Recess - 2:00 PM

Reconvene - 2:06 PM

Darlene Pifalo and Debbie Martinez spoke to the matter.

RECOMMENDATION

1. *Authorize the General Manager or his designee to negotiate and execute a Master Agreement with Itron for a term of 21 years that includes the purchase of the metering assets, network infrastructure, software licenses, professional services to implement the project and the provision of ongoing software as a service for the hosting and ongoing maintenance of the software in a secure cloud. The Master Agreement set of documents includes SaaS, SOW, Order Document and MSA, which are all subject to approval by the City Attorney as to form and legality.*

2. *Authorize the General Manager or his designee to negotiate and execute an agreement with Aclara SGS for the installation of Smart Meters for the AMI solution. The agreement and SOW are subject to approval by the City Attorney as to form and legality.*

UAB: At their January 14, 2021 meeting, the UAB voted 6-0, with member Miles absent, to advise the City Commission to approve the staff recommendation.

A motion was made by Mayor-Commissioner Pro Tem Arreola, seconded by Commissioner Hayes-Santos, that this Matter be Approved as Recommended. 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-2 [200521.](#) **Hogtown Creek Greenway Update (B)**

Motion: 1) Ask staff to bring back what a plan would look like for a greenway trail network master plan for all watersheds; 2) Work with the NCFRPC; other partners; and look at funding sources; and 3) Put through racial equity toolkit.

Lee Feldman, City Manager introduced.

Linda Demetropoulos, Nature Operations Manager gave a presentation.

Nathan Skop spoke to the matter.

RECOMMENDATION *To seek general input and guidance from City Commission.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Simmons, 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 [200529.](#) **Implementation for Parks, Recreation & Cultural Affairs Master Plan and Continued Acquisition of Conservation Land (B)**

This item requests that the City Commission review and approve the priorities of the Land Conservation and Acquisition Program.

Motion: Approve criteria, specify recreation to be more passive and focus on purchase of creek properties.

Lee Feldman introduced.

Linda Demetropoulos, Nature Operations Manager gave a presentation.

Donald Shepherd spoke to the matter.

RECOMMENDATION *The City Commission: 1) review the Land Conservation Ranking Criteria List.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Ward, 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-4 [200690.](#)

COVID Discussion (B)

Motion by Commissioner Hayes-Santos, seconded by Commissioner Saco: 1) Request the City Manager to move forward with an executive order similar to Hillsborough County, including retail, not just bars and restaurants. Motion passed 4-3. Mayor Poe, Commissioner Simmons and Commissioner Ward in dissent. 2) How we can enforce social distancing and mask wearing in areas where there's high concentrations of people standing in lines. (Refer to Tampa's ordinance). Motion passed unanimously.

Lee Feldman spoke to the matter.

Nicolle Shalley, City Attorney spoke to the matter.

Nathan Skop, Donald Shepherd and Debbie Martinez spoke to the matter.

RECOMMENDATION

The City Commission hear an update on the following topics and take action as deemed necessary:

1. *Face Coverings and Masks*
2. *Open Container*

Approved, as shown above

BD-5 [200647.](#)

Special Magistrate Requests Release of Liens (B)

Motion by Commissioner Hayes-Santos, seconded by Commissioner Saco: 1) Staff look at RFP for compliance. Motion passed unanimously. 2) Move forward with foreclosure policy on abandoned buildings. Motion passed 5-2. Commissioner Johnson and Commissioner Simmons in dissent. 3) Accept Magistrate's recommendation and look at special assessment for future. Motion failed 3-4. Commissioner Johnson, Mayor Poe, Commissioner Ward and Commissioner Simmons in dissent.

Lee Feldman spoke to the matter.

Pete Backhaus, Code Enforcement Manager spoke to the matter.

Nathan Skop and Darlene Pifalo spoke to the matter.

RECOMMENDATION

The City Commission approve, approve with modification or deny the Code Enforcement Special Magistrate's recommendations and authorize the Mayor and/or the City Manager to sign any required documents as outlined:

1. David C. Hoye, 506 NW 3rd Street: Magistrate recommends that the lien in the amount of \$195,223.02 be released.

2. Ina H Santos, 2130 SE Hawthorne Road: Magistrate recommends that the lien in the amount of \$25,500 be reduced to \$1,000.

3. Kaja Holdings LLC, 115 SE 14th Street: Magistrate recommends that the lien in the amount of \$1,400,000 be released.

4. David C/Linda K Stewart, 3119 SW 26th Terrace: Magistrate recommends that the lien in the amount of \$131,300 be released with the following conditions: The respondent has 60 days from the signing of the order to sell the property or the fines will revert to \$131,300.

5. John L. Rowe, 1237 SE 3rd Avenue: Magistrate recommends that the lien release request be denied.

6. Jose Luis Fornis, 3707 SW 28th Terrace: Magistrate recommends that the lien in the amount of \$67,531.11 be reduced to \$5,000.

Approved, as shown above

BD-6 [200770.](#)

Community Land Trust - Draft RFP Scope of Services (B)

This item requests City Commission review of a draft scope of services that would be incorporated into a City Request for Proposal designed to select a partner to provide Community Land Trust (CLT) services.

Motion: Move forward with proposed RFP; 2) Bring back memo outlining the process and advertise the RFP for 90 days.

Erik Bredfeldt, Economic Development and Innovation Director gave a presentation.

Lee Feldman spoke to the matter.

Armando Grundy-Gomes spoke to the matter.

Recess - 5:14 PM

Reconvene - 6:00 PM

RECOMMENDATION *The City Commission: 1) hear a brief staff presentation; 2) direct staff as deemed appropriate.*

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

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

PLEDGE OF ALLEGIANCE

Reconvene - 6:02 PM

PR PROCLAMATIONS/SPECIAL RECOGNITIONS (PR)

PR-1 [200775.](#) Black History Month February, 2021 (B)

Vivian Filer and Mike Powell accepted the proclamation and gave comments.

RECOMMENDATION *Vivian Filer, Mike Powell, and Rodney Long to accept the proclamation.*

Heard

PR-2 [200777.](#) Florida Police Chief Association (FPCA) Life Saving Award Recognition (NB)

Chief Ed Book from Santa Fe College Police Department presented the Life Saving award to Sergeant Sweeting.

RECOMMENDATION *The City Commission hear a brief summary and recognize the awardee Sergeant Steven Sweeting.*

Heard

RE RESOLUTIONS - ROLL CALL REQUIRED (RE)

RE-1 [200773.](#) Resolution to Initiate the Governmental Dispute Resolution Process with Alachua County Re: CARES Act Funds (B)

Lee Feldman spoke to the matter.

RECOMMENDATION *The City Commission adopt the 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 [200252.](#) Text Change - Amending the Land Development Code Relating to Two-Family Dwellings (B)

Ordinance No. 200252

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 two-family dwellings; by amending Section 30-2.1 Definitions; ~~by amending Section 30-4.16 Permitted Uses;~~ and by amending Section 30-4.17 Dimensional Standards; 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 Hayes-Santos, seconded by Commissioner Saco, 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 [200280.](#) Quasi-Judicial - Historic Property Tax Exemption - 719 NE 5th Street (B)

Ordinance No. 200280

An ordinance of the City of Gainesville, Florida, finding that property located at 719 NE 5th Street, Gainesville, Florida, as more specifically described in this ordinance, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax for certain improvements beginning January 1, 2021, and continuing for 10 years under certain conditions; authorizing the Mayor and the City Clerk to sign the Historic Preservation Property Tax Exemption

Covenant between the property owner and the City; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission: 1) approve Part 2 of the Historic Preservation Property Tax Exemption Application; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Saco, that this Matter be Adopted on Final Reading (Ordinance) 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

SR-3 [200464.](#)

Pedestrian Safety - Traffic Separator Ordinance (B)

Ordinance No. 200464

An Ordinance of the City of Gainesville, Florida, creating a new Article VII titled "Pedestrians Prohibited in Traffic Separators" within Chapter 26 titled "Traffic and Motor Vehicles" of the City Code of Ordinances; amending Sec. 2-339 to create a civil citation penalty; providing a severability clause, providing a repealing clause and providing an effective date.

Motion: Approve as amended.

Nicolle Shalley spoke to the matter.

Lee Feldman spoke to the matter.

Chief Jones spoke to the matter.

Bruce Frendall, Donald Shepherd, Niko Segle-Wright, Darlene Pifalo and Lianne Shepherd spoke to the matter.

RECOMMENDATION *The City Commission consider the proposed ordinance.*

A motion was made by Commissioner Ward, seconded by Commissioner Hayes-Santos, that this Matter be Adopted on Final Reading, as amended (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-4 [200657.](#)

Ordinance Amending the Supplemental Retirement Program for Police Officers (B)

Ordinance No. 200657

An ordinance of the City of Gainesville, Florida, amending Section 2-608 of the Code of Ordinances of the City of Gainesville to modify the eligibility rules associated with the Supplemental Retirement Program for Police Officers; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION

The City Commission: 1) approve the amendment to the Police Share Plan as ratified by the FOP and the PBA; and 2) adopt the proposed Ordinance.

A motion was made by Commissioner Hayes-Santos, seconded by Commissioner Simmons, that this Matter be Adopted on Final Reading (Ordinance) 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

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

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

BD-7 [200779](#) Selection of Alachua County Public School's School Planning Advisory Committee (SPAC) Members (B)

Motion: Advertise for 30 days with a letter of interest, and add to upcoming agenda.

RECOMMENDATION

The City Commission discuss and take action as deemed necessary regarding the designation of community members (neighbors) to the SPAC.

A motion was made by Commissioner Simmons, 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

CC COMMISSION COMMENT

Mayor-Commissioner Pro Tem Arreola - Prior to the MTPO meeting on the 22nd have the Mayor send a letter to the District Secretary and the State Delegation inviting them to the meeting.

ADJOURNMENT - 7:08 PM